



The Fire Brigades Union

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TO: ALL MEMBERS

Dear Brother/Sister

PENSIONS: REPORT OF FBU OFFICIALS' MEETING; LEGAL ACTION; EARLY DAY MOTION (PRAYER); BUCKINGHAMSHIRE

On 7 November Officials from all Brigades, Regions and Sections met in Liverpool for an update on the pension campaign and to give feedback. These discussions will be reported back in further detail through Brigade Committee structures to FBU Branches.

The report-back covered all aspects of the Union's work on pensions. The FBU has set out very clearly throughout that there are three essential strands to our campaign; **political lobbying** and campaigning; **legal challenges** where possible; and **industrial action** where necessary. Each of these has an essential role to play and we have explained throughout that it would be a mistake to ignore any of these strands.

Recent Strike Action

Local FBU Officials took the opportunity to report on how the strikes had been supported across English Brigades and to give their views on how different types of action had been received by members. This included a range of views on future action. This type of feedback is essential as the Executive Council is regularly monitoring and assessing the situation and any developments as you would expect.

The Executive Council is considering the next steps in our industrial campaign and the views of local Brigade Committees are an important aspect of any decision making. FBU members will appreciate that there are always a range of views on the question of industrial action and the Executive Council needs to take account of such a range of views as well as seeking to take forward our campaign.

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Legal Challenges

A full explanation was given on a legal challenge that the FBU had just submitted in England. Please note that this is simply one of a series of challenges which are being discussed and finalised with our lawyers. This legal challenge focuses on the actuarial reduction that the Westminster Government is suggesting should be applied at age 55. The current DCLG proposal suggests that it should be around 21.8% while the FBU believe it could be much lower if an alternative method was used. The FBU challenge is based on the argument that the current method of working out the reduction at age 55 adopted by DCLG is incorrect. Officials were given an explanation of how using the method the union is proposing instead of the current one could make a significant difference to the pension benefits of a large number of members, particularly around the age at which benefits could be taken. A more detailed explanation of this is being prepared and will be issued shortly.

It is important to note that it was impossible to progress this legal challenges until we had confirmation that Government had made a decision on these issues. The Government response beforehand (i.e. before the laying of the regulations) was that any legal challenge was premature as no final decision had been taken. By laying the regulations in Parliament, DCLG have given this confirmation and therefore the next legal steps can be taken on this and other issues.

Political Challenges

Political lobbying and campaigning have been essential throughout the past three years. However, they are particularly important and particularly urgent now. When the regulations were laid in Parliament we began a process of members lobbying MPs to 'Pray' against the legislation. This is a rarely used process which seeks to get enough opposition to challenge the Government by various means. This lobbying campaign calls for MPs to sign Early Day Motion (EDM) 454 opposing the legislation. Initially this EDM was tabled by members of the FBU Parliamentary Group but following further lobbying was then supported and sponsored by Hilary Benn MP (Shadow Secretary of State for Communities and Local Government). Other frontbench opposition MPs including Lyn Brown (Shadow Fire Minister) have signed the EDM. On Tuesday 11 November the leader of the opposition Ed Miliband signed and became main sponsor of the EDM. To-date the EDM has been supported by 159 MPs, making it the best supported EDM in this session. This is a significant show of opposition against the regulations. The full list of signatories can be seen following this link:

<http://www.parliament.uk/edm/2014-15/454>

This list is updated regularly. If your MP has not signed please make sure they are contacted. A simple lobbying letter can be accessed on the FBU website www.fbu.org.uk.

Developments Elsewhere

The Scottish Government has now formally proposed an improvement we have been discussing with them for months. They have confirmed that they will use the method suggested by the FBU for calculating actuarial reductions at age 55 instead of the ones proposed by DCLG. This means that instead of a reduction of 21.8% they are proposing one of 9%. This does worsen the accrual rate to 1/61.6 but the benefits at age 55 for 2015 scheme members are significant. The FBU advisors are currently working on examples to show what this could mean in real terms to scheme members.

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The Welsh Government has also confirmed that it will be consulting on options that also include reductions at age 55 which use our suggested method instead of DCLGs. Similar to Scotland these reductions will be 9% instead of 21.8% although the accrual rate in their option is slightly better at 1/61.5. Examples are also being prepared to show what this means in real terms. The Welsh Government have confirmed that they have no preferred option and will respond to the consultation responses received. The FBU will be preparing a response outlining why our suggested methodology should be adopted. As with all public consultation exercises, Firefighters and other members of the public in Wales will be invited to respond. We will be distributing further advice to enable members to understand the differences between the proposals and the potential improvements for FBU members.

Situation in Buckinghamshire

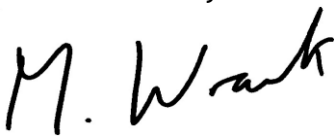
An extremely serious situation has arisen in Buckinghamshire where an FBU member (Bro. Ricky Matthews, who is also FBU Executive Council member for Region 12) has been dismissed for following our lawful call for strike action in the four day strike. This follows claims from the employer that the call for strike action had been made unlawfully. The union took expert legal advice on this issue and we are absolutely confident that the correct and lawful procedure was followed. It is significant to note that no actual legal challenge was made against the union, which would be the mechanism by which an employer would demonstrate (rather than simply claim) that a union had made an error in a call for industrial action.

As members would expect in such circumstances, every effort is being made to address this situation, in full discussion with Bro. Matthews and with other local officials.

Some of this work is necessarily confidential and cannot all be reported on detail at this stage. A fuller report on this issue will be prepared and circulated shortly, including the next steps identified by the Executive Council and discussed with Bro. Matthews.

Best wishes.

Yours fraternally

A handwritten signature in black ink, appearing to read 'M. Wrack'.

**MATT WRACK
GENERAL SECRETARY**

MW/sll