

Hampshire Fire and Rescue Authority

Human Resources Committee 21st November 2013 Item:

Firefighter Fitness Standards and Assessments: Key Principles

Report by the Chief Officer

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1 Summary

On 1 November 2013, Brandon Lewis MP, the Fire Minister, wrote to the Chairmen of Fire and Rescue Authorities and the Chief Officers/Chief Fire Officers of Fire and Rescue Services in England. The purpose was to set out the background to a period of consultation on the Firefighter Fitness Standards and Assessments: Key Principles. The consultation documentation requests that Authorities and Services respond to consultation using a structured response form by Friday 6 December 2013.

2 Recommendation

- 2.1 That the Human Resources Committee delegates the responsibility to respond to the consultation on the Firefighter Fitness Standards and Assessments: Key Principles to the Human Resources (HR) Director, Hampshire Fire and Rescue Service (HFRS).

3 Introduction and background

- 3.1 The current trades' dispute between the Fire Brigades Union (FBU) and the Government over changes to the existing pension schemes for those within the firefighter profession has included a debate about the ability of people in active front-line roles between the ages of 55 and 60 to maintain the levels of fitness required to complete their duties safely and effectively. This aspect of employment has been widely accepted as being a responsibility for individual Fire and Rescue Services, not central government. This is a new departure in the nature of the dispute which had previously been a matter solely between the FBU and Government. Authorities and Services therefore now have a more direct involvement in helping to resolve the dispute.
- 3.2 In response to this new direction, a set of 11 key principles were brought forward for discussion by Government in conjunction with National Employers. These reflected the solution that was proposed and accepted in Scotland which was part of the package that led to the FBU in Scotland deciding not invoke any strike action in response to the changes to pensions.

3.3 The key principles were shared with Authorities and Services and a meeting of Chairmen and Chiefs was held in London on 24 October 2013. HFRA and HFRS were represented. There was not a consensus amongst attendees on the way forward at that meeting. In response to that, the Fire Minister has sent a letter to all English Fire and Rescue Authorities and Services (attached) to launch a consultation on the key principles, with the aim of reaching an agreed way forward. The Chief Fire and Rescue Advisor (CFRA) produced a letter (attached) setting out the 11 key principles. The response to the consultation has been requested in a form provided with that letter. The letters are attached to this report and are available on the Department for Communities and Local Government (DCLG) web site.

4 Response to Consultation

4.1 The responses are required to be with CFRA by Friday 6 December 2013. CFRA has distributed a questionnaire to support the provision of feedback on the consultation. This does not restrict the feedback that can be given, but will inevitably lead to focused responses on the questions posed.

4.2 The questions are as follows:

1. Do you think that these principles, supplemented by an independent review in three years, provide an acceptable framework for you to take forward issues of fitness and capability?
2. Do you have fitness policies and standards already in place in your authority, including policies to support those who become unfit?
3. If yes to the previous question, do these draft proposals differ from the policies, processes and principles already in operation in your Fire and Rescue Authority?
4. Do you believe that there can be 'national fitness standard' or should this be left to local discretion.
5. Do you have policies on authority initiated retirements under the New Firefighters' Pension Scheme 2006?
6. What operational roles for firefighters can be developed and would be suitable for people with lower levels of fitness.

4.3 There is a real willingness and aspiration to find a suitable solution that fits both needs of the organisation and the individual employees. With some clarification on and resolution of a small number of key points, there is an expectation that an agreement is possible. However, there is a need seek consensus from the employers side to ensure the final agreement does meet the needs of all organisations. In order to progress this in the most effective way, the National Employers and the Chief Fire Officers Association (CFOA) have agreed that a consensual approach will have the best chances of success.

4.4 The Service will engage with both National Employers and CFOA to ensure that HFRA and HFRS play their part in that approach. In order to do that and also engage with internal stakeholders, the Chief Officer has asked the HR Director to lead on the response from the Service. It is recommended that, as a single

response would be appropriate from both the Authority and the Service, the HR Committee delegate the responsibility to the HR Director to complete and return a single response on their behalf.

5 Supporting our corporate aims and objectives

The Service has a very positive relationship with all Unions. In the current period of industrial action the service managers and FBU representatives are meeting on a regular basis and constructive relationships are being maintained at a local level. Maintaining these relationships remain a key objective as we seek to manage the current situation, and equally importantly to ensure that these positive relationships remain intact so we can continue to deliver our current and future organisational priorities.

6 Risk analysis

Failure to respond to the consultation would mean that the Authority and Service were unable to influence the outcomes of the consultation. Similarly, if our response was significantly different from those of others within the sector, that lack of consensus would make the task of negotiating a mutually agreed and sustainable agreement more difficult for the National Employers.

7 People Impact Assessment

In compiling our response to the consultation, the Service will complete a people impact assessment. It will seek to ensure that this is also done at a national level to support the presentation of our feedback.

8 Resource implications

8.1 Physical Resources

The HR Director is already committed to supporting the response to the consultation on the Firefighter Fitness Standards and Assessments: Key Principles on behalf of the Service. Completing this as a single return for both Authority and Service will make best use of time and capacity.

8.2 Financial Implications

There are no financial implications associated with the completing and returning a single return for both Authority and Service.

9 Conclusion

The recent developments in the current trades' dispute have drawn Fire and Rescue Authorities and Services into national level discussions over the way fitness issues should be managed for staff between 55 and 60. The approach being advocated by both National Employers and CFOA is to draw all English Services as close together as possible to increase the probability of a good solution for all. To do this effectively and within the timeframe required, it is proposed that the responsibility for submitting the response is delegated to the HFRS HR Director.

10 Background papers

The following documents disclose the facts or matters on which this report, or an important part of it, is based and has been relied upon to a material extent in the preparation of the report:

Letter – Consultation on Fitness and Capability. From Brandon Lewis MP, Parliamentary Under Secretary of State dated 1 November 2013

Letter - Fitness and Capability Consultation. From Peter Holland, Chief Fire and Rescue Advisor dated 1 November 2013

The above are attached to this report.

Note: The list excludes: (1) published works; and (2) documents that disclose exempt or confidential information defined in the Act.