

Hampshire Fire and Rescue Authority

Human Resources Committee

30 January 2013

The National Joint Council for Local Authority Fire and Rescue Services

Report by the Chief Officer

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1 Summary

- 1.1 The National Joint Council for Local Authority Fire and Rescue Services (NJC) is the body responsible for negotiating changes for the national terms and conditions (T&Cs) of service for those within the profession of firefighter. The current infrastructure that maintains the system does not enable Fire and Rescue Services (FRSs) to directly influence the issues that are raised for negotiation with the Fire Brigades Union (FBU). All such connections are established through democratically elected members from FRAs appointed onto the Employers Committee.
- 1.2 For those elected members who sit within the national infrastructure such as the NJC and Fire Services Management Committee, there are limited arrangements that allow them to receive and understand the views and requirements of Fire and Rescue services individually or collectively. There are no formal links between the NJC and the Chief Fire Officers' Association (CFOA). The steps within this paper seek to improve the sense of connection between HFRS (and FRSs more generally) and the NJC.

2 Recommendation

- 2.1 That, when available, the HR Committee receive and consider the information that CFOA is collecting that will detail the views of English FRSs by Region on what national T&Cs they would ideally like to change to aid future development.
- 2.2 That the HR Committee would seek to influence the agenda for changing national T&Cs through existing democratic mechanisms that will benefit both HFRS and FRSs more widely.

3 Introduction and background

- 3.1 The NJC is the body responsible for negotiating changes for the national terms and conditions (T&Cs) of service for those within the profession of firefighter on behalf of all UK FRSs. The NJC is independent of Central Government. The National Employers established an advisory body to provide a Forum of expert opinion to advise the Employers' Side of the NJC on issues within its remit. The selection of those independent advisors is somewhat ad hoc.

- 3.2 All UK Local Authority (LA) FRSs are bound by the national T&Cs. Uniformed operational staff (firefighters) up to the role of Area Manager are covered by the same set of T&Cs which are referred to as 'The Grey Book' for clarity and ease of reference. More senior staff at roles of Assistant Chief Officer (ACO), Deputy Chief Officer (DCO) and Chief Officer are covered under a separate set of T&Cs referred to as 'The Gold Book'. Non-uniformed staff have their T&Cs defined in 'The Green Book' which are generally common to all similar LA employees and, as such, these are controlled under separate governance arrangements and involve different trade unions. The Green Book is covered within this paper. The colours used have no real significance other than historically these were the colours of the covers used to bind the respective documents.
- 3.3 Advisers to the NJC are nominated annually by the Employer stakeholder bodies on the NJC and appointed by the full Employers' Side of the NJC. The Advisory Forum comprises senior management as well as finance, legal and human resources directors. The number of nominations made are as follows:
- Local Government Association (LGA): 10 nominations
 - Convention of Scottish Local Authorities (COSLA): 3 nominations
 - Welsh Local Government Association (WLGA): 1 nomination
 - Northern Ireland Fire and Rescue Service Board (NIFRSB): 1 nomination
- 3.4 The Advisory Forum is established to advise members of the NJC upon substantive matters on the agenda for Employers' Side meetings and full meetings of the NJC for LA FRSs. Meetings take place around three weeks before an Employers' meeting in order to ensure that advice is available to members as part of their consideration of the matters concerned.
- 3.5 Composition of the Advisory Forum has been chosen to utilise professional expertise in a number of areas. Advisers are not appointed to represent their particular FRS. However, advisers should be aware of the requirement for the Forum to be mindful of the differing needs and circumstances of fire authorities throughout the UK (see section 4.1).
- 3.6 A number of Forum advisers are invited to attend Employers' Side meetings to answer any questions on the advice provided.
- 3.7 The current membership of the Advisory Forum, effective from 4 October 2012, is as follows:

LGA

James Dalglish	Head of Human Resources and Development, London Fire Brigade.
Ron Dobson	Commissioner, London Fire Brigade (Lead LGA Adviser).
Max Hood	West Sussex Fire and Rescue Service
Steve McGuirk	Chief Fire Officer and Chief Executive, Greater Manchester Fire and Rescue Service.
Karen Palframan	Head of Service Development, Norfolk Fire and Rescue Service.
Simon Pilling	West Yorkshire Fire and Rescue Service

Kieran Timmins	Assistant Chief Executive and Treasurer, Merseyside Fire and Rescue Service.
Bob Warren	Director of People and Development, Lancashire Fire and Rescue Service.
Roy Wilsher	Director Community Protection and Chief Fire Officer, Hertfordshire Fire and Rescue Service.

COSLA

Brian Sweeney	Chief Fire Officer, Strathclyde Fire and Rescue Service.
Graham Haugh	Assistant Chief Officer (HR), Strathclyde Fire and Rescue Service.
David Millar	Director of Corporate Services, Lothian & Borders Fire & Rescue Service.

WLGA

Richard Smith	Chief Fire Officer, Mid & West Wales Fire & Rescue Service.
NIFRSB	Chris Kerr, Interim Chief Fire Officer, Northern Ireland Fire and Rescue Service.

NIFRSB

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3.8 The NJC itself has 28 members. The membership is allocated as follows:

Employers' side:

- LGA: 9 members.
- COSLA: 3 members.
- WLGA: 1 member
- NIFRSB: 1 member.

Employees' side:

- The Fire Brigades Union: 14 members.

4 Influence at a National Level

4.1 The current governance arrangements are predicated upon the information from individual FRSs being filtered up to the NJC via elected members. There is no understood mechanism for those individuals to be passed strategic information that is relevant to all, specific groups or a majority of FRSs. Similarly, although Advisers (see section 3.5) are asked to be mindful of the differing needs and circumstances of fire authorities throughout the UK, there is no mechanism (formal or informal) for them to do this. This is in keeping with their role as they are not a conduit for wider views but to provide guidance and technical advice. Therefore, Advisors can realistically only provide their personal/professional views or, at best, those relating to their individual Services.

- 4.2 CFOA have become increasingly aware that its collective understanding of the sector had no mechanism to be passed to the NJC. All FRSs in the UK are members of CFOA. Meetings between the CFOA HR Director (who is elected by his peers) and the Employers' Side Secretary of the NJC have only led to that position being confirmed. In order to gain a formal mandate for change and improvement in the existing terms and conditions from its membership, CFOA is undertaking an exercise to collect the views of all English FRSs by Region on what in the national T&C's they would ideally like to change. The CFOA HR Director chairs the national committee for People and Organisational Development (POD), which provides representation for all FRSs by region in England and also for the three devolved administrations.
- 4.3 Following completion of this exercise, the results will be shared and confirmed at the POD. The next meeting is on 22 January 2013. Once ratified, the information will be passed to all FRSs. It will also be passed to the Employers' Side Secretary of the NJC. However, as there is no formal recognition of CFOA by the NJC, this will be for advice and information only and cannot form any basis for a mandate for change. That would have to come through elected members who sit within the existing governance structure.
- 4.4 Once received by individual FRSs across the country, it is hoped that this will be shared with the Elected Members of the respective Authorities. The aspiration is that, through those Elected Members, influence can be brought to bear on the NJC to consider the changes that will best serve the Fire Sector.
- 4.5 It is proposed that, once HFRS has received the national priorities for change as outlined above, these will be presented to the HR Committee for discussion. It would be for the HR Committee to consider how best to use that information and to compare that to the current and future needs of HFRS. Where appropriate, it may wish to seek to influence change at a national level. Councillor (Cllr) Roger Price is a member of the Fire Services Management Committee for HFRA. It has been suggested that, if a mandate were passed to Cllr Price by the HR Committee to raise at the Fire Services Management Committee, the Service would be able to use the existing democratic processes to influence those who sit within the NJC and who have the ability to make changes. Other Services will similarly be asked to engage with their elected members to seek to influence the agenda of future meetings of the NJC via the relevant mechanisms open to them.

5 Supporting our corporate aims and objectives

- 5.1 These plans support our overall objectives as stated in the Service Plan.

6 Risk analysis

- 6.1 There is a risk that if the NJC is unaware of the key priorities for FRSs they will not be in a position to discuss making changes with the FBU that are most beneficial to

the long term improvement of the Fire Sector.

7 People Impact Assessment

- 7.1 The proposals in this report are considered compatible with the provisions of the European Convention on Human Rights, the Human Rights Act 1998, and the Race Relations (Amendment) Act 2000.

8 Environmental and Sustainability impact assessment

- 8.1 There are no identified environmental or sustainability impacts at this point.

9 Resource implications

9.1 Human Resources

There will be some work required internally to consider how the Service may wish to proceed with some specific areas of national T&Cs. Similarly, work will continue to be done with Regional and National colleagues. Any such work will be contained within existing establishment levels.

9.2 Physical Resources

There are no Physical Resources implications at this stage.

9.3 Information and Communications Technology Resources

There are no Information and Communications Technology implications at this stage.

9.4 Financial Implications

There are no Financial implications at this stage.

10 Consultation

- 10.1 Consultation has already occurred at a regional level, with all Services in the South East Region contributing to the return provided to the POD on our behalf.
- 10.2 Discussions involving all regions of England and the devolved administrations have been led by the CFOA HR Director within the governance arrangements of the POD. Discussions have also taken place between the CFOA HR Director accompanied by CFOA POD colleagues and the Employers' Side (Joint) Secretary of the NJC accompanied by a selection of her Advisors.

11 Conclusion

- 11.1 HFRS are governed by national terms and conditions (T&Cs). These have a significant effect on how it can operate. The current arrangements for considering changes to those T&Cs do not allow for direct influence by Fire and Rescue Services other than by influencing those elected members who sit on the NJC Employers' Committee.

- 11.2 The proposals to bring together the collective priorities of FRSs through the existing infrastructure of CFOA will provide an opportunity to align future organisational needs to the changes that the NJC may seek to bring about through its negotiations with the FBU. The engagement of Elected Members in this process is key to being able to use the existing democratic processes to meet the organisational needs of this, and other FRSs.

12 Background papers

- 12.1 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:

“None”

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