

GM G Lomax
TRM Manager
Merseyside Fire and Rescue Service
Service Headquarters
Bridle Road
Bootle
Merseyside
L30 4YD

Date: Thursday, 26 May 2011

Ref: GM/SM Reductions.

Dear Ms Lomax,

Further to our meeting yesterdays date, I write to confirm matters.

1. I requested a copy of the major incident risk assessment and would be grateful for a copy.
2. The Service proposes a reduction in the number of Station and Group Managers from what you say is the current arrangement of 10 GM's and 20 SM's to 8 GM's and 16 SM's, my understanding is that there is no agreement nor consultation on any reduction from the level that was 12 GM's and 24 SM's and as such could you provide any such information or evidence of any consultation on this matter. I believe that would be required by statute as advised by CLG through IRMP guidance notes circulated from time to time.
3. You state that attempts have been made to move to one self rostering system through discussions with FOA which you say is proving difficult. Can you explain why there have been no negotiations with the FBU on this matter and can you provide information and evidence of those negotiations to date.
4. You have confirmed that the proposed system is not Grey Book compliant and further you state that the current Grey Book system is a '*rigid*' system although it is a nationally recognised system entitled the '*flexible duty system*' (FDS). Could you clarify why you believe the FDS system is a rigid system?
5. Regarding the issue of amount of covers employees would have to provide. You confirmed that the proposed system would result in those employees working slightly more than the 2.22 covers per 6 weeks, meaning that those employees will be called on to provide more covers. You then confirmed that would give 'self rostering' managers more opportunity for additional payments for additional commitments. I am unsure why those on the Grey Book system would not be offered the same opportunity as it doesn't seem that they would be procedurally prohibited from working additional shifts if required and I would be grateful for clarification on that point.

6. Can you confirm that the proposed system would require employees to opt out of the Working Time Regulations?
7. Could you please provide me with copies of the hours worked by Group and Station Managers for the last three years to be able to make appropriate comparisons using Service data?
8. The risk assessment you provided concerns the Fire Brigades Union greatly and I confirm as I stated in the meeting that the Union do not believe it to be suitable or sufficient. As such I seek an urgent meeting with you and your risk assessor on this matter.
9. In relation to the proposed duty system itself and the ridership factor extrapolated on page 9 of the document you will recall I enquired if the document was in fact factually correct, you confirmed it was. I draw your attention to the element of the calculation regarding leave and the statement within the document that states that *'any request for leave is not approved until alternative cover is found'*. This is an alarming statement to make in any proposal and I would be grateful if you could confirm that the leave being referred to is the contractual annual leave as laid out on page 9 (28A, 5B, 3LS, 8PH).
10. Notwithstanding that clarification I request, you confirmed that any other leave can only be provided if alternative cover is found. This, you confirmed, includes sick leave currently running at around 5% for operational staff with the target being set at 3%. You confirmed that other abstractions such as operational training, health and safety training, special leave, parental leave, maternity support leave and maternity leave would only be provided if others cover that shortfall. I believe this to be a fundamentally important issue which should have been covered by the Equality Impact Assessment (EIA) but wasn't.

Effectively, the Service seems to be proposing a system of work that prohibits statutory provisions in terms of leave (in the absence of other employees voluntarily covering that absence) which the Fire Brigades Union have grave concerns over. This, I am sure you can appreciate, is such an important issue as to require urgent resolution and I would seek your most urgent response on this matter.

11. Can I ask that you remove the name of the named individual on page 11? Although the individual is not a member we represent it shouldn't be the case that individuals are named and identified in any proposal, similarly it shouldn't be the case that individual's medical conditions are revealed in such a document.
12. Could you provide me with a copy of the report CFO/219/05 referred to in the EIA.
13. The EIA assesses the impact on gender issues as being beneficial due to greater flexibility, could you clarify how a proposal resulting in being in work more often than previously could be regarded as assisting the Worklife balance on an employee, I ask the same question in relation to the assessment relating to religion or belief.

14. The EIA refers to continued provision of cover for incident rather than 'self rostering', can you confirm why that is the case.
15. The EIA confirms that individuals moving into the GM/SM group will be *required* to self roster, the Service is then *requiring* by definition that employees seeking career progression must work in breach of their national conditions of service and I would be grateful for your comment on that issue.

I would also be grateful if you could confirm that our meetings will be meaningful negotiation meetings with both parties having the authority to freely negotiate positions that would then be put to the respective parties' constituent bodies.

If you require any further information please do not hesitate to contact me.

Yours sincerely

L Skarratts
Brigade Secretary