

AGENDA ITEM:

REPORT TO:	MERSEYSIDE FIRE & RESCUE AUTHORITY CONSULTATION AND NEGOTIATION PANEL
DATE:	13TH AUGUST 2010
REPORT NO.	CFO/139/10
REPORTING OFFICER:	ACTING CHIEF EXECUTIVE & CHIEF FIRE OFFICER
CONTACT OFFICER:	
OFFICERS CONSULTED:	MIKE CUMMINS, INDUSTRIAL RELATIONS MANAGER, EXTN. 4244
SUBJECT:	INDUSTRIAL RELATIONS FRAMEWORK

APPENDIX A TITLE: PROPOSED MEETING DATES

APPENDIX B TITLE: AMENDED TERMS OF REFERENCE

ATTACHED - HARD COPY

Purpose of Report

1. Proper arrangements for nurturing good industrial relations help Merseyside Fire and Rescue Authority deliver its services without distraction or disruption helping make the community safer, stronger, healthier and our employees can be the best they can. This report considers future arrangements for the industrial relations process, given recent changes within the Service and the Authority.

Recommendation

2. That:
 - (a) Members of the CNP consider and endorse the proposals outlined in this report; and
 - (b) Members agree the amendment to their Terms of Reference; and
 - (c) Members agree the revised meeting schedule; and
 - (d) Members instruct the Employers Joint Secretary to open consultation on this framework with the recognised trade unions and, due to the non-controversial nature of the proposals, set the consultation period as 4 weeks, and

- (e) Members agree to seek approval of this report from a full Authority meeting in order to engage the support of fellow Authority Members.

Introduction & Background

3. Employee relations includes how the Fire Authority and Leaders in the Service interact and communicate with staff working for the Authority whether on an individual, group or collective basis. This relationship is important at all times but none more so where the Service goes through periods of change that, in reality, seem a permanent feature for the foreseeable future.
4. Industrial relations refers more specifically to the relationship between staff representatives (trade unions) and the Fire Authority and its professional leaders. Good industrial relations, whilst difficult to define, is accepted as desirable in order to prevent distraction or disruption to the amazing services delivered by staff. Members of the Fire Authority have recognised the important role of Elected Members in this relationship as reflected in the on-going existence of the Consultation and Negotiation Panel; a formally constructed committee of the Fire Authority.
5. This report considers how the role of Elected Members can be strengthened in the industrial relations arrangements making the CNP a more active participant in the process. The report also details the practical, day-to-day arrangements that are to be put in place all designed to strengthen industrial relations and underpin the necessary dialogue between the leadership of the Service and recognised trade unions.
6. The Authority has 'recognised' the following trade unions.

Association of Principal Fire Officers (APFO)
Fire Brigades Union (FBU)
Fire Officers Association (FOA)
GMB
Unison
UNITE
7. Exact membership of these unions by MFRS staff is difficult to determine precisely for obvious reasons but the FBU is the largest single union, probably representing less than half the staff employed by MFRS with Unison being the second largest representative body. It is considered that Members would continue to value all recognised trade unions and also respect an individual's right not to belong to a trade union in line with Fire Authority policy.

Practical Arrangements

8. The Fire Authority grants generous time off to trade union officials in proportion to their membership and above any statutory requirements. There has been concerns raised by the Auditor of some of these arrangements around excessive time being taken and it is hoped that this will be resolved shortly to the satisfaction of all parties through new arrangements.

9. The arrangements mean there is a legitimate expectation that trade union officials are readily available to respond to and attend meetings with lead officers in the interests of staff and the community. The Authority has a nominated 'Local Employer's Joint Secretary' to lead on industrial relations and the day-to-day management is carried out by a small number of staff including a dedicated industrial relations manager who works out of the Performance and Values function.
10. To give Members an understanding of the proposed arrangements, the Industrial Relations Manager will meet with lead trade union officials at least once a week to ensure progress is being made on key areas of consultation and negotiation to help ensure no barriers are appearing. It is also anticipated that these minuted meetings allow any other issues to be raised that may be dealt with where possible to the satisfaction of all concerned before they escalate.
11. The Employer's Joint Secretary will meet with his opposite number at least once a month and this should be a productive meeting given the dialogue taking place between meetings as detailed above. It should be stressed that these are the minimum number of meetings - should more be required then every effort will be made to meet that desire and the emphasis is placed on good relations and transparency. It should be remembered that such arrangements are not to apply solely to the dealings with the Fire Brigades Union although they account for the vast majority of disputes. It is important all trade unions feel this is inclusive for them and every effort would be made to be consistent across all representative bodies.
12. In the past, members of the CNP have generally only become involved when issues of disagreement have escalated. Members will expect Service leaders and trade representatives to resolve issues of dispute wherever possible without the need to resort to CNP. It is felt, however, that Members would benefit from more regular and systematic updates both so they can satisfy themselves that all parties are committed to good industrial relations and to better inform them of issues that may formally involve the CNP in the future. This process would also allow CNP Members to be in a more informed position when related issues are raised at the various Authority meetings. Regular meetings at a frequency to be agreed by Members would allow a forum for trade union representatives with Authority Members and would be built around a progress report on relevant consultation and negotiation. It would include all recognised unions.
13. For the sake of clarity, these progress reports will not require Members to become involved in detailed discussion or negotiation but rather be able to assess the progress of the relevant consultation/negotiation. This is distinct from their role as a committee when asked to make a decision on a matter that is unable to be resolved at joint secretary level and been referred to the CNP within the Authority's agreed procedures. The Clerk to the Authority will be available for advice if necessary.

Equality & Diversity

14. An effective industrial relations framework contributes both to a better work environment and a more effective Service which is of benefit to our diverse workforce and our diverse community.

Financial Implications & Value For Money

15. The Authority invests significantly in good employee relations by supporting trade unions. It grants time off to trade union officials to an approximate value of £100k pa:

ESTIMATED VALUE OF TIME OFF GRANTED	
UNION	VALUE OF TIME OFF £'000
FBU	90
UNISON	5
GMB	2
UNITE	1
TOTAL	98

(Source 2009 Internal Audit review)

16. In addition the Authority supports the provision of two national FBU posts at an approximate cost of £80K. The FBU reimburse the Authority for these costs.

Health And Safety And Environmental Considerations

17. An effective industrial relations framework contributes to a safer working environment.

Contribution To Achieving The Purpose

“To Make Merseyside a Safer, Stronger, Healthier Community”

18. An effective industrial relations framework contributes to preventing distraction and disruption thereby helping make Merseyside Safer, Stronger, Healthier.