

**AGENDA ITEM:**

<b>REPORT TO:</b>	<b>MERSEYSIDE FIRE &amp; RESCUE AUTHORITY</b>
<b>DATE:</b>	<b>TUESDAY 9<sup>TH</sup> APRIL 2013</b>
<b>REPORT NO.</b>	<b>CFO/042/13</b>
<b>REPORTING OFFICER:</b>	<b>CHIEF FIRE OFFICER</b>
<b>CONTACT OFFICER:</b>	<b>NICK MERNOCK – DIRECTOR OF PEOPLE &amp; ORGANISATIONAL DEVELOPMENT, EXTN: 4320</b>
<b>OFFICERS CONSULTED:</b>	<b>JANET HENSHAW – DIRECTOR OF LEGAL, PROCUREMENT &amp; DEMOCRATIC SERVICES AUTHORITY CHAIRS AND VICE CHAIRS</b>
<b>SUBJECT:</b>	<b>CONSULTATION RESPONSE – ENDING THE EMPLOYMENT RELATIONSHIP</b>

<b>APPENDIX (A)</b>	<b>TITLE</b>	<b>MFRA RESPONSE TO CONSULTATION – “ENDING THE EMPLOYMENT RELATIONSHIP”</b>
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**ATTACHED – HARD COPY**

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Purpose of Report

1. The Authority was requested to respond the consultation in relation to 'Ending the Employment Relationship'. This report summarises the response provided, and requests that Members note the attached response given to the Department for Business Innovation and Skills.

Recommendation

2. That Members;  
Note the response submitted in relation to the Department for Business Innovation and Skills Consultation regarding “Ending the Employment Relationship”.

### Introduction & Background

3. The Authority was asked to comment on the consultation paper “Ending the Employment Relationship” which sought views on a number of proposals regarding the use of settlement agreements (compromise agreements) during the termination of employment.
4. The consultation proposed the introduction of model letters and templates which the Authority felt would not be advantageous as they may well preclude the current flexibility in reaching agreements.
5. Additionally the proposal for conduct and capability procedures contained within the consultation document were also felt to be both potentially unfair on our employees, and have a detrimental impact on the Authority if it is required to attend at a Tribunal.
6. The consultation looked at the potential at having guideline tariffs in place in relation to compromise agreements and this was again viewed as having a potential negative impact on flexibility.
7. In conclusion the Authority felt the proposals were potentially discriminatory and detrimental to the current practices in operation in this Authority.
8. The full response is attached as Appendix A.
9. The Authority did agree to participate in further dialogue if appropriate.

### Equality & Diversity Implications

10. The Authority in its responses raised the potentially discriminatory elements of the Proposals.

### Staff Implications

11. The Authority has a severance procedure that has been utilised with the support and agreement of the representative bodies and sees no merit at this time in the proposals contained within this document.

### Legal Implications

12. None at this time as this is a consultation document only.

### Financial Implications & Value for Money

13. None at this time.

Risk Management, Health & Safety, and Environmental Implications

14. None at this time, as this is only a response to a consultation circular.

Contribution to Our Mission – To Achieve; Safer Stronger Communities – Safe Effective Firefighters”

15. The Service seeks to protect and support its employees at all times, and considers that the proposals within this document do not enhance the current provisions.