

AGENDA ITEM:

REPORT TO: Meeting of the	MERSEYSIDE FIRE AND RESCUE AUTHORITY CONSULTATION AND NEGOTIATION COMMITTEE
DATE:	23RD JULY 2013
REPORT NO.	CFO/095/13
REPORTING OFFICER:	DEPUT Y CHIEF FIRE OFFICER
CONTACT OFFICER:	NICK MERNOCK
OFFICERS CONSULTED:	MIKE CUMMINS
SUBJECT:	INDUSTRIAL RELATIONS UPDATE

APPENDIX A	TITLE	REP BODIES ISSUES LOG
B	TITLE	FBU RESPONSE IRMP

ATTACHED – HARD COPY

Purpose of Report

1. To inform members of the dialogue between the Service and representative bodies including matters of negotiation and consultation and to provide an update regarding the progress of industrial relations issues since the last meeting of the Consultation & Negotiation Committee (CNC) on 26th March 2013 .

Recommendation

2. That Members;
 - a) Note the contents of this report and the progress being made to maintain effective and constructive industrial relations with representative bodies.

Introduction and background

3. This report deals with both matters of consultation and negotiation.
4. **Service Instructions** – Since the last meeting of the CNC on 26th March 2013 the Joint Secretaries have successfully dealt with a total of 72 new and amended Service Instructions which have also been the subject of consultation with all of

the representative bodies. At the time of writing this report there are a total of 18 Service Instructions awaiting completion of the consultation process.

5. **IRMP 2013 -16** – At its meeting of 26th January 2013 the Authority approved a 12 week consultation period for the draft IRMP 2013/16 including consultation with representative bodies. The Employers Joint Secretary wrote to Unison, GMB, the FBU, the FOA and Unite on this date to open formal consultation. Brief summaries of the key consultation issues and outcomes with each of the representative bodies are detailed in the paragraphs below. Appendix 1(Issues Log) provides a more comprehensive overview of the issues raised by each of the representative bodies and the responses provided by the Service during the formal consultation process.

Outcome of consultation process representative bodies

6. **FOA** - FOA wrote to the Service on 25th March 2013 providing broad support for the IRMP and confirming their commitment to constructive negotiations with the Service regarding its proposals to amend duty systems and work routines. FOA welcomed the approach to limit the impact of compulsory redundancies on Green Book members of staff but raised concerns in relation to the future of the MRU. They also requested clarification in relation to the Primary Authority Scheme. The Service responded on 23rd April confirming that the Authority would not be implementing the changes affecting the MRU immediately and that work was being undertaken to secure external funding. FOA were also provided with a briefing document in relation to the Primary Authority Scheme which assuaged their concerns
7. FOA expressed a preference for the role designation of the OIC on appliances to be set at WMA level under the proposals set out in the IRMP staffing model. At a meeting with the Chief Fire Officer & Deputy Chief Fire Officer on 21st May it was confirmed that the revised staffing model would include this provision but that the financial cost would impact upon the number of occasions during which appliances could ride at a crewing level of 5 on 1 pump stations and 5 and 4 at 2 pump stations. FOA confirmed that they understood the financial constraints which impacted on the ability to ride with 5 and with 5 and 4 and agreed to conclude formal consultation on 4th June albeit that they reserved their position on their preference for the start and finish times for the proposed default 12-hr duty system.
8. **Unite** – Unite offered broad support for the contents of the IRMP but requested further clarification from the Service over the implications of the Support Services Review for workshop staff. Service managers met with Unite representatives in March and confirmed that they would be provided with details on the impact of a reduction in appliance numbers on the work load of workshops as this information became available. Unite representatives were advised that the Service had no intention at this time to seek staffing reductions amongst workshop staff, but that this would be kept under constant review Unite agreed to conclude formal consultation on 15th May.

9. **GMB** – The GMB did not respond to correspondence from the Service of 26th February and 8th March seeking to open up formal consultation over the IRMP and on this basis the Service wrote again on 15th May to formally conclude consultation.
10. **UNISON** – Service managers met with UNISON representatives on 18th March following which UNISON provided a position statement. The Service provided a detailed response on 9th May and the Service wrote to UNISON requesting to conclude formal consultation on this basis. UNISON responded on 7th June confirming that whilst they were content to conclude formal consultation they wished to note a number of concerns in relation to promotion opportunity, training needs and the arrangements for the temporary relocation of staff during the JCC building programme.
11. **FBU** – The FBU provided a comprehensive response (Appendix B) to the IRMP on 4th June 2013. This response reflected much of the content of previous correspondence and meetings between the FBU and Service managers during the formal consultation period, with the Service responses to the issues raised by the FBU being largely summarised in the Issues Log attached as Appendix A to this report.
12. A key issue raised by the FBU during the IRMP consultation process related to the proposals being put forward by the Service regarding a move to 12-hr duty periods as the default duty system and a revised staffing model. Despite a protracted but at all times constructive dialogue it has not been possible to reach an agreement with the FBU in this regard. The CFO has subsequently met with the FBU on 26th June and provided the final offer of the Service over a default shift system and revised staffing model.

The offer is summarised below:

- 24 hour shift system as the default
- 12/12 and 9/15 'off the table'
- Work life balance requests considered on a case by case basis
- 12 hour values applied for administrative purposes (i.e. Scale B, LS, PH and Training Courses. Scale A considered as 19 or 21 day blocks dependent on preferred option – see below)
- Watch related one on, three off or one on, one off, one on, five off base system
- Local self rostering where that is the wish of the station
- Ridership factor of 1.2
- Minimum confidence level of 5 riders on 75% of occasions achieved by AVH

- Preference for devolved station management of staffing and AVH but to be determined dependent on the views of the individual stations
 - 4 additional SMA posts converted from deleted CSM posts
 - Commitment to recruit a minimum of 8 wholetime Firefighters 2013/14 and 8 in 2014/15
 - WMA role on single pump stations (resilience provided by TCA pass holding FF's for development purposes)
 - WMB and WMA on two pump (pre 2015 and for as long as we are able to maintain two pump stations)
 - 5 x FF posts in IMT (other duties redeployment opportunity)
 - 6 x FF posts in TDA (other duties redeployment opportunity)
 - Other duties FF to primary crew specials and aerals where appropriate
 - MACC staffing to be reviewed post JCC occupation
13. The FBU has been requested to confirm acceptance or rejection of this offer by 19th July 2013. Should this offer not be accepted by the FBU then the Chief Fire Officer will take steps to move from the current default shift of 9/15 to a 12/12/ model under his delegated authority. This will seek to secure the productivity gains required to compensate for the overall loss of firefighter posts; and ensure that risk reduction work continues at comparable levels to that undertaken at present.
14. **Redundancy Consultation** – Following the decision by the Authority at its meeting of 26th February 2013 to approve the recommendations of CFO/026/13 over the Support Services review, the Director of POD wrote to all representative bodies on 27th February 2013 to advise them that the Review has identified 57 WTE posts that were at risk of redundancy. The number of staff put at risk was higher on account of the designation and nature of the roles identified.
15. Representative bodies were advised that the Authority would seek to do all in its power to avoid compulsory redundancy where possible but that the scale of the financial challenges meant that it would be extremely difficult to avoid. In this correspondence representative bodies were advised that the Authority had agreed to a 90-day consultation/at risk period to support those staff directly affected and that this consultation period would commence on 4th March.

Representative bodies were also advised that the Authority would:

- Re-open its offer of early retirement/voluntary severance during the 90-day consultation period to allow staff placed at risk this option as an alternative, or for others to leave the Service and their posts to be used for as potential redeployment opportunities.

- Provide a full outplacement service to ensure that staff at risk were fully supported in relation to redeployment skills, interview techniques, CV writing and financial advice
16. Following constructive and progressive dialogue with UNISON re-structures of the Prevention and Strategic Planning teams were achieved without recourse to the need for compulsory redundancies. Employees who were not successful in securing posts under the new structures exercised their options to seek voluntary severance packages, with a number of employees subsequently leaving the employ of the Authority after fully utilising the outplacement and other support opportunities provided.
 17. **Revised Disciplinary Procedure** – Constructive work continues with representative bodies with the objective of creating a single harmonised disciplinary procedure. The managerial level at which disciplinary sanctions are determined, is being considered by the Authority Task and Finish Group. Progress will be reported back to the CNC at a future meeting.
 18. **Contract Harmonisation** – Work with representative bodies to establish consistency over contractual terms and conditions continues. This work is likely to be protracted and the CNC will be provided with a report on progress in due course.

Equality & Diversity Implications

19. None within this report.

Staff Implications

20. None within this report.

Legal Implications

21. None specific to this report. The Director of Legal and Democratic Services is consulted on each individual issue as appropriate.

Financial Implications & Value for Money

22. None within this report.

Risk Management, Health & Safety, and Environmental Implications

23. Effective industrial relations contribute to a safer working environment and a more harmonious and healthy workplace.

Contribution to Our Mission – To Achieve; Safer Stronger Communities – Safe Effective Fire-fighters”

24. Good industrial relations contribute to preventing disruption and distraction thereby helping to ensure Safer Stronger Communities and Safe Effective Firelighters.

BACKGROUND PAPERS

None relevant to this report

***Glossary of Terms**

CNC – Consultation & Negotiation Committee

VS – Voluntary Severance

ER – Early Retirement

WTE – Whole Time Equivalent

FBU – Fire Brigades Union

FOA – Fire Officers Association