



THE FIRE BRIGADES UNION

SPECIAL CONFERENCE 2012

EXECUTIVE COUNCIL POLICY STATEMENT

REORGANISATION

SECTION 1: INTRODUCTION

1.1 Previous Work On Reorganisation

Annual Conference 2009 heard a report on behalf of the Executive Council (EC) which clearly outlined the aim to maintain the Fire Brigades Union (FBU) as an independent and specialist Fire Service Union. The Executive Council remains committed to this and to securing the future of the Union for those who will succeed us.

Since then we have made significant progress in reviewing our working practices and improve our financial planning. By necessity, the ongoing reorganisation requires us to press on with difficult decisions aimed at ensuring the long term viability and sustainability of the FBU. The cuts agenda we face impacts on the UK Fire Service as a whole, including the devolved administrations, and continues to impact on the finances and demands upon the Union.

The imperative created by the financial squeeze means that the Union must continue to review and alter the way we operate in order to ensure we maintain our status as an independent Trade Union. We must continue our drive to identify where organisational changes might be possible to improve the efficiency and good management of the Union and we must continue to improve our mechanisms for budgeting, our long term organisational and financial planning and ensuring that our structures are efficient and effective.

Our number one priority has to be about protecting the Union in order to best protect our members both now and in the future.

Building on the reorganisation project initiated by Conference in 2005, and made more urgent by developments since that time, our Conference in 2011 reviewed our organisational structure in the context of a number of key challenges. It was agreed that our reorganisation review should include a thorough re-examination of all aspects of our organisation, including the financial implications of all structures and decisions. This should have the central aim of strengthening our structures to build, protect and improve our capacity to campaign on behalf of FBU members on the key challenges we face in relation to jobs, pay, pensions and conditions of service.

We agreed that this key challenge must be faced head on and the Executive Council believes we simply cannot afford to shy away from the tough decisions we face.

The Executive Council Policy Statement agreed at our 2011 Conference reported:

- A series of cost savings measures which had already been introduced at Head Office
- Measures the Executive Council had agreed and were beginning to implement
- Measures which would need a decision of Conference either by policy or by Rule change.

The majority of these steps already taken have or will result in a reduction of costs or in more efficient ways of working. However, Conference has also acknowledged that in certain areas of work additional resources will need to be found. For example, the shift toward local bargaining has increased pressure on Brigade Committees and Brigade Officials and the additional emphasis on the role of the Brigade Organiser was designed to assist this. Also, the abolition of numerous structures in the Fire and Rescue Service (such as the Central Fire Brigades Advisory Councils) has significantly increased the need for the FBU to initiate and sponsor research into Fire Service policy matters and develop strategies at the national level to progress the aims and concerns of our national membership.

The result of the various measures already implemented will reduce expenditure significantly. However, the scale of the challenge remains considerable as identified and reported to Conference in 2009, 2010 and 2011. In 2011 Conference agreed a target to build a surplus in the General Fund equal to 60% of annual General Fund income. We remain a long way from that target and despite these changes, whilst our finances are structurally stronger, we do not have a surplus at all. The financial challenges we face have increased rather than diminished in the context of further job losses and the continuing squeeze on pay.

In addition, the wide-range of attacks we face means that the Union must focus the vast majority of our resources on the campaigns to defend our Service and our members' jobs and conditions. We need to ask ourselves whether the structures we have in place are up to this task and remain appropriate in the current context and for the future. Over the years we have created a large organisational structure of committees, sub committees and national forums. We have also developed our administrative structure at the centre in Head Office and extended administrative support in many Regions. The question is whether all our committee and administrative structures remain fit for our current purposes and focus our resources where we need them most.

1.2 Recommendations

The Executive Council recommends that the focus of reorganising and restructuring the Union is aimed at:

- Delivering a cost effective, efficient structure best able to organise and represent the common aims and interests of our members
- Provide the research, political and campaigning support to officials nationally and locally against the most serious and wide-ranging challenges the Union has faced in our recent history.

SECTION 2: HEAD OFFICE, STAFFING AND NATIONAL OFFICIALS

2.1 Staffing and Head Office

From the outset, the Executive Council recognised that the requirement for efficiency savings needed to include Head Office. A task and finish group was established and reported back to the Executive Council in June 2010, as follows:

***Head Office and Central Functions:** The demands on the Union centrally have significantly changed in recent years as a result of important changes within our Service. This has produced, for example, an increased demand for specialist FBU-based training and education. The scale of change at a national level and the absence of central policy structures within the Service have increased the need for FBU research documents on a range of issues. The huge changes in communications have significantly increased the speed with which members can be kept informed of developments, but have also significantly increased demands on staff resources and time. Likewise, the demands placed on Head Office by an expanded IT role will need to be considered and addressed.*

The following issues need to be considered in relation to staff employed by the FBU:

- *Contracts of Employment*
- *Job Descriptions*
- *Pay Grades and Salary Scales*
- *All Benefits Paid*

The matter of Bradley House was discussed at this stage and it was decided that relocation was not an immediate option at this time.

A further report was put to the Executive Council in November 2010 and nineteen general recommendations were agreed. These were reported to Conference 2011.

As part of that report a background paper setting out the existing structure of Head Office was produced with current staffing levels; a decision had already been taken by the Executive Council not to automatically replace staff who had left the employment of the FBU.

The number of staff employed by Head Office has reduced from 38 to 34 over the past two years – a reduction of 10.5% in numbers, and a year-on year saving in excess of £150,000 in salary costs plus other employment related costs.

Further, the Executive Council agreed that at this initial stage staff should, through both their representative body and individually, be approached formally to seek ideas as to how efficiency savings could be made through Head Office. It was emphasised at the time that the recommendations implemented so far had impacted significantly on our committee structures and lay officials and it would be inappropriate for the resources at Head Office not to be looked at.

The Current Situation

Whilst it can be seen that some progress was made during 2011 it is abundantly clear that further savings need to be made in the functions controlled by Head Office. It is apparent that with a wage bill of £2.14m, long term savings can only be made through restructuring and refocusing the FBU's resources and its functions.

In December 2011 the recognised staff union (GMB) was informed of the intention to implement a long term plan for the restructuring of the FBU's resources at Head Office. This was then reported to a meeting held for all staff employed at Head Office in January 2012. Discussions with the GMB and with staff have continued on the future needs of the organisation and the implications for staff and for our policies. The Executive Council appreciates the anxiety this may be causing our staff, but given the financial imperative, the Union must continue to review and alter the way we operate in order to ensure we maintain our status as an independent Trade Union and solvent employer.

Future Action

The following actions are being or will be addressed under the direction of the Executive Council:

- The update and clarification of all policies for staff
- The review of 'Expressions of Interest' from staff
- An evaluation of Job Descriptions
- Consultation with staff and GMB over restructure of Head Office
- Inform staff of proposed new structure
- Training for staff where and when necessary
- Review of Regional Offices and of administrative support available for Regions (with a view to ensuring efficiency and more even and improved access for those Regions currently without allocated administrative support)
- To re-visit the issue of Bradley House and instigate a review of the suitability, location and cost of Head Office.

2.2 Full Time Officials

The Union has six Full Time Officials (i.e. employed National Officials). These are the General Secretary, Assistant General Secretary and four National Officers.

Elections for General Secretary and Assistant General Secretary are covered by statutory requirements. Elections for National Officer positions are covered by the FBU election rules alone, as set out in the FBU Rule Book. Conference 2011 agreed that elections for National Officer positions should be suspended to allow a consideration and discussion of the current arrangements. This was prompted in part in recognition of the changing role and types of demands on Head Office and the comparatively high employment costs and financial liabilities associated with employing six Full Time Officials. These include the high costs associated with compensating Full Time Officials who are defeated in an election. Conference 2011 recognised the risks of exposing the Union to such costs in the event of such an election whilst we continued our reorganisation review of Head Office and staff.

As part of the ongoing review, the Executive Council has established a working group to review the issue of future pension arrangements for Full Time Officials so as to ensure that good quality occupational pension schemes can be maintained for the future.

The role of the Full Time Officials and the various responsibilities and remits which are allocated by the General Secretary have been kept under review as to whether these provide the best use and deployment of resources in the current situation.

The Executive Council recommends that Conference grant their authority for the Executive Council to explore the possibilities around reducing the number of National Officers and an

accompanying authority to manage the situation and report back to a future conference. A reduction in the number of National Officers requires a change of Rule.

2.3 Recommendations Regarding Full Time Officials

Executive Council recommends:

- That the number of National Officers required under rule be reduced from four to three and the necessary rule change agreed
- That the Executive Council be authorised to manage an actual reduction in number in the best interests of the Union and following further discussion with National Officers. Such a change may not take place for some time due to the age and service profile of current post-holders
- The Executive Council should use this period to further consider all options including the potential benefits, further efficiencies and new ways of working that may be achieved through any consequential restructuring of head office around a revised number of National Officers, their role and their elected/employment status
- That the election processes for National Officer remain suspended to allow the various changes to be introduced and to limit the financial risk to the Union. Due to the age and service profile of current National Officers this may continue for some considerable time. Reports will regularly be presented to conference on progress.

SECTION 3: FBU REGIONAL STRUCTURE

The issue of the FBU Regional Structures has been discussed throughout the discussion on reorganisation going back to 2005. This examination has identified that:

- Different Regions face many variations in the demands and challenges they face. The geography, travel distances and the composition and size of Fire and Rescue Services within each Region's territory all differ significantly
- In Regions 1, 2 and 8 devolution places particular demands on the role of the Region and on officials within the Region
- In Region 2 and 10 the Brigade Committees perform the functions of Regional Committees (Rule 20). This means that Brigade Officials are also carrying out the role of Regional Officials in addition to their responsibilities as Brigade Officials
- The number of members within each Region differs significantly. This has implications relating to the democratic representation of members. It contrasts with the position at Conference where each voting delegate represents a defined number of members (500 members or part thereof)
- The political and cuts-driven policy of collaboration, full mergers, joint control rooms and other joint function ventures between fire and rescue services that cross regional boundaries will pose practical challenges for our regional organisation
- Other trade unions have very different regional structures. Many have significantly fewer regions than the FBU
- Some unions operate without a regional representative structure.

In the light of these considerations we must constantly review the role and structure of our regions to best meet the changing political and organisational landscape. Options considered include enlarging the geographical area of Regions (and so reducing the current number of Regions) or replacing the regional structure completely with a different system of support and administration for brigades.

However, the Executive Council has taken account that the Union have only recently reduced the total number of Regional Officials by 20% through the removal of the Regional Official position in ten of our Regions. It is necessary to see effects of these changes and further partial change before embarking on any deeper restructuring.

It is therefore concluded that there should not be further changes made to the regional structure at this time.

SECTION 4: FBU SECTIONAL STRUCTURE

The structure of the FBU's democracy is founded on the organisation and representation of members at their place of work, uniting them in workplace branches in pursuit of common aims. The collective strength of workplace branches is then further advanced through the organisation of branches into divisional, brigade, regional and national boundaries. It is this workplace-based structure that provides the FBU's strength in unity and is the basis upon which the resolve of individual members is translated into collective bargaining and industrial action. Rule 6(1) – Constitution and Government of the Union refers. It is vital that the workplace branch remains intact. Workplace organisation and representation has been the cornerstone of the FBU since its inception and continues to be the foundation of our democracy and effectiveness.

In addition, for many years 'trade sections' for Officer and Control Staff members sat alongside the Union's workplace structure to supplement the Union's understanding of the specific roles and conditions of service of officers and control staff members. The Union subsequently recognised that these long established structures left some gaps and so more than a decade ago we began in earnest to develop our sectional representation for under-represented groups and other special categories of members. Our aim was to enhance our workplace structure, to provide a network of support and to ensure the issues affecting under-represented groups and other categories of members are properly considered and effectively dealt with by the Union.

On occasions there has been and continues to be, some contention regarding the extent of the role and the practical application of the democratic representation provided by our sectional committees. However, our Rule Book is clear. Rule 6(3) and Rule 22 set out the specific areas of reference for which our sectional committees are constituted to share responsibility. These are broadly:

- To assist the Executive Council in developing Fairness at Work strategies
- To advise the Executive Council on matters affecting the conditions of employment of the particular group of members
- To advise the Executive Council on the organisation and recruitment of the particular group of members
- To elect (subject to approval) members to serve on national negotiating bodies concerned with the conditions of employment of the particular group of members
- (Together with the Executive Council) to organise an annual general meeting.

The Rule Book constitution and responsibilities for our six Sectional Committees are identical and they face similar organisational issues but the Executive Council considers there are obvious differences in the supportive and representative needs of members within our three Trade Sections and our three equality sections.

4.1 Trade Sections

An important part of the FBU structure are those sections that are specific to the trades within the Fire and Rescue Service. Emergency Fire Control Staff, Officers and those employed on the Retained Duty System (RDS).

Trade Sections for officer members and control staff were the first to be established within the FBU. The creation of a Trade Section for our retained members has proved both timely and invaluable in progressing our successful legal challenge and the resultant negotiations. The structure has assisted in our work to ensure conditions of service for members working the RDS are no less favourable than those for other uniformed members working full time duty systems. The distinct nature of the conditions of service and pensions for our retained members look set to be an area of work for the Union at national and local levels for some time to come. Our Officer and Control Staff members are also facing significant challenges to their conditions of service in their specific roles.

For some time now our 'Trade Sections' have been represented, with full voting rights, at all committees of the FBU. The Executive Council are of the belief that the unique challenges that face our Trade Section members, particularly in terms of Fire Service reorganisation and attacks on conditions of service, remain in sharp focus today and will do so for the foreseeable future. It is clear that in order to best represent these members, who may have different working environments, working patterns and pension schemes, then our structures must continue to provide our Trade Sections with representation and full voting rights up to Executive Council level.

It is also evident that our Trade Section structure is facing particular organisational challenges and the national sectional committees often struggle to organise as effectively as desired due to geographical and time factors. Also, membership density within our Trade Sections is lower than in the main body of the Union and this presents both challenges and recruitment opportunities for the Union.

4.1.1 Recommendations on Trade Sections

It is recommended that a task and finish group be established by the Executive Council to examine the industrial issues that the Trade Sections specifically face and the organisational structures and practices best able to respond to them. The task and finish group to report back to the Executive Council in time for a report or policy statement to be put to Conference 2013 with recommendations as appropriate.

4.2 Equality Sections

Our Equality Sections have formed a valuable part of the Union's structure for more than ten years. They have ensured that equality and diversity issues have been at the heart of discussion and decision making throughout that time.

They have also:

- provided an invaluable support and advice network for members from under-represented groups experiencing, prejudice, bullying, harassment and discrimination
- worked to raise awareness of the issues and experiences of our section members within the fire and rescue service, within the wider union structures and with FBU officials and members
- encouraged members from our under-represented groups to engage and play an active part in the FBU and the wider labour and trade union movement.

Our Equality Sections have helped the Union lead the way in ensuring the workforce within the Fire and Rescue Service better reflects the communities we serve. They have helped to ensure that our workplaces, in general, are far more welcoming to workers from under-

represented groups than they were in the past and more comfortable places to work for all our members.

Nevertheless, after more than a decade, it is appropriate to examine the role and consider amending the structures for our equality sections in the context of the challenges we face today.

4.2.1 Workplace Organisation: The Basis Of FBU Democracy

Any examination of the Union's equality structures needs to take account of the Union's workplace structure. This is set out in Rule 6 and is stated to be the foundation of the Union's democratic structure. The FBU system of workplace Branches give all members an equal role to play in determining policy on industrial, political and other matters.

N.B. It has never been the intention that equality structures should by-pass or replace the workplace Branch and Brigade Committee structure. It was never the intention that the equality structures should be a mechanism for discussing or determining industrial, political or other matters which affect all members. The role of the equality structures under the Union's Rules is very specific as outlined in Section 4 above.

4.2.2 The Current Structures

There are three equality strands which are currently addressed by the Unions equality structures:

- Black and Ethnic Minority Members
- Women Members
- Lesbian, Gay, Bi-sexual and Trans Members.

Among other things these structures provide for:

- A reserved seat on the Union's Executive Council
- A National Committee
- Reserved seats, where appropriate, on Brigade Committees
- Reserved seats on Regional Committees
- An Annual Sectional school
- An Annual General Meeting

4.2.3 The Arrangements In Other Unions

As part of the examination of the equality structures consideration was given to the position in other Unions. A recent survey of 38 Trade Unions proved useful in this regard. The 38 Unions surveyed represent 99% of TUC membership. The approach to tackling equality and diversity issues varies greatly. Clearly there may be lessons to be learned from colleagues in other Unions who in many cases have very successful equality structures which differ from those adopted within the FBU.

Clearly the issue of reserved seats on executives or Regional Committees has proved controversial, raising as it does the issue of 'multiple voting'. A member of any of our Equality Sections is clearly a member of a Branch like any other member but has an *additional* form of representation through the equality structures.

- Only three of the 38 Unions had reserved seats on national executives for each of the three equality strands covered within FBU structures and the FBU is the smallest of these
- Only 8 Unions in total had any reserved seats on national executives for any of the three equality strands identified under FBU structures.

Other Unions have various mechanisms similar to those in operation within the FBU such as equality networks or forums where equality and diversity issues can be identified and discussed and advice given to the national body (executive) of the Union. This clearly avoids the concern about multiple voting or representation but nevertheless allows the specific concerns of particular group of members to be identified, discussed and addressed.

Some of the experiences of other Unions could assist in developing a structure for the future for the FBU.

4.2.4 Key Issues Arising From The Current Equality Structure

The key difficulties identified in relation to the equality structures fall into the following categories:

- Any system of reserved seats and additional voting has the potential to distort democratic structures
- The equality structures do not necessarily function according to the model in the Rule Book
- There has been a 'mission creep'. Structures which were established under Rule to advise the Executive Council on specific equality matters have been increasingly drawn into debates and votes on wider industrial and political matters.

These difficulties are examined in more detail below;

A. The impact of reserved seats:

1. Reserved seats are, by definition, a departure from 'normal' democratic practice in the FBU which is based upon workplace organisation and workplace branches representing all members equally in the appropriate workplace.
2. While all forms of representative democracy have flaws and weaknesses, such structures of reserved seats, for example, increase the likelihood that a minority can outvote a majority.
3. This problem is exacerbated in a small/medium sized Union like the FBU. For example, 31% of places (and therefore votes) on the Executive Council are now additional or reserved votes. At Regional Committee level, the six reserve seats form an even greater proportion of the committee and in some regional committees can out-vote the Brigade delegates.
4. Reserved seats inevitably mean that officials from the equality sections become part of wider industrial and political debate despite the fact that the Rules are clear that this is not their role.

B. The structures do not necessarily function as outlined in the Rule Book:

1. There are frequent gaps in representation at Brigade and Regional level. This means that the Union's National Committees are rarely representative of the views and issues from all Regions. In reality, therefore, they do not currently function as genuinely representative, National Committees.
2. This in turn weakens the accountability of the equality section Executive Council members.
3. In other cases, equality representatives are appointed by Regional Committees. This means that appointees on Regional Committees have the same status and voting rights as officials elected by ballot of hundreds (and sometimes thousands) of members.

C. 'Mission creep':

1. The roles of the Equality Sections are set out in the Rule Book. They were an additional facility intended to enhance the workplace structure in an advisory capacity on issues affecting their under-represented groups of members. They were never intended to compete within or to be an alternative to the workplace Branch structure, Brigade Committee or Regional Committee structure.
2. The place to discuss industrial matters is firstly at the workplace Branch. Equality structures were not created for the purpose of affording members of equality structures to have an additional voice or vote on matters which affect all members. However, that has been the outcome and subsequent practice of the structures which have been created.

4.2.5 Recommendations on Equality Sections

1. Equality Section representatives shall continue to attend Brigade and Regional Committees. However, their role is advisory and they should not have any voting rights at Brigade and Regional Committees. Regional representatives shall continue to have voting rights in accordance with Rule 22 at their respective National Sectional Committee.
2. Furthermore, no other representative or official appointed to Regional or Brigade committees in an advisory role shall have voting rights on the committee and the Union Rules shall be amended to make this clear. This will mean that Equality Sections representatives will have equal status with other appointed officials at Regional and Brigade Committees. The Executive Council believes this will not prevent our three Equality Sections from continuing to provide their invaluable support and advice network for their section members and for officials at all levels of the Union.
3. The Executive Council should in consultation with the Equality Sections produce guidance to clarify the roles of the Equality Sections.
4. The reserved seats on the Executive Council for Women Members, B&EMM and for LGBT Members should be removed and the Rules amended as necessary to achieve this. The Executive Council will manage the timeframe and manner in which this will take effect in the best interests of the Union.

5. The Executive Council should further consider the operation and functioning of our equality structures and should report to Conference 2013 with further recommendations and Rule changes as appropriate.
6. The Executive Council must ensure that the equality structures continue to operate and should discuss with Regions and with National Sectional Committees the shortfalls and gaps which currently exist. At Brigade and Regional level this could include encouraging Fairness at Work reps to work with national sectional officials to recruit equality section reps, assist them to organise and coordinate their sections within their territory and then representing the matters raised by all three Equality Sections at their Brigade/Regional Committees on their behalf.
7. The Executive Council must ensure that the National Sectional Committees continue to meet and provide advice and recommendations to the Executive Council on the issues identified under the Union's Rules – this to be coordinated via the General Secretary and the appropriate National Officers.

The Executive Council believe the recommendations above will provide equality section structures within the FBU that can continue to:

- provide an invaluable support and advice network for members from under-represented groups experiencing, prejudice, bullying, harassment and discrimination
- raise awareness of the issues and experiences of our section members within the fire and rescue service, within the main union structures and with FBU officials and members
- encourage members from our under-represented groups to engage and play an active part in the FBU and the wider labour and trade union movement.

The Executive Council once again thanks all those who have participated in the discussion around these challenging issues and this difficult process.

The Executive Council recommends endorsement of this Report with immediate effect and will bring the necessary Rule changes and alterations to Conference Standing Orders at its earliest opportunity.