



Record of Decisions 2012

**Fire Brigades Union
Special Conference
Blackpool 19th-21st June 2012**

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Conference
Decisions
Blackpool**

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Motions Carried ...

EXECUTIVE COUNCIL STATEMENT TO CONFERENCE AS AMENDED BY THE NRC: 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, including at least one member from each trade section, 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.

EXECUTIVE COUNCIL POLICY STATEMENT TO CONFERENCE: CAMPAIGNING TO DEFEND OUR PENSION SCHEMES

SECTION 1: BACKGROUND TO THE ATTACK ON FIRE SERVICE PENSIONS

1.1 Fire Service Pensions

Pension rights are an extremely important aspect of conditions of service. In an industry like the Fire Service where workers face particular risks and hazards, pension and related rights are especially important. Members of the Fire Brigades Union (FBU) are generally members of one of three schemes, the Firefighters' Pension Scheme (FPS); the New Firefighters' Pension Scheme (NFPS) which was created in 2006; and the Local Government Pension Scheme (LGPS) for Control members. Retained Duty System (RDS) members may be members of the NFPS although there remain significant numbers who are not currently members of any scheme. However, as a result of the FBU's groundbreaking and successful legal challenge on part time workers rights, significant numbers of RDS members will soon have access to the modified NFPS with enhanced benefits equal to those in the original FPS.

The Union strategy over the past year has built a campaign to defend pensions while taking account of the different needs and challenges facing different groups of members.

1.2 The Attack On Pension Rights

The coalition Government formed in May 2010 set out its ambition to make public sector workers pay more, work longer and get less for our pensions. The coalition agreement included a commitment to “establishing an independent commission to review the long term affordability of public sector pensions, while protecting accrued rights”.

On 20 June 2010, former Labour minister John Hutton was given the remit to report on “delivering savings on public service pensions... to contribute towards the reduction of the structural deficit” and reducing the gap “between public service and private sector pension provision”, i.e. to drag down the value and benefits of public-service pensions. Hutton published his interim report (7 October 2010) and final report (10 March 2011). He proposed new pension schemes from 2015, with public sector workers working to the state retirement age (except for firefighters, the police and armed forces) and receiving career average benefits instead of final salary schemes. On 23 March 2011, the Chancellor of the Exchequer accepted these recommendations in their entirety as a basis for consultations with public sector workers, unions and others and stated that there should be no cherry picking on either side.

In the Budget (22 June 2010), the Government said it would cut inflation-uprating for pensions from the Retail Price Index (RPI) to Consumer Price Index (CPI), from April 2011. It introduced these changes in April 2011 without consultation.

In the Comprehensive Spending Review (20 October 2010), the Government announced that 3% additional pension contributions would be taken out of public sector workers' wages from April 2012. This was later amended to a rise in average employee contribution rates of 3.2% the armed forces being exempted from the increases. The Westminster Government published a consultation document on 9 September 2011 outlining increases for most firefighters, of 1.3% for FPS and 0.6% for NFPS members, with higher, tiered rises for higher earners in both schemes. (Scottish, Welsh and Northern Ireland government subsequently published identical proposals). On 29 March 2012 the Westminster government imposed pension contribution increases for firefighters, starting with 0.6% for FPS members and 0.3% for NFPS, with higher tiers for higher earners. (Scottish, Welsh and Northern Ireland Government subsequently imposed identical increases).

In December 2011 the Westminster Government announced a Heads of Agreement for the LGPS for England and Wales that would still deliver the £900 million savings. It proposed a delay of contribution increases for two years, in return for an earlier move towards a higher Normal Pension Age and an overall increase on average of 1.5% in 2014. (The Scottish Government took a decision not to adopt the proposals for the LGPS in England and Wales). On 9 February 2012 the Westminster Government published its “Heads of Agreement” for the new post-2015 Firefighters’ Pension Scheme. Its proposals included average member contributions of 13.2%, a Normal Pension Age of 60 and a career average benefits scheme.

SECTION 2:

THE FBU'S RESPONSE TO THE ATTACK ON FIREFIGHTERS' PENSIONS

2.1 FBU Position

The FBU has never accepted that detrimental changes to Fire Service pensions are necessary. Indeed the union is currently unique among public sector unions in seeking a reduction in an existing Normal Pension Age, holding that the current Normal Pension Age for members of the NFPS must be reduced from 60 to 55. The Union does not accept that firefighters and other public sector workers should bear an additional burden of paying off the Government's deficit through cuts in reasonable pensions that remain affordable in a civilised and comparatively wealthy country. The FBU does not accept that FBU members can or should work longer and then receive lower pension benefits after giving a lifetime of commitment to public service. The Union has mounted a robust campaign to defend and improve firefighters' pensions, using all political, industrial, legal and other channels available.

2.2 Consultation With Members

The FBU organised a series of Branch, Brigade and Regional meetings from January 2011 to outline the scale of the pensions attack and the Union's response to it. Members were asked to discuss and vote on a model resolution on the issues (see Appendix 1). The FBU discussed our pension's strategy at our Conference in May 2011, passing a series of resolutions to take our campaign forward. The Union held a meeting of key FBU officials in Manchester in July 2011 as well as a series of further local consultation meetings over the summer of 2011 and again in early 2012 to seek the views of officials and members.

2.3 Survey of Members

The Union commissioned an independent survey by YouGov to assess FBU members' attitudes on the proposed reforms. A total of 7,931 members responded to the survey (18%) and gave the Union important information on issues such as opt out rates and attitudes to promotion.

2.4 Political Lobbying

FBU members and officials were asked to lobby their Member of Parliament (MP) on pensions and request support for Early Day Motion (2049) – firefighter pensions (see Appendix 2). Throughout the autumn of 2011 and winter 2011-12, Regional and Sectional FBU delegations lobbied MPs at Westminster and other national Governments.

2.5 Legal Action

The FBU, along with five other Trade Unions, challenged the Government's imposed change to the way pensions are increased to take account of inflation; from a practice using the RPI to one using CPI. This challenge was by way of Judicial Review and the hearing took place between 25 and 27 October 2011 at the High Court in London. This challenge was unsuccessful as was the subsequent appeal in March 2012. In rejecting the appeal the Court ruled that the Government was entitled to take into

account the national economic situation when deciding to adopt CPI from this year. The Court also ruled that, even if the national economic situation had been discounted, the Government would still have the adopted CPI on the basis of the advice it had received. Given the grounds cited by the Court for its decision a further legal challenge to the House of Lords was not considered viable. Other potential legal challenges were explored through Thompsons however these challenges were not identified as having any chance of success.

2.6 Negotiations

The Westminster Government informed all stakeholders that there would be a series of high level generic talks with public sector Trade Unions focusing mainly on contribution rates before a process involving scheme specific negotiations would then be commenced. These took place through the Trades Union Congress (TUC). At a subsequent TUC discussion most other Unions opted for a progression to scheme specific talks in July 2011. The FBU raised concerns that any scheme specific talks would take place within unacceptable constraints since the key points of principle remained unresolved. However, once scheme specific talks began the Union naturally took part to represent our members' interests and we engaged in earnest with the English Fire Minister and the relevant ministers for fire in Northern Ireland, Scotland and Wales and their relevant Government officials.

2.7 Preparing For Action

On 14 September 2011, the FBU lodged a trade dispute across the UK (see Appendix 3).

2.8 Further Evidence

The FBU commissioned several reports designed to challenge the recommendations on practical, financial and medical grounds including:

- An independent report by Tony Cutler and Barbara Wayne looking at the Independent Public Service Pensions Commission
- A scoping study: Review of aging and the demands on firefighting by Richard Graveling and Joanne Crawford on behalf of the Institute of Occupational Medicine
- A report on the impact of the Government's proposal for members of the Firefighters' Pension Scheme and the New Firefighters' Pension Scheme; by Rob Hammond of First Actuarial consultants
- Fitness for Work: Estimate of the deterioration of the aerobic fitness of firefighters with age, by Richard Graveling on behalf of the Institute of Occupational Medicine
- The FBU also submitted the Haisman report, originally produced for the Home Office, which concluded that the existing Normal Pension Age of 55 should remain.

The FBU produced 'Protecting good quality occupational pensions in the Fire and Rescue Service', which was submitted to the English Fire Minister and the relevant ministers for fire in Northern Ireland, Scotland and Wales to substantiate the unions' opposition to the proposals and contribution increases. The Union consistently emphasised that, not only were the proposals unfair to firefighters, but they would

also make the schemes unworkable and unsustainable. Higher contributions would result in opt outs, wiping out the Treasury's projected financial savings. Expecting firefighters to work to 60 would be unworkable for the vast majority, leaving pension scheme members vulnerable and shattering the pension scheme itself. The FBU also submitted evidence to the LGPS consultation to defend and improve our Control members' pensions.

2.9 Department for Communities and Local Government (DCLG): Consultations

The FBU submitted our arguments and evidence at every stage of Government consultation, taking every opportunity to defend firefighters' pensions. The Union submitted documents to the Hutton interim report (2010), outlining the differences in the three fire service schemes, recent changes they had all undergone, contribution cost to employees, reduction in ill health retirements, and a brief outline of the role of a firefighter and why it was important that the pension scheme reflected the occupational nature of the job.

2.10 Processes and Consultation in Wales, Scotland and Northern Ireland

Pensions are matters which are largely devolved to the Governments of Wales, Scotland and Northern Ireland and the precise mechanisms for official consultation and dialogue differ between the different parts of the UK. However, whether as a result of financial threats and pressures placed upon them, or otherwise, each of the devolved administrations ultimately made the same proposals for the FPS and NFPS as the Westminster Government on each of the issues.

The FBU has argued that firefighter pensions should be broadly similar across the UK. We do the same job, face the same risks and challenges and frequently work alongside colleagues regardless of borders. There is a strong case that the occupational pension schemes should reflect this. The attack on public sector pensions has been ideologically driven by the Westminster government and it is clear from discussions with Ministers elsewhere that there is not universal support for this approach. Despite the possibility of separate arrangements within Wales, Scotland and Northern Ireland, none of the relevant Governments have so far adopted a position which addresses the concerns of the FBU. Therefore the trade dispute remains in place in all parts of the UK. The Executive Council has been keen to ensure a consistent approach by all officials in all parts of the UK and Head Office officials have worked with the Executive Council members for Regions 1, 2 and 8 to ensure this can be delivered. The pension's battle is a battle involving the entire Union and it is essential that nothing should be done which might weaken the campaign or strategy of the Union across the whole of the UK.

SECTION 3: OTHER PUBLIC SECTOR PENSION SCHEMES

3.1 Other Sectors

As Conference will be aware the attacks were not confined to the Fire Service. Attacks were made upon the pensions of most public sector employees. The Unions

representing those employees tackled the proposed changes as hard and as professionally as they could. The outcomes of those negotiations have been reported in the media and by the Unions. By and large they have not yet been successful in moving the Governments to change their position on the major elements such as the normal pension ages, increases to employees' contributions and other detrimental changes.

3.2 LGPS

There are approximately 1,400 FBU Control members who are members of the LGPS. With 4.6 million members, the LGPS is the largest of all the public sector pension schemes. There are many Unions who have members within the LGPS and eleven TUC affiliated Unions (including the FBU) which participate in the LGPS Trade Union meetings. The three largest Unions involved (UNISON, UNITE and GMB) provide the negotiators for the Trade Union side for the scheme and obviously have the largest impact on negotiations and decision making.

The FBU has opposed the proposed attacks on members of the LGPS. At the same time the Union has sought to implement the Union's policy, which is that Control members should be granted access to a Fire Service specific pension scheme. This has been raised throughout the discussions with Government on pensions over the past year. Nevertheless, there remain significant obstacles to achieving this policy aim. The Union has therefore pursued a parallel strategy of opposing detrimental changes within the LGPS, especially in relation to proposals to increase employee contributions or normal pension age.

SECTION 4: INDUSTRIAL ACTION

Conference will be aware of the industrial action taken by a number of public sector Unions, including action taken on 30 June 2011 and 30 November 2011.

Throughout the campaign, the Executive Council has continued to inform and consult officials and members through our committee structures on the developments and strategic decisions that have been required. Conference will be aware of the positions taken by the Executive Council at various stages during the negotiations in respect of industrial action.

The FBU has been clear throughout the negotiations with all the ministers that we would initiate strike action if we did not feel there was sufficient progress within the talks, or if there were any immediate step to impose change. Ministers were in no doubt on the FBU's position.

The FBU has attended all meetings of the TUC's Public Services Liaison Group (PSLG) to give reports on progress with other TUC Unions.

We have met with ministers and/or lead civil servants in a variety of different forums across all the administrations to discuss and negotiate on the pension changes.

While it is clear that the pensions campaign is far from over, there have been a number of movements on the part of Government (for example on the cost ceiling, on accrual rates and on contribution increases) which have so far meant that we have not had to call for industrial action. Nevertheless the trade disputes remain in place and industrial action may still be necessary.

SECTION 5: THE OUTCOME SO FAR

5.1 Cost Ceiling

Other Unions had requested information on their specific schemes' "cost ceiling" while the FBU took an alternative approach and informed Government that there were specific occupational factors associated with the role of a firefighter that would have to be considered before this was done. The English Fire Minister wrote to the FBU in this period confirming that due to the evidence we had submitted the decision to set a cost ceiling for the firefighter scheme would be delayed to allow further consideration to take place. This delay has meant that the fire scheme talks are working to different timescales to those of other public service Unions. This was one of the reasons why the FBU did not proceed to ballot in autumn 2011.

The position was different for the LGPS. The FBU could not accept the heads of agreement for the LGPS scheme in January 2012, after consultation with the Control Staff National Committee (CSNC) and its officials. The Union argued that Control members could not be expected to work until 68 and that the protection for low paid workers offered was not relevant in the Fire Service.

5.2 'Heads of Agreement'

When the 'Heads of Agreement' for the firefighter scheme was finally published in February 2012, the Executive Council took a decision that it was fundamentally unacceptable for three main reasons:

- Unaffordable and unfair contribution rates
- A totally unrealistic retirement age for Firefighters
- An unsustainable scheme for the Fire Service.

The FBU did not accept that the document was a final 'Heads of Agreement'. A more accurate description was that it simply reflected the Government's current proposals. However, the document did reflect that Government had taken cognisance of some of the concerns the FBU had raised. The amended proposals included the highest cost ceiling in the public sector. This resulted from the delays which were implemented while 'special occupational' factors and actuarial calculations presented by the FBU were being considered. It did contain improvements on earlier versions and meant that the proposed 2015 firefighter pension scheme had the best starting point on accrual rates with 57ths rather than the 60ths included in other schemes. It also included some limited protection for older firefighters, but only in return for higher contributions. There were other areas included such as options for earlier retirement with reduced benefits from age 57 and even more severe actuarial reductions from

age 55. Despite these limited concessions the FBU emphasised that the overarching issue of a workable Normal Pension Age remained unresolved making decisions on subsequent issues impossible and impractical at this stage.

5.3 Two Reviews

The Westminster Government also committed itself to two important reviews:

- A review of the impact of any 2012-13 contribution changes and the effects of opt outs before any decision on how future increases would be delivered
- A review of the Normal Pension Age – considering if the Normal Pension Age of 60 remains relevant taking account of the economical, efficient and effective management of the Fire Service, the changing profile of the workforce and the occupational demands of, and fitness standards for, firefighting roles.

These two reviews marked a shift from the earlier position which stated that the Normal Pension Age would be 60 and that the employee increase would be on average 3.2% by 2014/15. The terms for reference for both reviews were presented to and agreed by the Firefighters' Pension Committee, held on 28 March 2012. The two reviews do not in any way guarantee success or that the Westminster Government policy will shift at all. However, they do open up potential mechanisms by which these key elements of the Westminster Government's current proposals can be changed before the final scheme design is decided. The Executive Council is confident that we have extremely strong arguments and evidence on a number of key issues such as pension age, the level of employee contributions and the danger of opt-outs.

5.4 Year One Contributions

On 29 March 2012 Westminster Government released information about firefighter pension contributions for 2012-2013. The FBU was informed that as a result of the evidence presented, the originally proposed increases have been reduced by approximately 50%. While we must emphasise that any increase is an unwelcome step against the backdrop of a pay freeze and high rates of inflation, we must also recognise that these represent the lowest rates of employee contribution increase of any of the unfunded schemes in the public sector.

5.5 Executive Council Decision and Statement, 29 March 2012

The Executive Council met on 29 March 2012 and considered the implications of these increases alongside the other developments in our pension discussions and agreed the following statement:

The Executive Council has met today to discuss developments on pensions.

The Executive Council acknowledges that the year one (2012-2013) employee contribution increases for the Firefighters' Pension Scheme and the New Firefighters' Pension Scheme are significantly reduced compared to those originally proposed in public consultation. The Executive Council also acknowledges the terms of reference and timescales for the Review of Opt-Outs and Review of Normal Pension Age and that these have now been

endorsed by the Firefighters Pensions Committee. The Executive Council recognises that these reviews offer a potential mechanism for addressing some of the key occupationally specific concerns for pensions in the Fire and Rescue Service.

We are extremely disappointed that firefighters' pension contribution rates have been increased at all against the backdrop of the highest employee contribution rates in public sector schemes already being paid by firefighters and on top of nearly three years of pay freeze. We are also disappointed that these increases have been introduced in advance of the review of opt outs.

However, the Executive Council sees the reduced level of increases as an indication that the Westminster Government has, to some degree at least, listened to the representations being made by the FBU.

In the light of these latest developments, the Executive Council recommends that there should be no immediate move towards a strike ballot and that the Union should:

- 1. Take full part in the two Fire Service reviews (of Opt-outs and of Normal Pension Age).*
- 2. Produce and develop further evidence to support our case within each review process and in other areas of continuing pension discussions*
- 3. Continue to lobby relevant politicians.*
- 4. Monitor on-going developments.*
- 5. Continue to discuss with and support other Unions involved in campaigning to defend pensions.*

All members are asked to monitor these developments closely and to ensure their views are made known through our branch and committee structure. Our concerns over proposals for our pensions remain unchanged and therefore the lawful trade dispute with the four governments in the UK remains live. The Executive Council will be immediately reconvened in the event of any further significant developments ahead of the reviews and will in any case meet regularly to review progress.

Recommendation:

Conference applauds the determined support of officials and members throughout the UK in the on-going campaign to defend our pensions and the ultimate resolve our membership have consistently indicated in support of national industrial action should it become necessary at any stage. We also acknowledge the hard work and professional approach coordinated and represented by our brigade, regional and national officials to date. Conference endorses this policy statement and supports the next steps of the Union's campaign, as set out in the Executive Council statement of 29 March 2012.

APPENDICES – FBU RESOLUTIONS

Appendix 1:

EXECUTIVE COUNCIL MODEL RESOLUTION FOR BRANCHES

DEFENDING SERVICES, JOBS, PAY AND PENSIONS

This Branch applauds the success of the TUC demonstration on March 26 against cuts and austerity.

We remain completely opposed to the huge cuts proposed for our Fire and Rescue Service and other public services as a result of the Comprehensive Spending Review in October 2010. For the Fire and Rescue Service this cuts agenda will mean fewer firefighters and will undermine our ability to respond as quickly and effectively to emergencies or to engage professionally in protection or prevention work. This will inevitably increase risks to the public and to Firefighters. In the case of the Fire Service: CUTS COST LIVES.

This branch condemns:

- The national employers' refusal to make a pay offer for 2010 or 2011
- The cuts to fire cover
- Attacks on our shifts and conditions of services
- The attacks on public sector pension schemes including those in the fire service.

ATTACKS ON PENSIONS

We note that there are currently three attacks on our pensions:

1. The change to indexation of pensions by the use of CPI instead of RPI
2. The proposed increase in contribution rates from April 2012 which is simply a raid on our pension schemes to raise money to pay off government debt
3. The scrapping of all existing schemes by 2015 and their replacement by new imposed schemes based on:
 - a) Removal of the final salary basis of our pensions
 - b) Introducing new (worse) accrual rates
 - c) Increasing retirement ages in the LGPS and FPS
 - d) Refusing a reduction in the normal retirement age for members of the NFPS
 - e) Introducing new and as yet unspecified employee contribution rates.

We support the decision by the Executive Council to mount a legal challenge against the change from RPI to CPI and its position to mount a legal challenge against any aspect of these attacks where our lawyers advise there is a reasonable prospect of success.

We commit to give financial and moral support to members of those unions who have already balloted to take industrial action starting with the coordinated strike on June 30.

This branch notes that despite efforts by the FBU, by other unions and by the TUC to negotiate on these issues, government Ministers are intent on forcing changes through without agreement.

This branch therefore supports:

1. The decision of FBU conference to prepare for national strike action.
2. A ballot for such action as soon as the Executive Council concludes this step is necessary.
3. Steps to coordinate such industrial action with other unions where appropriate.

Appendix 2: EARLY DAY MOTION (2049)

That this House acknowledges that firefighters currently pay 11 per cent. of their salary into an unfunded pension scheme; is concerned by the Government's proposal for a 3.2 per cent. increase in firefighters' pension contributions at a time when they are in the second year of a pay freeze and the cost of living is rising; notes the findings of a recent YouGov survey of around 8,000 firefighters, which found that over a quarter of respondents would be likely or very likely to opt out of the pension scheme if the Government's proposal were implemented, with nearly one in eight very likely to opt out; further notes that the Treasury's forecast of 72.6 million savings over three years from this reform is based on an opt-out rate of one per cent. and that everyone per cent. opt out would cost the scheme 3.5 million per annum in lost contributions; shares the Fire Brigades Union's concern that an opt-out rate of seven per cent. or over would nullify the Government's projected savings and that the 27 per cent. opt-out rate indicated in the survey could result in a net loss of 210 million; believes that the proposed increase is self-defeating and would destabilise the firefighters' pension scheme; and calls on the Government to withdraw its proposal for firefighters to pay additional pension contributions.

(To date April 2012, this has been signed by 113 MP's)

Appendix 3: TRADE DISPUTE: PENSIONS IN THE FIRE SERVICE

On 14 September 2011 the FBU lodged a trade dispute across the UK which included the following:

I refer to the proposals in relation to public sector pensions including pensions in the fire service such as the respective Firefighters Pension Schemes, New Firefighters Pension Schemes and Local Government Pension Schemes.

Changes to pension schemes in the fire service are matters for ministers and I have written to the relevant ministers accordingly. I attach the text of that letter which should be self explanatory.

I make it clear in that letter that, on behalf of FBU members nationally, we have consistently opposed the proposals on pensions and that our members throughout the UK require the following amendments applicable to pension schemes in the fire service as the only amendments concerning those schemes:

- 1 Amendments to ensure that all members covered by the Grey Book are entitled to be members of the relevant Firefighters Pensions Scheme/New Firefighters Pension Scheme.
- 2 Amendments to ensure that the normal retirement age for firefighter members is that applicable in the relevant Firefighters Pensions Scheme.
- 3 Amendments to secure RPI as the basis for increasing pensions in the fire service.

I also set out in the letter the application and impact of these requirements which should be clear.

You will note that our members require the amendments set out applicable to pension schemes in the fire service as the only amendments concerning those schemes. Unless and until the relevant ministers exercise the statutory powers they have to make those amendments and no others, a trade dispute exists with those ministers which is deemed by statute to be a trade dispute with Fire and Rescue Authorities/Boards as the relevant employers.

To be clear this trade dispute will be resolved if the relevant ministers make all of the amendments required to meet all three points on pensions as the only amendments to the pension schemes referred to. Once all of those requirements on pensions have been met there will be no need to proceed with the ballot or industrial action.

EXECUTIVE COUNCIL POLICY STATEMENT TO CONFERENCE AS AMENDED BY THE CSNC: PAY AND THE NATIONAL JOINT COUNCIL

INTRODUCTION

Like all workers in the Public Sector, firefighters have suffered severe attacks on living standards as a result of the pay freeze imposed by Fire Service employers following the General Election in 2010. In the context of high levels of inflation, living standards for millions of working people are being squeezed as part of the Westminster coalition Government's austerity drive.

The Fire Brigades Union (FBU) has not at any point accepted the logic of freezing pay and as a result, no agreement has been reached at the National Joint Council for 2010 or 2011. Discussions on pay for 2012 are still under way although the Executive Council notes with concern the decision of local authority employers to refuse to increase the pay of "Green Book" staff in 2012, which for many will mean there has been no pay increase on basic rates for a third year running.

The role of the Fire and Rescue Service has changed considerably over the past decade. New roles and responsibilities have been taken on. This reflects the history of the Fire and Rescue Service which has always evolved to take account of the changing risks to our communities. Contrary to the propaganda of some employers, firefighters have embraced change throughout the history of the modern Fire Service. In turn, we have simply sought dialogue on the necessity for change, appropriate training and equipment, professional standards and procedures and appropriate recompense for the additional skills and responsibilities that have been taken on.

The Executive Council has received reports that increasing amounts of prearranged overtime are being worked in the Service. The Executive Council is concerned that this clearly indicates that national agreements regarding pre-arranged overtime are being disregarded. In the longer term an increased reliance on prearranged overtime would threaten both jobs, rates of pay and the ability to negotiate effective rates of basic pay in the Fire and Rescue Service. The Executive Council will survey and monitor this issue with a view to developing policy to address it.

It is clear that anger on the issue of pay is growing as increasing numbers of FBU members struggle to pay their bills and look after their families and dependants. It is clear that dangers faced by FBU members and the commitment to the safety of the public are dismissed by our Employers as a matter of course. Against this background, the Executive Council recommends that a campaign is developed on the issue of pay. This must address both short term and longer term aims. In the short term, we seek to make progress against the pay freeze.

In the longer term we seek a sustainable solution to the problem of pay in our service. Traditionally, there was a consensus that Fire Service pay and stability in the Fire Service was best secured through the operation of a reasonable Pay Formula. It is regrettable that the Fire Service employers have rejected such an approach in recent years.

REGIONAL PAY

The idea of Regional Pay has been proposed for public services by the Chancellor of the Exchequer. In the Fire Service, such an idea ignores the fact that firefighters can and do work outside the area of their own Service and alongside firefighters from all parts of the UK. It further ignores the fact that the Fire and Rescue Service benefits from the transfer of personnel between Fire and Rescue Services which is made viable by UK wide pay rates. The FBU supports national rates of pay and despite any weaknesses in the current arrangements the Union continues to support national bargaining through the UK wide National Joint Council (NJC) with the benefits and efficiencies it brings to the Employees and to the service.

Our campaign must involve:

Further research:

- On the impact of the pay freeze on our members
- On the cost and economic contribution of the Fire Service
- On the value of and contribution made by the Fire Service workforce.
- On the claim for equal pay for control staff members

Systematic and comprehensive lobbying:

- Of Fire Service employers at local and national level
- Of other politicians at Westminster and in Parliament and assemblies in Wales, Scotland and Northern Ireland.

Campaigning with our members

- To ensure members are well briefed and fully involved
- To ensure that members are engaged in the political lobbying which is necessary
- To ensure that members are ready to support any call for industrial action should it become necessary.

We shall also mount an awareness campaign within the labour movement and with the public.

The Executive Council recommends to Conference that we seek to resolve pay for the short term and for the longer term through discussions with the employers at the NJC. The FBU remains committed to seeking agreement through dialogue and negotiation. However, should such an approach not achieve an acceptable pay rise by 1 July 2012 then as part of our strategy the Union will commence a membership campaign preparing for a ballot for national strike action at the appropriate time.

EXECUTIVE COUNCIL POLICY STATEMENT TO CONFERENCE: FBU RELATIONS WITH THE HISTADRUT

INTRODUCTION

At the Fire Brigades Union's (FBU) Conference in May 2011, an emergency resolution moved by Strathclyde advocated that the FBU and unions in the UK sever all ties to the Israeli Histadrut Trade Union Federation. The motion was remitted on the condition that the FBU's Executive Council investigate the case for severing ties.

The Executive Council took the emergency resolution as its starting point and asked whether the FBU should sever its ties with the Histadrut. Head Office looked at FBU policies and asked whether severing ties was consistent with them. Officials examined the reasons given for severing ties and the purpose it is designed to serve. They also looked at the consequences of the FBU severing ties, both for the Palestinian people and their organisations, for Israeli people and their organisations, and for our Union.

FBU officials spoke to a number of important parties and campaigners to solicit expert opinion. A report was prepared for the Executive Council, which outlined the assessment. After a thorough evaluation, the Executive Council concluded its work.

FINDINGS

Severing links with the Histadrut is not in the best interests of the FBU at the present time. It is not in the best interests of the Palestinian people struggling for self-determination. Nor does it help those Israelis who support the Palestinians, including firefighters and other workers within the Histadrut.

The Histadrut merits criticism for aspects of its history and for elements of its current politics in relation to the Palestinian people. However, on balance, the Executive Council considers these criticisms are not sufficient to lead the FBU to sever links.

For more than three decades, the FBU has supported Palestinian self-determination as part of a democratic solution for all peoples in the region. The Union has rightly had links with both Palestinian and Israeli Trade Unionists over many years.

Trade Union internationalism involves worker to worker solidarity, Union to Union direct links, solidarity with oppressed people and opposition to Governments, not least our own. In this case, severing ties with the Histadrut in the name of Palestinian solidarity would undercut vital firefighter to firefighter and Union to Union links: links that can beneficially assist Palestinian firefighters and Palestinian Trade Unions in their daily struggles and their longer term aims.

The reasons suggested to sever ties are not sufficient. They do not account for changes in the Histadrut in recent years, or for the difference between the Histadrut and the Israeli state. The investigation did not find sufficient evidence of “collusion” by the Histadrut with the ongoing violation of human rights of Palestinians. Nor did it find that Histadrut policy positions “endanger regional peace”.

The stated purpose of severing ties is to isolate the Israeli state. However the emergency resolution is not clear what political solution is proposed. It is not clear what the Histadrut would have to do to renew links, if they were severed on this basis. The demands on the Histadrut are unique, no other legitimate Union Federation is subject to such derecognition.

The experience of the FBU's humanitarian convoy in 2011 shows that it is possible to make solidarity with the Palestinians and utilise relations with Histadrut to help with that solidarity. Our delegation was able to raise its political concerns directly with Histadrut, whilst still maintaining relations to the benefit of all sides, particularly the Palestinians. Making links, not severing relations was the policy that worked best in this case.

Recommendation:

The FBU Executive Council recommends that links with the Histadrut are maintained on the basis of critical engagement. Conference agrees the FBU should continue with its proud tradition of solidarity with all the peoples of the Region and its support of the Palestinians' right to their own state within a two state framework.

EXECUTIVE COUNCIL POLICY STATEMENT TO CONFERENCE: MUTUALS AND PRIVATISATION – A DUAL THREAT TO THE FIRE AND RESCUE SERVICE

INTRODUCTION

The Executive Council has recognised the threat of privatisation of the Fire and Rescue Service (FRS) since it was promoted by the last Conservative administration and then continued by New Labour. But firefighters face a new series of privatisation threats from the Tory-led coalition government, which has ruled nothing out. The Fire Brigades Union (FBU) must continue to be at the forefront of defending our Fire and Rescue Service as a public owned and publicly accountable service.

NEW THREATS OF PRIVATISATION

The Westminster Government is committed to “support the creation and expansion of mutuals, co-operatives, charities and social enterprises, and enable these groups to have much greater involvement in the running of public services” (Coalition Agreement, May 2010). Under the umbrella of the Big Society, it promised to provide “a new right for public sector workers to form employee-owned cooperatives and mutuals to take over the services they deliver” (Comprehensive Spending Review, October 2010).

The Localism Act 2011 enables voluntary and community groups, charities, parish councils and staff of ‘relevant authorities’ that wish to form a mutual organisation to express an interest in running existing relevant authority services where they believe they can do so differently and better. This creates a particular threat of privatisation for Fire and Rescue Services covered by this Act.

The Government White Paper Open Public Services (July 2011) declared that publicly-provided services such as fire and rescue were “broken” and organised in an “outdated” fashion. The White Paper excluded the Fire and Rescue Service from the list of core services like policing, schools and the National Health Service (NHS) that are to remain free at the point of use.

An update to the White Paper (March 2012) made the threat explicit: “Public service mutuals are now well established in community healthcare, with thousands of public servants working in new mutuals with contracts worth almost £1 billion. We have extended these rights to new areas, including adult social care and NHS trusts, and we are looking to go further, in areas such as youth services, probation services, children’s centres, and Fire and Rescue Services”.

Cleveland Fire Brigade has stated publicly that it has received the go ahead from the Government to work up proposals for a mutual in the form of a Community Interest Company and has subsequently created a “social-enterprise company” to attract “alternative” funding. It claims to be close to announcing a “very large” contract to deliver risk management services to a local industry.

The national interests report for FireFutures recommended decoupling commissioning from delivery. It cited Denmark as a model to be copied, despite very different circumstances in that country and higher fire deaths per head. The Danish private fire service provider Falck has signed a “memorandum of understanding” with Devon and Somerset FRS, though both parties have refused to reveal the details of the arrangement.

The London Fire and Emergency Planning Authority (LFEPA) brought forward the timetable for the outsourcing of both training and the control centre, to ensure that they were pushed through before the May 2012 GLA elections. Asked at a Fire Authority meeting “are there any functions of LFEPA that you believe are inappropriate for take-over by private operators?” chair Brian Coleman replied, “No, in the right circumstances”. The private provider Capita is due to take over the London control room and the National Coordination Centre by the end of 2012, thereby threatening both local and national resilience

The Executive Council is aware that many private sector providers are currently hawking for business in the UK Fire and Rescue Service and are actively meeting with civil servants and local Fire Service managers. In March 2012 the Westminster Government announced plans to privatise the Fire Service College. The sale was formally launched on 10 April 2012.

THE EXPERIENCE OF PRIVATE SECTOR INVOLVEMENT

The recent experience of private sector involvement in the Fire and Rescue Service reinforces the FBU’s scepticism about privatisation.

AssetCo: The private provider AssetCo has contracts with the London Fire Brigade covering its fire engines and equipment, as well as “contingencies” – such as providing contract staff during the 2010 London strikes. A similar contract with Lincolnshire Fire and Rescue Service was terminated in April 2012. AssetCo has become a by-word for mismanagement and greed, with over £100m of debt and near insolvency for the company itself. In and out of court, replete with internal scandal, AssetCo is a terrible advertisement for what can and does go wrong when private providers come into public services. What is particularly disturbing is that public authorities lack control over this private company and have been left as helpless spectators watching this catastrophe unfold.

FiReControl: The FiReControl project wasted around half a billion pounds of taxpayers’ money and much of that went on private sector providers. The taxpayer is still paying £50,000 a day in rent for eight empty buildings, built under the Private Finance Initiative (PFI). The private sector owner of five of these buildings has now gone into administration. The National Audit Office report (2011) found that the implementation of FiReControl was heavily reliant on consultants and interim staff, who contributed over three-quarters of the total spend on the personnel supporting the project. The private firm EADS failed to deliver the technology necessary to allow the new control rooms to communicate effectively beyond a few square miles. The project was rightly dubbed by the Public Accounts Committee as “one of the worst cases of project failure” they had seen in many years.

MUTUALS AND THE FIRE AND RESCUE SERVICE

The Government's Mutuals Information Service says that "a public service mutual is an organisation which has left the public sector (also known as 'spinning out') but continues to deliver public services. Mutuals are organisations in which employee control plays a significant role in their operation". It estimates that there are currently 45,000 public sector workers now in mutuals, with the aspiration to have 1 million public sector workers in mutuals by 2015.

Developments in Cleveland Fire Brigade and Humberside FRS show that mutualisation is proceeding within the Fire and Rescue Service. The FBU is aware of many discussions and meetings about mutuals, usually behind closed doors and with no democratic scrutiny or accountability.

Mutuals represent a specific threat in the current situation, in particular because they may play the role of 'stalking horse' for further privatisation. Elsewhere in the public sector, organisations are being forced to become mutuals as a 'lesser evil' to full privatisation. However, this arrangement may simply be a prelude to more opening up to the private sector in the future. The FBU opposes the Government's mutualisation programme because its real objective is to transfer public services to the private sector.

The drive for mutuals does not derive from a genuine desire to hand power to ordinary people in the workplace – an ambition historically promoted by the Co-operative and Trade Union movements. Staff do not gain financially from being given a share of the "business". Nor do they get much more than a vote on a staff council, which then filters responses to management. Instead, the Government's plans rest on imposing unpopular ideas on unwilling staff.

The Government's "mutualism" agenda is not a model that will improve the delivery of the country's public services. It is part of its austerity plans for the public sector. It is designed to save money and deliver spending cuts. It is driven entirely by the market and by commercial values. It has no time for genuine social solidarity, voluntarism or industrial democracy.

The Executive Council does not believe that mutuals are a credible model for the Fire and Rescue Service. Changes of ownership are not necessary to improve the Fire and Rescue Service for the communities we serve. Mutuals would have serious implications for firefighters' jobs, pay and conditions.

CONCLUSIONS

The Executive Council recommends to Conference that the FBU should:

- Oppose privatisation in all its forms, in particular efforts to sell off the Fire Service College, other training facilities, control rooms and the introduction of AssetCo-type contracts
- Mount a robust defence of the Fire and Rescue Service as a publicly funded, publicly owned and democratically controlled public service, including bringing all Fire Service assets under public ownership and control

- Support Brigades campaigning against privatisation, mutualisation and other forms of fragmenting the service
- Gather information and intelligence from Brigade and Regional officials about local developments
- Coordinate strategies between Brigades so that the FBU remains best-placed to defend the service
- Lobby elected National and Local Government figures and stakeholders to defend and improve the publicly owned Fire and Rescue Service.

EXECUTIVE COUNCIL POLICY STATEMENT TO CONFERENCE AS AMENDED BY SHROPSHIRE: DEFEND THE FIRE AND RESCUE SERVICE – STOP THE CUTS

INTRODUCTION

The Fire Service is facing a funding crisis stemming from cuts in central Government grants imposed as part of the Westminster coalition Government's drive for austerity. This threatens the jobs and conditions of service of Fire Brigades Union (FBU) members and the quality of the professional service we can provide to the public. Inevitably, the safety of firefighters, and our communities are being put increasingly at risk.

BACKGROUND

The Fire and Rescue Service (FRS) is facing a centrally orchestrated squeeze on UK wide Government grants and on a continuing council tax freeze. These Whitehall cuts will inevitably pose similar challenges in Wales, Scotland and Northern Ireland whose parliament and assemblies face the prospect of further funding cuts as part of the wider austerity agenda.

On 10 February Communities and Local Government (CLG) fire minister Bob Neill wrote to the Chairs of all Fire Authorities in England seeking a second year of council tax freeze. Those fire services which do have pre-cept powers would typically be looking at maximum increases of £5 a year per household and often little more than £3 per household in a year.

Cuts in central Government grants undermine Fire Authority budgets and this has been exacerbated by the complicit approach of many local Fire Authorities, leaving significant shortfalls to be made good by cuts in frontline personnel, appliances, station closures, supervisory officer structures as well as control room mergers and outsourcing. A mixed variety of duty systems have either already been introduced or are being put forward in an attempt to mask the problem.

VARIATIONS IN OUR RESPONSE

Fire and Rescue Services across the UK (with a few exceptions) have faced significant cuts already. There have been a range of responses with some excellent local campaigning. A key aim of the next stage of our work should be to ensure a UK wide

focus on defending the quality, capability and professionalism of the Fire and Rescue Service.

Clearly the level of attacks on all public services means that the challenges we face are very significant. Nevertheless our existing policies suggest that the focus of our campaign should be around the following demands and themes:

- Opposition to all proposed cuts
- Opposition to all job losses (by whatever means)
- Highlighting the impact of cuts on response times
- Highlighting the impact of cuts on national and local resilience
- Highlighting the detrimental impact on public safety
- Highlighting the detrimental impact on firefighter safety
- Highlighting the detrimental impact on the business community and the economy.

The Executive Council recommends that we need to rapidly develop our UK wide campaign to defend our service and make the case for adequate funding. Such a centrally led campaign would in turn tap in to local issues and campaigns and provide resources and support to officials campaigning at local level. It would also provide a framework by which local campaigns may be coordinated to add solidarity and to amplify the national campaign against central Government's underfunding of UK Fire and Rescue Services.

TIMESCALE

The grant settlement for this Comprehensive Spending Review to 2015 has been 'back-loaded' but will amount to around 25% cuts in central Government grant by 2015. The first year of austerity measures brought cuts of over 1,000 frontline firefighters of all roles and duty systems between April 2010 and April 2011.

The precise details of the grants for 2013 to 2015 will be announced following a Government spending review which will feed into the Chancellor's autumn statement – provisionally expected in late November 2012 (the last autumn statement was on 29 November 2011).

CROSS-PARTY CONCERNS

There is growing political and public concern about the impact of large grant cuts in 2013-15. The six English Metropolitan Fire Services (outside of London) have suggested these cuts could, in the Mets alone, mean a further:

- 2,000 frontline firefighters lost
- 50 station closures
- 100 appliances lost.

THE CASE FOR THE FIRE SERVICE

The FBU campaign needs to focus on a two-pronged attack to make the case for adequate Fire Service grant funding aimed in the first instance at the coalition parties and Labour in Whitehall. At local level, the campaign would need to build pressure on

councillors within Fire Authorities to address the local needs of the service. In this context however the Union will have to develop further work to address the balance between central and local funding; the pressure on local budgets created by cuts in central grants and the consequential pressures on council tax.

Particular approaches will also be needed in Scotland, Wales and Northern Ireland which address the relationship between funding from Westminster, the devolved Governments and relevant Fire and Rescue Authorities.

AIMS AND METHODS

The aim of such a campaign would be, over the next 18 months, to make the case for adequate Fire Service funding and to get a better funding outcome than is currently envisaged. It would need to be seen as part of a longer term campaign leading into the 2015 general election. It would also be part of the wider political campaign opposing austerity measures as a whole and raising the need for a fundamental shift in policy.

Between now and the end of 2012 the target would be central Government although we would also need to attempt to marshal support from councillors and Members of Parliament/Assembly Members in all political parties in defence of the Fire Service. We will also seek to strengthen our lobbying links with relevant business groups and the insurance industry.

To do this we need to increase the profile of Fire Service cuts and push it up the national political agenda between now and the end of 2012, which is the crucial timeframe. The FBU needs to shape that political agenda and narrative focusing on the expanding rescue role, cuts to firefighter and firefighter (control) numbers, station closures, control mergers and outsourcing, loss of appliances, slower response times, firefighter injuries, fatalities, fire deaths and the impact on the business community.

The key time for attempting to influence decisions on funding and grant allocation is likely to be in the early autumn 2012. Ministers will then take final decisions on the allocations and these are likely to be announced in mid- to late-January. An assessment of the distributional impact on the level of spending power for each single purpose Fire and Rescue Authority in England will be made in early 2013.

RECOMMENDATIONS

The Executive Council recommends to Conference;

- That a national campaign as outlined above is agreed and developed
- That the necessary funding be identified and allocated for the campaign
- That further research is undertaken as necessary to support our case for a fully funded and professional Fire and Rescue Service
- That this campaign should include mechanisms to build on local anti-cuts campaigning as part of the wider fight to defend the Fire and Rescue Service
- This should include the necessary campaign material and resources
- In the short term this should aim to influence decision-making over the next 12 months but will also need to continue into the 2015 general election
- That this should involve a targeted and coordinated approach to national events such as lobbies and demonstrations.

EMERGENCY RESOLUTIONS CARRIED ...

Emergency Resolution No. 1

DEFEND THE FIRE AND RESCUE SERVICE

– STOP MERGERS AND OUTSOURCING

Conference condemns the Cheshire/Cumbria Emergency Fire Control merger implemented on the 1st June and has concerns regarding the welfare of staff working in the merged Control.

The outsourcing of Cumbria's Emergency Fire Control facility to Cheshire was hastily implemented without the necessary due care and attention to the welfare of the Emergency Fire Control staff.

The Fire Brigades Union cannot find any evidence to suggest a full evaluation into the impact on staff and their working conditions that this merger would have. Staffing levels and workloads have not been subjected to proper consultation. Despite the best efforts of Officials, no task analysis or impact assessments have been provided.

Conference notes with concern the number of Fire and Rescue Services that are proposing to merge Controls or outsource their facility to another Fire and Rescue Service.

We therefore call on the Executive Council to continue to support a campaign in opposition to mergers and outsourcing both nationally and locally and as a matter of urgency:

- Investigate the situation within the merged Emergency Fire Controls with the assistance of Local Officials and the CSNC.
- Produce guidance to Officials, faced with protecting the conditions of members working in the merged Emergency Fire Controls.

CHESHIRE

EMERGENCY RESOLUTIONS DEFEATED ...

Emergency Resolution No. 4
PENSIONS

MERSEYSIDE



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