



Record of Decisions 2013

**Fire Brigades Union
87th Conference
Blackpool 15th-17th May 2013**

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2013
Conference
Decisions
Blackpool**

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Motions Carried ...

EXECUTIVE COUNCIL STATEMENT TO CONFERENCE AS AMENDED BY CONTROL STAFF NATIONAL COMMITTEE

FIREFIGHTERS' SAFETY

The safety and health of firefighters is a principal concern for the Fire Brigades Union. The health, safety and welfare of our Members, is one of the central reasons why this Union was established and why it continues to play an irreplaceable role in the Fire and Rescue Service (FRS).

We are very clear that there is no contradiction between an active interventionist approach to fires and other incidents and protecting and improving firefighter safety. Such an approach requires:

Sufficient attendance that arrives quickly and with sufficient weight of numbers of personnel in order to effect an early and sufficient intervention with:

- Properly trained crews
- Well designed and well maintained equipment
- High standard operational procedures.

The FBU has been working with other key leads on the development of the Health and Safety Framework for the Fire and Rescue Service, which we were assured will be published in advance of our Conference.

Since the turn of the Century and with the introduction of so-called modernisation, there has been an alarming increase in firefighter fatalities during operations at fires. In particular, multiple firefighter fatalities took place in Warwickshire, East Sussex, Hertfordshire and London (after almost a decade of few firefighter deaths at work) which gave rise to the commissioning of the Fire Brigades Union's report *In the Line of Duty* published in 2008.

Modernisation has also affected our emergency control rooms with the ill fated 'FireControl' project and ensuing fallout, as highlighted in 'Future Control Room Service Scheme' – March 2013.

We have to ensure that we have enough properly trained staff on duty at all times to start the process of Fire Fighter Safety.

FBU report: *In the Line of Duty*

In the Line of Duty is the most comprehensive account of recent firefighter deaths produced to date. It is a national disgrace that it required the FBU to produce such a report because the Government, the Employers and the sector as a whole failed to do

so. Although this report was widely welcomed within the FRS, the Executive Council believes that the lessons from this report have not been learned and that the safety of our members is still not being treated with the seriousness it deserves.

In the Line of Duty incorporated within its recommendations;

- There should be joint working between The Department for Communities and Local Government (CLG) and the Devolved Administrations in order to achieve high standards of reporting and recording of firefighter fatalities and related matters.
- A common, consistent and comprehensive reporting system for fatalities and major injuries should be introduced across the UK.
- The Government should widen the definition of reportable incidents to the Health and Safety Executive (HSE), to include work-related road traffic accidents (RTAs) and heart attacks.
- A national independent Fire and Rescue Service investigation unit should be established, with the remit to examine in particular firefighter fatalities, major and serious injuries and near misses.
- There is an urgent need for centrally issued substantial, safety critical national guidance on the issues arising from recent fatalities.
- Fire and Rescue Services should have systems in place to learn lessons from fatalities, major and serious injuries and near misses, both from incidents within their Service and from others in the UK and abroad.
- The Government departments should seek to develop standards for individual integrated radio and breathing apparatus sets and individual locational tracking systems, to be introduced as early as possible.
- On a UK-wide basis the Governments and Assemblies should introduce a requirement on Employers, landlords and other responsible persons to submit in writing their fire risk assessments to the local Fire and Rescue Service.
- Fire and Rescue Services should initiate an internal training audit including individual comprehensive training needs analyses to identify areas where the FRS and individual firefighters require additional or refresher training, particularly for emergency response.
- On the incident ground only safe uninjured firefighters can deliver a service to the public. In developing IRMPs, Fire and Rescue Services must consider the risks to employees above anything else. They should develop suitable and sufficient strategies for safe systems of work and should ring-fence the financial, material and human resources required to deliver these strategies.

Lack of progress since 2008

The CLG, the Chief Fire and Rescue Advisor and individual Fire and Rescue Services have made very little progress with these recommendations.

Since the publication of *In the Line of Duty*, further firefighter fatalities have occurred in Hampshire and in Lothian & Borders, as well as other fatalities in training and from cardiac arrest. FBU officials and members have worked tirelessly investigating the reasons for these deaths and the measures required that could have prevented them and that could prevent future recurrences.

We have witnessed the court cases in Warwickshire and in East Sussex. On the one hand, in the Warwickshire case, we have seen the Crown Prosecution Service bringing ill-founded and unsuccessful criminal proceedings against front-line personnel, in which operational fire crews were criticised for attempting to extinguish a fire.

On the other hand, the Executive Council is alarmed that, in the recent High Court trial on Marlie Farm (an incident where in our view firefighters were tasked to fight fire on a site storing explosives without adequate pre-planning, training, water supplies or incident command support to do so). East Sussex Fire and Rescue Service have argued that FRS's do not have a duty of care towards employees for the actions of incident commanders on the fireground and, even more widely, that the Health and Safety at Work Act 1974 does not apply **at all** to firefighters. In our view, this is tantamount to saying that firefighters are expendable.

The most significant improvement which followed the publication of *In the Line of Duty* was the introduction, by CLG, of a system for developing operational guidance. Such guidance is an essential tool for firefighters. It should draw on the latest knowledge and be based on best practice. It should enable firefighters to carry out their role effectively, professionally and safely.

Regrettably, Central Government at Westminster has increasingly sought to withdraw from any form of direct involvement in the Fire and Rescue Service and, as a result, has withdrawn from the structures created following the 2008 report and discussions. New structures are being developed by The Chief Fire Officers Association and the Local Government Association in which the FBU is participating and we recognise the efforts of the participants in their attempts to create the guidance. However, with inadequate funding and resources from Government departments the work is too slow. The Executive Council has expressed its concern at these developments and made clear that this work should be fully funded by Central Government.

The Executive Council is aware of the anger and frustration among Members at the failure of the Employers, Governments and other agencies to adequately address the numerous concerns which have arisen from the various tragic fatalities in our Service.

The Fire and Rescue Service is already suffering from cuts, inadequate training, inadequate planning and inadequate emergency response. These factors increase risk to the public and to firefighters and increase the losses suffered by local communities and by businesses. The under provision which already exists will exacerbate the risks we have identified in 2008 and after.

Resolution

The Executive Council commit to continue in our efforts and to increase the resources assigned to this task in order to force Government, Health & Safety Executive and the Employers to learn the lessons from the recent firefighter fatalities.

The Executive Council commit to produce a new report on firefighter fatalities and related matters, drawing together the lessons from recent trials, inquests and investigations, to supplement the findings of the *In the Line of Duty* report.

The Executive Council will make representations to Ministers, Chief Fire and Rescue Advisors, Her Majesty's Inspectorate Scotland and the Scottish Operational Guidance Board and Employers' organisations to speed up the process for learning lessons from the recent tragedies. Reports will be issued to Regional and Sectional Committees in due course and a report will be made to Conference as appropriate.

EXECUTIVE COUNCIL STATEMENT TO CONFERENCE FUTURE STRUCTURES OF THE FIRE BRIGADES UNION

1. INTRODUCTION

Special Conference 2012 received a report on behalf of the Executive Council (EC) which continued the work in reorganising the structures of the Fire Brigades Union (FBU) in order to achieve the goal of maintaining our organisation as an effective, independent and specialist fire service Union. The EC continues to remain committed to this and to securing the future of the Union for those who will succeed us.

Aside from the crippling effect on fire cover and public safety, the continuing cuts agenda and the resulting financial squeeze means that the Union must continue to review all aspects of the way we operate. Our number one priority continues to be protecting the Union in order to best protect our Members both now and in the future.

The results of the various measures already implemented have assisted in reducing expenditure. However, the scale of the challenge remains considerable, as identified and reported to Conference over the years since 2005. The EC remains committed to the target set at Conference 2011 (to build a surplus in the General Fund equal to 60% of annual General Fund income). We continue to remain some way from that target and the financial challenges we face continue to increase in the context of further job losses and the continuing squeeze on pay.

Special Conference 2012 agreed a set of recommendations that continued the reorganisation/restructure project initiated some eight years ago. These fundamental aspirations remain the focus of reorganising and restructuring the Union, namely:

- Maintain an independent, financially viable and effective Union to 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.

In relation to all areas of the Union's structures and to the decisions already taken, reports on the financial and other consequences have been provided to the EC. This will continue to be the case so as to ensure that all areas of the Union's structure have been thoroughly considered as part of this process.

2. HEAD OFFICE, STAFFING AND NATIONAL OFFICIALS

2.1 Staffing and Head Office

Work has continued in this area and efficiency savings continue to be made. The number of staff employed by Head Office has continued to fall and savings in total salary costs now exceed a quarter of a million pounds per annum. With such reductions in employee numbers comes a necessity to restructure and reorganise Head Office functions. This continues to be done in conjunction with the recognised staff Union and senior managers within Head Office.

The EC can report the following progress in relation to Head Office from the report to Special Conference 2012:

- The near completion of the 'policies and procedures' manual;
- 'Expressions of Interest' from those staff who had identified themselves have been completed. This process has resulted in a significant alteration to the numbers and structures of the staffing arrangements at Head Office;
- Staff and GMB continue to be consulted over the continuing restructure;
- Training needs have been identified and measures are in hand to give staff the necessary support.

Work is ongoing on the following:

- A review of Regional Offices and of administrative support available for Regions;
- The issue of Bradley House and a review of the suitability, location and cost of Head Office.

However the priority has been to consider such matters strategically and to ensure continuity of the Union's work.

The EC wishes to thank the GMB and all staff for their co-operation on this matter and for their appreciation that these measures are to ensure that the future of the FBU as an independent and viable Trade Union is maintained.

2.2 Recommendations Regarding Full Time Officials

Special Conference 2012 agreed that the number of National Officers required under Rule be reduced from four to three and that the EC be authorised to manage the reduction in number in the best interests of the Union, following further discussion with National Officers. It was recognised that such a change may not take place for some time due to the age and service profile of current post-holders.

Discussions have been held with National Officers, both individually and collectively. The EC recognise the uncertainty caused by this recommendation but remain committed to reducing overall salary costs. However, the EC has to take account of the ongoing restructure at Head Office and that departments need to adjust to the new working environment, often with reduced numbers. As a result of this National Officers are taking on aspects of work that might previously have been done by staff Members and they need to oversee their relevant departments as changes are implemented.

At this time therefore, 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. Reports will continue to be presented to Conference on progress.

3. TRADE UNION LEAVE

Trade Union leave and facility arrangements continue to pose considerable challenges to the Union. The EC is aware of attacks on Trade Union facility arrangements throughout the Fire and Rescue Service which are part of a wider attack driven by Government and others such as the Tax Payers Alliance. The EC is of the view that good quality agreements on Trade Union facilities and leave are essential to the good operation of industrial relations in the fire service. The contribution of FBU Officials at local and national level also adds huge value to the service as a whole. The Union therefore rejects the approach of the Secretary of State for Communities and Local Government which seeks to further attack facilities and to pass greater costs onto Trade Unions.

In response to these attacks the Union will prepare and issue guidance to local Officials. Fire and Rescue Service employers should be reminded of their obligations and the rights of Trade Union representatives provided by the Trade Union and Labour Relations (Consolidation) Act and ACAS Code of Practice. They should also be reminded of the National Joint Council for Local Authority Fire and Rescue Services' Joint Protocol for Good Industrial Relations in the Fire and Rescue Service including the commitment of employers to: "Put in place reasonable Trade Union facilities in accordance with statutory requirements and ACAS good practice guidance". Similarly, the Grey Book provides that: "Fire and Rescue Authorities shall therefore provide Officials of recognised Trade Unions with reasonable facilities necessary for them to carry out their Trade Union duties."

The EC believes that employers in the Fire and Rescue Service must accept their responsibility to provide good facilities for Trade Unions and should accept this will in various circumstances require full release from duties for certain Officials. Therefore the Union will not accept any automatic demands from Employers for payments for Trade Union facilities and will keep existing arrangements under review.

4. RECOMMENDATIONS ON EQUALITY SECTIONS

Special Conference 2012 recommended that the Union would provide guidance for Officials regarding the future organisation and functioning of the three equality sections. The EC has drafted a set of guidance that followed a period of consultation with Representatives of the three equality sections. This document was issued for consultation in March 2013.

The document will be a guide for Officials and Members to clarify the roles of the National Sectional Committees for the equality sections within the Union.

5. RECOMMENDATIONS ON TRADE SECTIONS

Special Conference 2012 agreed the following recommendation:

'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.'

The EC set up a task and finish group and invited submissions from the three Trade Sections. Responses were received from all three sections and the EC thanks those sections for their contributions to the work of the group.

The Task and Finish Group considered the responses and noted that all three sections felt that the current structures were best suited in both representing the views of the Members of their section and in responding to the ongoing challenges that face them as Trade Sections operating within the Fire and Rescue Service. However, it was recognised that there is some ambiguity and confusion regarding their role within the FBU. In order to give clarity for all concerned the following recommendations were agreed:

- 1 Trade Sections are responsible for working with Regions in order to explore all options in the identification and recruitment of new Members and Representatives (as defined in the Rule Book). It is essential that this process involves the Brigade Organisers from within the Region and Regional Trade Section representatives.
- 2 Trade Section Committees will continue to hold their Annual General Meeting (AGM) in order to agree tasks for the forthcoming year and debate Resolutions for submission to the Union's Conference on a biennial basis. These meetings will be arranged by Head Office in conjunction with the National Committees. The process shall ensure that the National Officials responsible for the Trade Sections inform Regions of the arrangements. The Trade Sections may continue to extend their AGM to other Members of the section, nominations to be agreed by the Regional committees (a maximum of 3 per Region). This is to be coordinated by the National Official responsible for the Trade Section.
- 3 Where a Region has a vacancy for any of the three Trade Section Regional Representative positions, the matter should be discussed between the Regional EC member and the relevant Trade Section EC Member (in consultation with their relevant executives) to consider how best to address filling the vacant positions. Whilst a Region is carrying a vacancy in a Regional Trade Section position, on occasion, they may extend an invitation to a Trade Section National Sectional Official to attend their Regional meeting to ensure the views of the Trade Section concerned are represented and advice received.

The EC is clear that work on the Union's structure will need to continue. It will always be the case that our organisation needs to change and adapt to take account of the circumstances we face. That has been a feature of the FBU since our formation. Nevertheless, such discussions are often challenging but the EC congratulates Officials from all parts of the Union for ensuring that the campaigning work of the FBU

has continued throughout this period of change. The EC will ensure that further reports are presented to Regional and Sectional Committees over the coming year and to future Conferences as required.

EXECUTIVE COUNCIL STATEMENT TO CONFERENCE THE FUTURE OF THE FIRE AND RESCUE SERVICE

The Fire and Rescue Service represents exceptional value for money as a public service. Annually, at a cost of still less than £3bn (on average less than £50 per adult per year in the UK), firefighters across the UK provide a 24 hour/365 day comprehensive service dealing with a wide range of emergencies.

Despite taking on a number of additional activities such as responding to major flooding and dealing with terrorist incidents, the Fire and Rescue Service has faced cuts for over a decade from Central Government.

In the first decade of the twenty-first century up to 2010, the total number of firefighters was reduced by around 2,000 for the whole of the UK.

The advent of the Coalition Government in 2010 saw an acceleration of cuts to the funding of the Fire and Rescue Service.

The Government's own figures for England show the annual cuts in revenue spending power (which is a combination of central funding plus the local council tax revenue).

Revenue Spending Power

Year	% cut
2011-12	-2.2
2012-13	-0.5
2013-14	-4.7
2014-15	-3.3

Their own figures show that they have cut every year of this Government and that the cuts have been backloaded, so the next two years will be worse than the last two. Figures for the central grant show that the bulk of the cuts have come from reductions in central funding.

Central Formula Grant

Year	% cut
2011-12	-6.7%
2012-13	-1.0%
2013-14	-8.7%

If the final year of cuts is as bad as next year, they will have reduced central funding by 25%, as they promised to do in 2010.

It is important to recognise that central edicts have also restricted local funding. The Coalition Government has offered financial incentives to Local Councils to freeze council tax at the same time as reducing central grants. This has given local Fire Authorities less room to deal with the central cuts.

These cuts have had a devastating impact on the number of firefighters. In 2011-12, the first year of the cuts, over 1,500 frontline firefighter jobs were lost. These job cuts have affected all parts of the Service. This will also adversely affect the equality work that has been ongoing in the Fire and Rescue Service in the past twenty years.

The Government has not yet published figures for the second year. However when they made their plans to cut the Fire and Rescue Service in 2010, the FBU estimated that 6,000 jobs were under threat. Unless the cuts can be reversed over the next two years, that figure is likely to be confirmed.

The FBU has been the highest profile organisation within the Fire and Rescue Service campaigning against these cuts. While politicians and senior managers accused the Union of scaremongering, they are now admitting we were accurate with our warnings.

In 2012 the Association of Metropolitan Fire and Rescue Authorities and The Chief Fire Officers Association both published briefings warning of cuts to firefighter jobs, fire station closures and the loss of appliances. In March 2013 the Local Government Association (LGA) also warned of a £600m shortfall in Fire Service funding.

Politicians at Westminster have argued that the historical fall in fires and fire deaths is an excuse to make cuts. They have ignored the wide range of other work that firefighters undertake that is not counted in these figures, including the fire prevention work that lies at the heart of these trends. This work is also threatened by cuts to the Service.

The argument is also wrong because even if a station has experienced a reduction in calls, for those affected by the incident the rapid response of the Fire and Rescue Service is just as important as it ever was. Even if it is one household or business that has to call, the speed and weight of the Fire and Rescue Service response is still absolutely critical.

The FBU has exposed the slowing of response times by over two minutes, so that many of the targets set by individual brigades fall well below the national standards that were in place a decade ago. Slower response times have increased the risk to the public and firefighters. Every second counts in a fire or other emergency, so we cannot accept their argument for fewer firefighters, fewer appliances and fewer fire stations.

CAMPAIGNING FOR OUR SERVICE

In order to defend our Service and develop it for the future we need to address

1. Campaigning against cuts and for adequate funding
2. The changed and changing role of our Service
3. The roles, responsibilities, pay and conditions of service of firefighters arising from such changes.

1. The cuts in our Service have been so severe that other voices have increasingly been heard expressing concern alongside that of the FBU. This has included some of the Fire and Rescue Service Employers and some Chief Fire Officers. Where appropriate the FBU is willing to work together with others in the Service to make the case for adequate funding and investment.

Unfortunately however, the FBU is often left as the sole organised voice standing up for our Service. The Executive Council has agreed to allocate additional resources to this campaign over the next two years as we face a further spending review and as we approach the general election in 2015. This campaigning will require lobbying and public activity at national and local levels.

2. The debate about funding has highlighted that Central Government has not adequately acknowledged the changed role of and demands upon the Fire and Rescue Service. This stands out most sharply in relation to issues of national resilience. For example, large scale flooding incidents are an increasingly important area of work but this is not recognised properly by Westminster, nor is it adequately funded. There are many other areas of work now undertaken by firefighters which are not properly recognised by Central Government, or by the Employers.

The Union is involved in a project with others in the wider fire sector to develop models which assess the cost of fire to the economy. The Union will also undertake additional research on this and on the value of our Service to our communities at local and national level. This will need to address the expanded roles and activity already undertaken by our Members.

3. The Fire and Rescue Service has changed and developed throughout its history and the FBU has often been at the forefront of this, for example our role in fire safety inspections or at road traffic accidents. Firefighters have been willing to take on such roles but expect that such developments should include:

- Full and adequate planning and training
- The best available equipment and resources
- Negotiations on roles, responsibilities and payments
- The necessary funding to provide all of the above

It is unacceptable to change the role of firefighters and of our Service by stealth and by refusing to negotiate. It is also unacceptable to allow the continued fragmentation of our Service through an endless drift to ill thought

out 'localism'. To be effective our Service needs to be both a national and local Fire and Rescue Service; a national Service delivered locally.

As part of this process the Executive Council will undertake a review of all the additional roles and responsibilities and all additional work already taken on, or proposed, at local level. Brigade Officials are asked to fully cooperate with this. The Executive Council will discuss the issues of new challenges, roles and responsibilities (including those already taken on) with Employers and with Governments but expects recognition of the need to address such developments through full discussions and negotiations at national level. This is the best way to ensure professional, interoperable standards and fair rewards. This also allows our Members to determine what is and is not acceptable, the roles we may undertake now and in the future and the pay and conditions which we expect in return.

NATIONAL JOINT COUNCIL AND TERMS AND CONDITIONS

Resolution 2 – SECONDARY CONTRACTS

This Conference is alarmed at the rising number of Fire and Rescue Services throughout the UK who have introduced or who are attempting to introduce secondary contracts for Firefighters, Emergency Fire Control Staff and Officers. These secondary contracts are being used to cover shortfalls in staffing, detrimental to raising union membership and often fall outside the remit of Grey Book terms and conditions.

Therefore this Conference instructs the Executive Council to:

- Conduct a survey to find out which Fire and Rescue Services in the UK have introduced or are attempting to introduce secondary contracts, to what extent secondary contracts are being used and whether these contracts conform to Grey Book terms and conditions.
- Where it is identified that secondary contracts are in contravention to Grey Book terms and conditions, identify a means to challenge their use.
- Advise all FBU members via a circular and other media to the ramifications that working secondary contracts has and in particular to working a contract which is out with Grey Book terms and conditions.

This work to be completed by June 2014.

DURHAM

Resolution 4 – PAY

This Conference condemns the vicious attacks by the Government on Fire Service and other public sector budgets in the name of austerity.

This Conference also condemns the decision by our employers not to implement a pay increase in 2010 and 2011.

Conference also notes that the one per-cent pay increase awarded in 2012 was almost negated by the pension contribution increase.

This Conference is of the opinion that the pay increases received over the last seven years, when offset against inflation increases over the same period, leaves FBU members in a worse financial position and as such has worsened their living standards.

This being the case and with more pension contribution increases being proposed, this Conference demands that discussions on any proposed pay increase for 2013 take these issues into account when considering any offers put forward by the employers and ensures that FBU members gain a pay increase in real terms when offset by any pension increases implemented.

SOUTH YORKSHIRE

Resolution 7 – WORKING WEEK

Conference agreed in 2009 that the Executive Council (EC) would explore options to reduce the working week for those members who work the 42 hour week. This Conference re-affirms this Resolution and instructs the EC to commence work on this straight away with an interim report being provided to a future EC meeting during 2013.

NOTTINGHAMSHIRE

Resolution 8 – OVERTIME

Many FBU members will be extremely concerned at attempts by Fire and Rescue Services (F&RS's) to introduce Shift and Duty systems which do not form part of, or comply with, the Scheme of Conditions of Service (Grey Book).

Some F&RS's are contemplating duty systems which require heavy use of overtime in order to make them work. As the bait on the hook to tempt members into accepting these duty systems some F&RS's are even contemplating an offer of flat/plain rate overtime in order to achieve their ends.

In the current economic climate of rising living costs, slashed public services, pay freezes and pension attacks, F&RS management clearly believe now is the time to press home further attacks on our terms and conditions of employment and that the lure of hard cash will help them to do so.

If F&RS's are successful in enticing Firefighters onto duty systems/shifts which require overtime to prop them up, the clock will be turned back. Jobs in the Fire Service will be lost.

We call on Conference and the Executive Council to reaffirm it's commitment to National Joint Council pay and overtime rates and to condemn any F&RS which seeks to undermine those pay rates by the use of straightforward bribery.

WEST MIDLANDS

Resolution 9 – CONTINUOUS PROFESSIONAL DEVELOPMENT (CPD)

The introduction of the Continuous Professional Development payment (CPD) in 2007 also came with some national guidance from the FBU. In the time since then considerable local variation in the interpretation of this guidance will have crept in, not least from unscrupulous Fire and Rescue Services seeking to cut their wages bill.

Conference calls upon the Executive Council to examine some means of providing and sharing information between FBU Officials in various Brigades, perhaps by the use of a central information point, electronic library or database available via the FBU website. This would assist local Officials and give them the information they need to help ensure that local variations do not depart too far from the national position. A similar facility on other national matters e.g. IRMP responses, which have local variations would also greatly assist FBU Officials.

WEST MIDLANDS

Resolution 10 – RETAINED DUTY SYSTEM PUBLIC HOLIDAYS ARRANGEMENTS

The Scheme of Conditions of Service, Part C – Leave, Paragraph 25 states; “An employee in the role of Station Manager or below (but not on the flexible duty system) who is required to work on a public holiday shall be paid double the disturbance and activity payments at Part B paragraphs 10 to 13 of this Section (which shall not be pensionable).

In addition, the employee shall be granted a day’s leave in lieu in respect of which the employee shall not be required for duty and shall receive 1/7th of their average weekly wage. Average weekly wage shall have the meaning given to it in Appendix C, paragraph C. A volunteer carrying out operational fire fighting duties shall be paid at double the appropriate hourly rate.”

Conference agrees that this wording means that all Retained Duty System members will receive a day’s leave in lieu irrespective of if they have been required to work on a Public Holiday.

This matter is to be raised at the next National Joint Council (NJC) meeting and progressed until a NJC Joint Circular is produced confirming the above.

DEVON AND SOMERSET

Resolution 13 – RETENTION OF WOMEN FIREFIGHTERS

This Conference notes that the Government has removed its centrally driven equality and diversity strategy and as such has left the onus upon individual Fire and Rescue Services (FRS) to develop and implement equality policies locally. Conference notes that many FRS are not prioritising equality and often use austerity measures as an excuse.

Women have been firefighters in the UK for more than 30 years but still only make up 4% of all firefighters. Many women have joined the Service, but numbers of women are still very low due to the Fire and Rescue Service being unable to retain women.

We therefore demand that by 2014 the Executive Council, in conjunction with the NWC, negotiates within the National Joint Council an effective strategy for Brigades to create a workplace environment which women are happy to work and remain in.

NATIONAL WOMEN’S COMMITTEE

Resolution 14 – PAY NEGOTIATIONS

Conference is aware of the pay settlement in 2012 and its inclusion of certain caveats affecting the Officers and Retained sections in particular.

Conference instructs the Executive Council to fully engage with affected groups prior to any discussions with the employers about specific terms and conditions of service.

Future discussions on pay must take into account any potential adverse effect on individual groups within the FBU.

OFFICERS’ NATIONAL COMMITTEE

FIRE & RESCUE SERVICE POLICY

Resolution 15 – EQUALITY IMPACT ASSESSMENTS

This Conference condemns the statement made at the CBI Conference last year by the Prime Minister announcing their intention to scrap Equality Impact Assessments.

This announcement only serves to bring our ongoing fears to fruition and confirms the Government’s lack of understating on equality and discrimination issues.

Unions, in particular their equality sections, have worked tirelessly to ensure employers have written policies in place on structures and procedures, but also to attain accountable, measurable and transparent tools to defend equality rights across the board. Also tools to ensure that they will defend these rights and progressive changes already in place.

This cynical move by the current Westminster Government is irresponsible and retrograde and takes the equality agenda back decades.

We call on the Executive Council, in consultation with the equality sections, to work within the national structures of the Fire and Rescue Service to ensure that Equality Impact Assessments are defended. Also that the Executive Council work with the TUC and other equality organisations to campaign, lobby and fight to defend not only these assessments but all positive equality legislation currently in situ. This to be done as a matter of urgency with reports issued to the membership on a regular basis.

LOTHIAN & BORDERS

Resolution 17 – FUTURE OF SCOTTISH EMERGENCY FIRE CONTROL ROOMS

This Conference notes the creation of the new Scottish Fire and Rescue Service, which replaces the eight previous Fire and Rescue Services in Scotland.

Conference is concerned over the maintainance of the existing eight Emergency Fire Control Rooms and also the maintainance of the current number of Firefighter Control posts in the new service.

Conference is opposed to the loss of any Emergency Firefighter Control posts and should the commitments given by the Scottish Government and the Fire and Rescue Board to protect the front line service during the transition and also their commitment to no compulsory redundancies not be upheld, through the transition period and beyond that the FBU will campaign against any proposed reduction in Firefighter Control Posts using all means necessary, up to and including strike action.

STRATHCLYDE

Resolution 18 – PRIMARY RESCUE SERVICE

Conference recognises the public expectation of the Fire & Rescue Service as the “can do” primary rescue service for emergency incidents related to rescue.

Conference recognises that the appropriate training, resources, funding, remuneration and safe systems of work need to be provided by our employers and the UK Government and devolved administrations to fully meet this public expectation and to permit the UK Fire & Rescue Service to become the world class primary rescue service our communities expect and deserve.

Conference therefore instructs the Executive Council (EC) to identify the range of emergency rescue functions in addition to core functions currently being carried out within the UK Fire & Rescue Service. Conference further instructs the EC to consider any additional functions that may also be required to support the development of the UK Fire & Rescue Service as the primary rescue service and to set up a working group to produce an EC policy statement outlining:

- Any required and/or recommended legislative changes.
- Any required adaptations to the agreed role maps.
- Any potential for encroaching on the work activities of other trade union members involved in the provision of rescues.
- Recommended PPE, training and qualifications requirements for each identified and any new recommended specialist skills required to perform additional functions as appropriate.
- The impact of any new recommended additional functions (if any) on existing FBU policies.
- Consideration of Funding/Resource requirements of introducing any additional recommended functions or recommending the appropriate development of existing functions.
- To also consider and recommend where the UK Fire and Rescue Service may be best placed to act as the coordinating service rather than the primary rescue service for specialist rescues for any existing or additional functions.
- Appropriate remuneration for each of the range of additional specialist skills currently performed and any further additional specialist skills required to perform additional functions.

This EC policy statement to be submitted for the consideration of Brigade Committees within 12 months.

STRATHCLYDE AS AMENDED BY DUMFRIES & GALLOWAY

Resolution 19 – IRMP ACCOUNTABILITY

This Conference calls upon the Executive Council to pursue through the legal system, any Fire Authority or Chief Fire Officer within a Fire and Rescue Service, where an act or omission following the implementation of an Integrated Risk Management Plan can be shown to have contributed to the death or injury (physical or psychological) of a Fire Brigades Union Member.

CLEVELAND

Resolution 20 – INCREASED RESPONSIBILITIES

The Fire Service nationally is under the largest scale attacks in a generation and as a result the battles faced by FBU Members across the UK are numerous and not without casualties.

We fully accept that a Public Sector Service should be efficient and meet the needs of the public and communities it serves. However FBU Members are being asked to take on more and more responsibilities, quite often for no reward and we are in danger of allowing non-FBU Stakeholders to take the lead on these matters.

We feel the time is right for national discussions to take place between the employers and the FBU to find a way forward for areas of activity that currently lie outside of the role map.

We can no longer resist the changing face of the UKF&RS but that does not mean we shouldn't be taking the lead. Failure to be part of the discussion, risks both the future of the UKF&RS and in turn the FBU.

CHESHIRE

Resolution 22 – PENSIONABILITY

Following the High Court Judgment into the pensionability of the Cheshire Day Crewing Allowance; Conference instructs the Executive Council to review and take legal advice into the pensionability of all fire service payments. A report should be produced within 6 months of Conference 2013 giving guidance to Officials involved in local negotiations.

CHESHIRE

Resolution 26 – PART-TIME WORKERS RETAINED DUTY SYSTEM PENSIONS CASE

This Conference recognises the anger, frustration and disgust felt by our Retained Duty System members at the lack of progress by this Government in implementing the Modified Pension Scheme as part of the Part-Time Workers Settlement. We instruct the Executive Council to use all means at its disposal to ensure this matter is addressed and any progress or lack of progress be reported back to the members in the form of Head Office Circulars.

NATIONAL RETAINED COMMITTEE

TRADE UNION, LABOUR MOVEMENT AND INTERNATIONAL ISSUES

Resolution 27 – SCOTTISH INDEPENDENCE REFERENDUM

This Conference notes the agreement reached by the United Kingdom and Scottish Governments to hold a Scottish Independence Referendum in 2014.

Conference is aware that the Scottish independence issue is emotive and politically divisive and therefore considers that for the Fire Brigades Union to express support for or against Scottish independence would be inappropriate, as this could alienate a significant number of our members and also be potentially damaging to the relationships our Union has with parties and individuals from across the whole political spectrum.

Conference therefore concludes that the Fire Brigades Union will remain neutral on this issue and not indicate support for or against Scottish independence.

CENTRAL

Resolution 28 – PALESTINE

This Conference recognises the suffering of the people of Gaza following the ongoing blockade and the continued occupation of the Palestine territory against them by the Israeli Government. We also condemn the recent and ongoing military assaults, which started on the 14th November 2012, which follows many years of oppression.

On June 14th 2012, 50 international charities and United Nations Agencies called for an immediate end to the blockade as well as recognising the violations of International laws affecting over 1.6 million people, over half of whom are children.

We further recognise the statement made by Valerie Amos, UN Under- Secretary for Humanitarian Affairs, who pointed out that more than 80% of families in Gaza are dependent upon humanitarian aid. She stated “This amounts to collective punishment of all those living in Gaza, and is a denial of basic human rights in contravention of International law.”

We therefore:

Condemn and call for an immediate and sustainable end to the air, any ground attacks and killings of the people of Gaza.

Call for a halt to the Israeli blockade of Gaza.

Condemn and call for an immediate end to the siege on Gaza.

Given the current escalations of attacks on the people and workers of Gaza this Conference recognises, in particular the constant dangers and difficulties faced by Palestinian Emergency Service Workers on a daily basis as they attempt to rescue sick and dying casualties whilst under attack from the Israeli Occupation Forces. In doing so, we call upon the Executive Council to formulate an ongoing support strategy in conjunction with Palestine Solidarity Campaign and the Palestinian General Federation of Trade Unions, to practically and financially support our sister trade unions in these services. This support strategy is to be reported to the membership immediately.

Support the motion on Palestine carried at Congress 2012, in particular a call for a delegation to visit Palestine. We would urge that the FBU does all it can to participate in this delegation as well as publishing a report on any trip to the wider membership.

LOTHIAN & BORDERS

Resolution 30 – POLITICAL ENGAGEMENT

Conference applauds the previous work carried out by Members and Officials of this Union in engaging with Councillors and Politicians at a local and national level.

However, over the years both local and national disputes have shown that sometimes the political work we do has on a number of occasions proved ineffective in achieving a satisfactory outcome when campaigning to defend our service, protect our conditions or safeguard the public.

Conference therefore instructs the Executive Council to carry out an immediate review of the political activity at every level in this Union with a view to making recommendations on the most effective and efficient method of lobbying MP's and Councillors in every UK Fire and Rescue Service, in order to resist further cuts to our already beleaguered service.

Conference demands that this review commences immediately with a report and strategy being made available to Brigade Officials before the end of 2013.

NORTHUMBERLAND

Resolution 31 – GUANTANAMO – SAVE SHAKER AAMER

British resident Shaker Aamer has now been incarcerated in the United States detainment and interrogation prison camp at Guantanamo Bay for over 11 years and is the last UK resident still held; this is despite Shaker being cleared for release by the Bush administration in 2007.

Since his initial arrest, Shaker has not been charged with any offence, he has not received a trial and his British lawyer says he is totally innocent. During this time he has faced brutal treatment on an almost daily basis, which has affected both his physical and mental health.

This Conference reiterates its opposition to the US Government's illegal detention of all the prisoners at the Guantanamo military prison, and in the case of Shaker Aamer, calls on the Executive Council to:

- Support organisations such as Reprieve and Amnesty International who are fighting to secure the immediate release of Shaker so he can return to his wife and children in London.
- Encourage FBU members to support the 'Save Shaker Aamer' Campaign.

LANCASHIRE

Resolution 32 – COUNCIL TAX FREEZE GRANTS

Conference notes with concern that since the election in 2010, the Coalition Government has used Freeze Grants as a means of keeping down Council Tax. These are one-off Government payments to those Fire Authorities that do not raise their Council Tax, and will result in a year on year budget shortfall in future years when the grants stop.

Some Fire Authorities have accepted the freeze grant each year and plan to continue to hold the Council Tax levy at the 2010 rate for the remainder of this Parliament. In these cases, funding raised through the Council Tax could be left with a 'real term' shortfall running into millions of pounds when the freeze grants cease, this is on top of the 25% cut to the Government Grant Settlements that is already being imposed.

The Government is not being honest with the electorate and is playing short term politics. This will have long term repercussions to Fire Service funding, and lead to the loss of more Firefighter posts, appliances and stations.

As part of the FBU's ongoing campaign against cuts to Fire Service funding, this Conference instructs the Executive Council to bring this issue to the attention of our political supporters in Parliament and to the National Employers, with a view to demanding that this funding time bomb is defused, and that at the very least, locally raised funding keeps pace with inflation.

LANCASHIRE

Resolution 33 – EXTREMIST ORGANISATIONS

The publication in 2008, of a British National Party (BNP) membership list highlighted that some Fire & Rescue Service (FRS) employees were fee paying members of that fascist organisation. In recent times FBU Members, Reps and Officials have been targeted by the BNP for their opposition to, and campaigning against, the politics of hate and division.

We commend the Fire Services that have made clear statements stating that BNP members/supporters are not welcome in the 21st century UK FRS. We believe that the rest of the Fire Service should also condemn members and supporters of all extremist, hate mongering organisations and refuse them employment.

This Conference reiterates our abhorrence of hate politics and fully supports the Race Relations Amendment Act 2000 and its general statutory duty to promote good race relations in the public sector and our communities. We condemn the Government's attempts to repeal some of the statutory duties of this Act and current Equality Legislation.

We call upon the FBU to:

- Clarify what action will be taken if any member is found to be a member/supporter of the BNP or any other extremist organisation.
- Ensure that all FBU educational events continue to educate members in highlighting the dangers posed by the BNP and other extremist organisations.
- Continue to pressure the UK FRS to make clear its opposition to the politics of hate and extremism by excluding those who support that ideology.
- Demand that the Department of Communities and Local Government give the UK FRS the same provision as the Police and Prison services to dismiss employees who are members of the BNP.

BLACK & ETHNIC MINORITY MEMBERS

Resolution 34 – STONEWALL: SUPPORTING THE POLITICAL LOBBY FOR LGBT EQUALITY

LGBT Members remind Conference of the advances made with the introduction of legislative change to afford equal protection to people who are LGBT.

Stonewall have been a leading figure in the political lobbying to bring about the necessary changes. Stonewall are currently engaged in the fight to achieve recognition of same sex marriage as well as campaigning to combat homophobic bullying in both sport and schools.

Over the years more and more Fire and Rescue Services (FRS) have joined the Stonewall Equality Index and membership costs of the scheme have gone towards the financing of these ongoing campaigns. Currently the FRS is one of the largest contributors to Stonewall but with financial constraints being applied to our service many FRS are withdrawing from the scheme.

LGBT Members call on all Officials engaging in Fairness at Work consultation to encourage Fire and Rescue Services to rejoin or continue to be members of the index to ensure this important work continues.

LESBIAN, GAY, BI-SEXUAL AND TRANS COMMITTEE

HEALTH, SAFETY AND WELFARE

Resolution 35 – TOXINS

Conference recognises previous research undertaken on behalf of the FBU with regard to the potential effects of exposure of toxins to Firefighters. Despite this research, there remains no accredited report in the UK to support a possible link between that exposure and work related cancers.

Conference demands that the Executive Council instigates further research into toxins with a view to establishing any possible link to work related cancers arising from firefighting duties and a subsequent report to be circulated to Brigade Officials within 12 months after the close of Conference 2013.

NORTHUMBERLAND

Resolution 36 – OVERTIME

Conference is extremely concerned with the increased use of overtime within the Fire & Rescue Service. Recruitment freezes have led to shortfalls in establishments and overtime is being used to cover these deficiencies on a daily basis. Local Officials are relying on overtime restrictions within the Grey Book and Working Time regulations to control the hours individuals are being permitted to work. Fire & Rescue Services are attempting to ignore the Grey Book restrictions on overtime and looking to negotiate duty systems that are reliant on pre-arranged overtime as part of their cuts agenda.

Therefore Conference demands the FBU stands firm on the matter of overtime and any attempts by the Employers, either locally or nationally to change or undermine the Rules, must be resisted. The FBU must continue to protect the health & safety of members as well as protecting jobs by ensuring the use of overtime and the hours worked by firefighters are controlled.

CHESHIRE

Resolution 38 – WOMEN AND CANCER

Conference is growing increasingly alarmed at the high rates of cancer cases relating to FBU Members, current and retired, being reported.

Although Conference recognises that cancer is affecting all members there appears to have been high numbers of women contracting women specific cancers.

In order to evaluate the current picture regarding cancer of FBU Members, Conference calls upon the Executive Council to carry out an investigation with immediate effect. This investigation must take into consideration, gender, ethnicity, age, workplaces and where possible include Retired Members.

The findings from the investigation should establish whether there are any trends within specific workplaces, geographical areas or related to the nature of work being carried out e.g. hot fire training and report back to the Executive Council by 2014.

**NATIONAL WOMEN'S COMMITTEE
AS AMENDED BY CONTROL STAFF NATIONAL COMMITTEE**

Resolution 39 – RAPE AWARENESS CAMPAIGN

Conference is appalled to learn that the conviction rates for rape in England and Wales is only six percent, as reported by Yvette Cooper to the 2012 Labour Party Conference.

Conference is aware of the many campaigns being organised across the UK that deal with attitudes towards rape, such as the campaign “this is not an invitation to rape me” organised by Scottish Rape Crisis.

Over a number of years, various pieces of research have been carried out which have looked into professional and public attitudes towards rape. The results show that a significant amount of people surveyed have little sympathy for the survivors of rape and in fact often blame them for the rape taking place.

Conference therefore calls upon the Executive Council to organise a workplace campaign in 2013 that directly tackles and challenges the common myths and perceptions of the reasons why women get raped.

NATIONAL WOMEN'S COMMITTEE

Resolution 40 – EFFECT ON HEALTH AND SAFETY OF FIRE FIGHTERS DUE TO CUTS IN OFFICER/MIDDLE MANAGER POSTS

Conference condemns the loss of any Grey Book posts. Day and Flexi-duty posts are being particularly targeted, disproportionately affecting Officer Members. The loss of such posts severely impacts upon the safety of operational crews, through reduced support services and limitations on the availability of tactical incident command skills. It also places unacceptable workloads/stress upon the remaining Officer posts.

Conference calls upon the Executive Council to carry out urgent surveys of the present Officer establishments and any reductions within the last 3 years, including any reductions already planned.

It is vital that future campaigns against Fire & Rescue Service cuts specifically include arguments to support the maintenance of adequate officer posts, for the safety and benefit of all operational personnel and the communities we serve.

Conference requests that this work be carried out within the next 12 months.

OFFICERS' NATIONAL COMMITTEE

Resolution 41 – UK FIRE & RESCUE SERVICE EQUALITY MONITORING

This Conference condemns the coalition Government's removal of centrally set employment targets and other equality monitoring in UK Fire & Rescue Service (FRS). It has been shown historically that if Government does not equality audit the Fire Service the likelihood of progress is diminished. The removal of employment targets has also given the UK FRS a green light to reject the principle of making our Fire Services more reflective of the communities it serves.

Since Government policy on equality monitoring has changed there has been a steady decline in the employment of the BME community into the Fire Service. Any percentage rise is due to job cuts and the retirement of white male employees.

This Conference demands that Head Office request a meeting with the Fire Minister to raise the issue of equality monitoring and diversity in the UK FRS. Any subsequent meeting to include representatives of the FBU Equality Sections.

BLACK & ETHNIC MINORITY MEMBERS

INTERNAL

Resolution 43 – RETIRED AND OUT OF TRADE MEMBERS

This Conference notes that time off for trade union duties is getting harder in Brigades as staffing figures fall and austerity kicks in. Conference applauds Officials and Members who toiled tirelessly for the Union in previous years and who have subsequently retired.

It is apparent by the numbers of Retired and Out Of Trade Members that there is still that massive strength of feeling for the Fire Brigades Union. Therefore this Conference calls upon the Executive Council to carry out a feasibility study into having a retired and out of trade network. This study is to include recommendations into the structure, responsibilities, effectiveness and operation of such a network and should take no longer than 12 months and reported back to Brigade Committees for them to consider what to do next.

WEST YORKSHIRE AS AMENDED BY SHROPSHIRE

Resolution 45 – SOCIAL MEDIA GUIDANCE

This Conference notes the Executive Council meeting paper No. 180/10MW 'Social Networking, Internet Discussion and other Electronic communication.' Conference asks that the guiding principles are reviewed and updated and an all members social media awareness campaign is carried out.

NORTHAMPTONSHIRE

Resolution 47 – CANVASSING

Resolution 72 passed at Annual Conference 2011, instructed the Executive Council to set up a Working Party to look at the possibility of introducing a form of regulated canvassing. Furthermore, the Executive Council were called upon to make recommendations with any possible rule changes, based on the content of the report, to the next Conference. This work has yet to be carried out.

Therefore, this Conference instructs the Executive Council to set up a Task and Finish Group to review the application of Rule 19A and bring any rule changes necessary to the next rule change Conference.

DERBYSHIRE

Resolution 48 – FBU MEMBERSHIP

In these days of dwindling resources and falling Union membership it is necessary to look to new and innovative ways of sustaining a robust and independent, fighting Union with a whole Fire Service approach.

The benefits of FBU membership extended to ALL Fire Service staff would strengthen our hand in negotiations with Employers as we could represent an absolute majority of the workforce, not just uniformed staff.

Notwithstanding the difficulties envisaged in attempting to achieve this goal, whether separate sections and representation would be required, possible differing levels of contributions, to name but two, Conference demands that the Executive Council undertake a study into the feasibility of allowing Fire Service workers not conditioned to the Grey Book, to join the FBU. The findings of this study should be reported back to Conference at the earliest opportunity and not later than 2015.

STAFFORDSHIRE

Resolution 51 – INQUEST SUPPORT

Conference demands that, in the event of a Coroners Court inquest to determine cause of death of any FBU member whilst carrying out their operational duties, a National Officer must be appointed to oversee FBU interests and involvement. Furthermore the appointed National Officer will be present for the duration of the court proceedings and will be available to assist Local and Regional Officials as required.

HAMPSHIRE

Resolution 52 – NATIONAL MEDIA CAMPAIGN, SOCIAL ENTERPRISE MUTUALISATION

This Conference calls upon the Executive Council to launch a National Media Campaign following the close of The Fire Brigades Union 2013 Conference in opposition to the transformation of any United Kingdom Fire and Rescue Service into a Social Enterprise Mutual.

CLEVELAND

RESOLUTIONS PUT BACK ON AGENDA

Resolution 53 – PENSIONS

This Conference is opposed to the raising of the Control staff Normal pension age to 68. This Conference calls on the Executive Council to campaign to have the Normal Pension Age for Control staff set at the age of 60.

CONTROL STAFF NATIONAL COMMITTEE

Resolution 54 – CONTROL ROOM CLOSURES

This Conference notes the number of local fire control rooms that are threatened with closure following the collapse of the FiReControl project and calls on the FBU to reiterate it's commitment to campaign to keep open local fire controls that are put under such a threat, and also to protect fire control jobs.

CONTROL STAFF NATIONAL COMMITTEE

Resolution 56 – CAMPAIGN AGAINST CUTS

Conference welcomes the public campaign, launched by the Executive Council, against widespread cuts to frontline resources in the fire and rescue service. With the prospect of scores of fire station closures and the loss of thousands of firefighter posts, and against the backdrop of a sharp increase in response times over the last decade, it is crucial that the campaign to defend our service continues apace.

Cuts cost lives, and conference believes that crude economic considerations should never compromise the ability of local fire and rescues services to protect the public from danger.

To that end, conference calls on the Executive Council to maintain the momentum of the anti-cuts campaign through effective use of the media, political and industrial lobbying, and engagement with other trade unions and community groups, and to encourage local brigade committees and activists to do the same.

LONDON

Resolution 57 – WOMEN'S UNIFORM

Conference remains committed to ensuring that women's health, safety and welfare is never compromised at work, particularly in relation to workwear and personal protective equipment.

An ongoing concern is that women who wear men's uniform at work are exposed to a higher level of risk than those with properly-fitting, gender-specific uniform. As well as compromising safety, the additional discomfort and restriction that ill-fitting kit brings to any employee can be debilitating and is itself unacceptable.

In order to properly map the gap in good, gender-specific provision of uniform and properly address the deficiencies, this conference demands that the Executive Council:

- Carry out a national audit to establish a picture of where women's health, safety and welfare is being compromised as a result of uniform concerns
- Raise these concerns at all relevant national forums
- Provide information and support to officials to ensure that this issue becomes a local priority health and safety item

We call upon the Executive Council to report progress to members within 12 months of this conference.

LONDON

EMERGENCY RESOLUTIONS CARRIED ...

Emergency Resolution 1 EUROPEAN UNION

This Conference notes with concern the announcement made by the Prime Minister in late January, of the Conservative Party's intention to hold a referendum on UK membership of the European Union (EU).

Conference recognises the importance of EU legislation, particularly in regard to Human Rights, Equality and Employment Rights.

Therefore this Conference instructs the Executive Council to devise and instigate a strategy to educate Officials and Members of the significance of EU Legislation and Directives and the impact that leaving the EU would have.

SHROPSHIRE

Emergency Resolution 2 MARAUDING TERRORIST FIREARMS ATTACK (MTFA) – SECURING NATIONAL AGREEMENT

At a meeting on 8th and 9th May 2013, the Fire and Rescue Service leads on 'Marauding Terrorist and Firearms Attack' MTFA, representatives of the Office of Security and Counter Terrorism (OSCT) and lead FBU representatives discussed significant issues that still require progress. At this latest meeting the fire and rescue service leads were emphatic that they genuinely wish to actively engage with the FBU with a view to reaching agreement. However, they were equally emphatic that because of the security imperatives of government that they will proceed with their plans for fire service MTFA activity even if such agreement cannot be reached with the Union. These matters were considered by the FBU's MTFA working group on 10th May and then discussed with relevant national officials at the weekend immediately preceding Conference. Having received a report on these issues the Executive Council feels that Conference has no other opportunity to ensure that the Executive Council is acting in accordance with the wishes of Conference on the issue of MTFA other than to do so now. The Executive Council feels therefore that it is vital that this Conference should, and would want to, consider the implications for our policies at the earliest opportunity given this unhelpful development. The Executive Council is also mindful that the issue of fire and rescue service involvement in MTFA has never formally been considered in detail by Conference, the supreme government of the Fire Brigades Union.

To this end the Executive Council recommends the following to our Conference in 2013.

The aim is to best inform members of the issues involved, to pursue satisfactory

national agreements and in the meantime to agree a policy position reflective of the current situation to protect the union from the potential implications of MTFA involvement until such time as satisfactory, national agreements are achieved. In cognisance of what remains a fluid and on-going issue, Conference agrees that as and when these matters are satisfactorily addressed the measures within this policy position may be amended by the Executive Council.

Conference will be aware of the UK government's intention for the Fire and Rescue Service to have an increased role at incidents referenced as acts of MTFA. A similar aspiration is held by the governments in the three devolved administrations. The initiative was prompted by a number of events in the UK and abroad including Mumbai, Cumbria and the Northumbria Police Force Area.

Their intention is for the Fire and Rescue Service to deal with casualties and fires in the 'warm zone' at such incidents.

The broad definitions of the zones can be described thus:

- Cold zone – all areas where there has been no terrorist activity and is unlikely to become exposed;
- Warm zone – an area in which there is no terrorist activity or threat from terrorists, but is an area which has recently experienced such activity and one which remains vulnerable to renewed activity (whereupon it would become, once again, a designated hot zone);
- Hot zone – an area where terrorists are located and where the area which is within the reach of the effects of terrorist activity whether through the use of firearms or explosives.

There is a closely associated body of work taking place to review Fire and Rescue Service practice in the event of firearms incidents particularly where the shooting is continuous and/or randomly targeted.

MTFA and warm zone working necessitates multi-agency response and on-site collaboration.

The Executive Council has considered the issue on a number of occasions and has monitored the progress in exploratory national discussions between FBU officials at meetings organised for that purpose by fire and rescue service representatives.

There have been a number of circulars to brigade officials and members highlighting some of the serious issues involved.

Conference is aware that our members face the prospect of being confronted with such situations as a consequence of attending calls where the nature of the incident is not known at the time of mobilising.

FBU members will have followed the events in the USA, including firearms attacks over the last few months; notably the shooting of two volunteer firefighters in the town of Webster in New York State in December 2012 and the more recent bomb incident in Boston along with the subsequent shootings. As a consequence of the details that have recently come to light Conference is also mindful of the potential outcomes that could have transpired in Dewsbury had the attack planned to take place on 30 June 2012 not been averted.

Consistent with the aims and objects of the Union in our Rule Book, as the UK's principal Fire and Rescue Service professional body and primary representative body, our key concerns have been centred on three themes:

- Safety of our communities and the minimising of risk from these types on incident;

- Improvement of the professional standards in the service to meet its expanding role;
- Proper reward and recognition for our members for their commitment, activity and the risks they face.

Conference will recall that the General Secretary wrote to the national employers some time ago informing them that the FBU was open-minded to discussion on the principles involved in providing an MTFA response capability, but this was very much dependent upon there being robust planning that must deliver effective and safe operational procedures. These discussions must also include appropriate reward for the increased activity and potential risks.

Both of these aspects are particularly poignant at a time when pay awards are, frankly, miserly; when pensions (including those pensions payable to members and/or families in the event of injury or death) are the subject of attack; and when the fire service is suffering unprecedented cuts in the numbers of front-line personnel with the resultant worsening of service delivery and response which will limit the ability of the Fire and Rescue Service to provide a meaningful contribution to protecting life and property at such incidents.

There has been no movement on the issue of pay in respect of an extension of the role of Fire and Rescue Service personnel and there are no agreed operational procedures and standards in respect of MTFA. The FBU have been engaged in discussions at a national level with Fire and Rescue Service leads on the issues of operational procedures and planning but at a pace which both sides probably agree needs to be increased.

The elements of discussion related to operational procedures are, for reasons of both safety and security, properly subject to appropriate and agreed levels of confidentiality at this time. However, it is pertinent to highlight that there is mutual agreement that should the Fire and Rescue Service adopt a role in MTFA activity:

- It must conform to strict national protocols to ensure inter-operability and intra-operability between Fire and Rescue Services and other agencies;
- Under no circumstances will Fire and Rescue personnel work within the hot zone.

MTFA is different to most incidents attended by Fire and Rescue Services in that they have the potential to be multiple, and to move, in location. The risk of death, serious injury and chronic ill-health is at the extreme end of tolerability. As a consequence, the procedures must be consistent in content and delivery across the UK without deviation.

It is appropriate to inform Conference that in one recent legal case involving injury and incident-ground deaths of our members, the employing Fire and Rescue Authority premised its defence in the most unequivocal and shameful way, asserting that a Fire and Rescue Authority did not have a duty of care towards its employees. The underlying argument the employer was promoting was that Fire and Rescue Services are not required to ensure the safety of personnel at incidents.

Similarly, it must be remembered that in the case of the Atherstone on Stour fire, the Crown Prosecution Service brought criminal charges of (alleged) neglect against incident commanders at Watch Manager and Station Manager level.

In both cases, legal teams funded by the Fire Brigades Union fought these attacks. We have been successful in the case of the prosecutions related to the Atherstone on Stour fire and we await the outcome of the other case mentioned above.

It is of no small concern that the legal processes and pursuit of compensation payments through litigation have taken many years and are still not settled. Throughout this period the families of those firefighters killed have been living on a reduced household income.

Conference notes that a number of members have volunteered on a temporary basis, to become involved in MTFA activities, including warm zone working at MTFA incidents. The Fire Brigades Union has provided UK-wide advice and information to officials and members consistent with the principles outlined above. It is imperative that members and officials observe such advice.

In spite of advice to members, which is based on sound, professional judgement, we note that some Fire and Rescue Services have attempted to introduce single service procedures. In April 2013, the Executive Council were informed by officials that one Fire and Rescue Service employer has embarked on a unilateral campaign to extend its list of volunteers, and that at least one other may also be suggesting that it will make involvement in MTFA activities compulsory. Also in April 2013, the Executive Council learned that a series of significant multi-FRS, multi-agency MTFA exercises were imminent.

Conference is clear – there is no contractual obligation and there has been no collective agreement with the FBU. Any fire service involvement must conform to national protocols and procedures which must be reached by agreement with the Fire Brigades Union at national level.

In relation to the above matters, Conference agrees the following:

1. Our local officials must continue to inform management that there is no collective agreement locally on warm zone working at MTFA, and that any agreement must be made nationally.
2. Our local officials must not agree local work practices or risk assessments in respect of local MTFA until national agreement is reached.
3. Members who have volunteered for warm zone working at MTFA must:
 - a) Regularly inform line managers in writing and verbally that any understanding between the individual and the Fire and Rescue Service is on voluntary basis only. Members should emphasise that this can and will be withdrawn, as appropriate, on the basis of an individual or collective decision.
 - b) Make a note of the date and time of any verbal communication and of course keep a copy of any memorandum or letter that is submitted.
4. National discussions should continue in respect of protection and enhancement of pay, terms and conditions of employment and pensions.

Given the recent developments; the absence of national agreement; and the risks to our members, we have to seriously consider the implications for both (a) the FBU's Accident Injury and Death Benefit Fund and (b) the provision of assistance to members.

The Fire Brigades Union has a proud record of defending members against disciplinary action by Fire and Rescue Services. Equally the FBU has not hesitated from defending our members against criminal prosecution arising from their professional activity on the incident ground.

However members need to be mindful of the recent court cases mentioned above and that undertaking voluntary activities may leave them (and their families) vulnerable to unsuccessful compensation claims.

Accordingly, Conference feels it appropriate to bring to the attention of members the fact that the Executive Council must consider carefully the prospects for success of any compensation claim before pursuing it against an employer made in respect of MTFA activity.

The potential for serious injury to, and death of, members on a wide-scale at MTFA incidents is high. Satisfactory procedures agreed with the FBU will have the greatest likelihood of ensuring firefighter safety and reducing the chances of injury or death that are tolerable to members of the FBU.

The Executive Council also has a duty to ensure that the members' funds are protected. The Accident Injury and Death Benefit Fund (AIF) is a members' fund which pays out in excess of £1,000,000 in benefits each year. It is imperative therefore that potentially excessive and unbearable burden is not placed on the AIF. Accordingly, we must ensure that the members' well-managed AIF is not placed in jeopardy as a result of a few members, however well-meaning their intentions, volunteering to involve themselves in MTFA operations when procedures have not been agreed with the FBU.

Therefore Conference agrees the following policy position shall apply **until such time as satisfactory, national agreements are achieved with the FBU** concerning MTFA:

- a. In respect of Rule 30(9)(d), any member who volunteers to undertake warm and/or hot zone working at MTFA incidents shall not automatically qualify for benefits under Rule 30 for any injury, disablement, illness, disease or death sustained or arising from undertaking such voluntary activities at operational incidents. For the avoidance of doubt:
 - i. This does not include injury, illness or death sustained during MTFA training events (unless occasioned by live gunfire);
 - ii. this does not include injury, illness or death sustained at an incident to which the member was mobilised without knowing it was an MTFA incident, or prior to it being determined as an MTFA incident.
- b. In accordance with Rule 25(3)(a), all members should be advised that FBU assistance to members is not automatic and that assistance may only be granted at the discretion of the Executive Council. In any case and given the current circumstances, members volunteering to undertake MTFA activities need to recognise their vulnerability and should be aware that common law claims are unlikely to be successful.
- c. The policy position and associated matters above shall be kept under review by the Accident and Injury Fund Management Committee and the Executive Council.

EXECUTIVE COUNCIL

Emergency Resolution 3 PENSIONS

Conference congratulates FBU members for their determination in campaigning for decent pensions. Conference notes that despite numerous assurances, neither the Westminster government nor the relevant ministers in Scotland, Wales and Northern Ireland have addressed the concerns of firefighters in relation to pension arrangements. This was clearly confirmed when employee pension contributions were again increased in all parts of the UK from April 2013.

For more than two years the FBU has presented a detailed and professional case for pension arrangements which take account of the needs of firefighters and of an effective fire and rescue service. This has included evidence on matters of fitness and fitness standards; occupational health and safety; and on the affordability and sustainability of fire and rescue service schemes. At no point during discussions has any other party been able to challenge, answer or rebut the case we have made.

The FBU has made the case that a firefighters' pension scheme, as an occupational scheme, must take account of the specific needs and demands of the occupation. Since firefighting is a physically demanding and hazardous occupation, the pension scheme must take account of this. The current arrangements proposed do not do so.

Conference notes that the currently proposed arrangements will lead to:

- Large numbers of firefighters facing the prospect of working longer and therefore facing the threat of capability dismissal as they age and as fitness levels decline with age. At that point significant numbers would face the prospect of no job and no pension.
- Increasing numbers of firefighters being unable to afford their pension scheme because of the high rates of employee contribution imposed.
- A threat to the sustainability of the 2015 pension scheme due to the imposition of an unrealistic cost ceiling which does not take account of the specific occupational needs of a fire and rescue service scheme.
- A significant worsening of the contribution ratio between employee and employer which unduly penalises firefighters.
- The undermining of the pension benefits of thousands of FBU members due to inadequate protection arrangements.
- A commutation rate which financially penalises firefighters because it does not in any way reflect the value of pension surrendered in the proposed firefighters' pension scheme (2015).

Conference notes that the FBU has attempted at every stage to discuss these concerns with Ministers. Discussions continued over the weekend of 11 and 12 May 2013 which resulted in further clarification being available to the Executive Council for the meeting scheduled for 13 May 2013. However the proposals currently remain unfair, unaffordable, unsustainable and unworkable. They therefore remain unacceptable.

Conference does not accept a normal pension age (NPA) of 60 for firefighters. The FBU has fought a principled, evidence based campaign against its introduction. However, the Public Service Pensions Act is now in place. That does not mean that we will drop our opposition to the Act or accept that it is appropriate or safe to require our members to work to age 60. We will continue to campaign for the repeal of the Act as we are entitled to do and we will continue to make the case for a lower NPA. We will also campaign to ensure the effects of this legislation are reduced as far as possible.

In view of this, Conference instructs the Executive Council to immediately issue revised

lawful trade disputes demanding that Government Ministers address the following:

- No further employee contribution increases
- An improved contribution ratio between employee and employer
- Improved protection arrangements for current scheme members
- Amendments to the scheme which remove the threat of: No Job and No Pension
- Flexible retirement from age 55 – with any pension adjustment arrangements agreed by the FBU
- Improved commutation (lump sum) arrangements which adequately reflect the value of pension surrendered
- A realistic cost ceiling which ensures that there are no reductions in member benefits.

Conference instructs the Executive Council to seek a positive response from Ministers to these concerns within 14 days.

Conference agrees that the FBU should remain ready to engage in genuine negotiations around the concerns we have raised and are willing to meet Ministers at any point with the aim of achieving improvements. Conference believes that as far as possible FBU members should have the same pension arrangements in all parts of the UK. Therefore, in order to ensure consistency and continuity, all negotiations will be led by the General Secretary and shall be reported at each stage to the Executive Council. This includes any discussion within any part of the UK.

In view of the position outlined above, Conference authorises the Executive Council to commence a ballot for strike action.

EXECUTIVE COUNCIL

Emergency Resolution 4

DEFENDING OUR HUMAN RIGHTS

Conference notes the difficult decisions that lie ahead in the coming weeks with regard to the attack on our pensions. Conference also notes that the UK has the worst record for workers rights in Europe, being the only country without the right to withdraw their labour, as recognised by the ILO. The subsequent attacks on our liberties and human rights by successive Governments are a danger to us all.

This current Conservative Party led Government has laid the battle ground for a referendum on Europe at the next general election, that will also lead to a move away from the European Court of Human Rights (ECHR) as announced by the Justice Secretary Chris Grayling on March 3rd 2013 and echoed by the Home Secretary, Theresa May, on March 9th 2013.

Therefore we urge the Executive Council to:

- Mount a campaign to raise awareness of the importance of human rights amongst FBU members;
- Support organisations such as Amnesty International and Human Rights Watch;
- Work with the TUC and other stakeholders to raise and challenge any future Government intentions to withdraw from the ECHR.

BEDFORDSHIRE

Emergency Resolution 5

SUPPORTING COUNCILLORS AGAINST CUTS

This Conference applauds the stance taken by some local Councillors who have stood up for their own principles and recently voted in opposition to the Government cuts to local authorities.

In Yorkshire and Humberside, Christine Beaumont (Labour Councillor, Maltby Ward, Rotherham Council) Mark Catterall (Labour Councillor, Langfield Ward, Todmorden Town Council) Gary Wareing (Labour Councillor, Drypool Ward, Hull City Council) Gill Kennett (Labour Councillor, Holderness Ward, Hull City Council) and Dean Kirk (Labour Councillor, Derringham Ward, Hull City Council) were prepared to stick their heads above the parapet and had the courage to take on the Government. The latter 3 Councillors, Gary Wareing, Gill Kennett and Dean Kirk defied the Labour whip and voted against the Council's plan to cut 600 jobs and raise the Council tax by 1.95% to tackle its budget deficit. However this led Gary, Gill and Dean being summoned before the Labour Group and a decision was taken to suspend all 3 Councillors.

This Conference is appalled that a party set up to protect the working class movement has decided to suspend elected officials for voting against the whip. This Conference also agrees with the Founding Statement of the Councillors against Cuts campaign, "We believe that close links are needed between Labour Councillors and the Unions in the public sector whether they are Labour-affiliated or not. We believe that, with the confidence that Unions are behind them, many more Councillors can be encouraged to refuse to implement cuts – and with the knowledge that Councillors will support them unequivocally, many more trade unionist will be prepared to fight back against cuts".

To that end this Conference wants to put on record it's thanks to all the Labour Councillors who have opposed these cuts in true opposition, Labour fashion and that this Conference will offer its support both locally and nationally to those who take up such a position of opposition and fights back against all cuts to the public sector.

WEST YORKSHIRE

Emergency Resolution 6

CAMPAIGN FOR BENEFITS JUSTICE

Conference condemns the Government's savage attacks on benefits, which will push millions further into poverty and despair.

Conference further condemns the disgusting bedroom tax, which will force tenants who claim housing benefit and have an additional room either to pay more rent or downsize to a smaller dwelling.

This has already led to the reported suicide of "Stephanie Bottrill" who killed herself because she faced an £80p/m rent increase.

We call upon Conference to:

- Support the Anti Bedroom Tax Federations that have been set up in Scotland, and England and Wales;
- Affiliate to the Benefits Justice Campaign;
- To call upon FBU members to join demonstrations and protests organised against the bedroom tax and other benefits.

LONDON

MOTIONS REMITTED TO THE EXECUTIVE COUNCIL ...

Resolution 12 – UK FIRE & RESCUE SERVICE – ‘JOB MIGRATION’

The Government’s austerity measures have led to massive budget cuts and job losses in the Fire Service. Most Brigades now have limited finances and are circumventing normal processes to achieve certain objectives especially in the recruitment of operational staff.

B&EMM fully support maximum establishment for all Brigades. In recent times many Brigades have been using the ‘migration’ policy of recruiting retained operational staff into full time posts. The overwhelming majority of these employees are white male – there are less than 1% BME in retained roles. The migration of retained into full time posts ensure even less opportunity for our BME communities to find employment in the Fire & Rescue Service (FRS), this despite the UK FRS calling itself an Equal Opportunities employer.

This Conference calls upon the FBU to reject job migration within the UK FRS as a means of recruiting for operational vacancies as it is unfair and discriminatory, and to publish guidance for FBU Officials in demanding proper processes for filling vacancies.

BLACK & ETHNIC MINORITY MEMBERS

Resolution 37 – BRIGADE HEALTH AND SAFETY REPRESENTATIVES

This Conference believes that Brigade Health and Safety Representatives have insufficient means of contact, which is having a detrimental effect on the ability of the Union to deal with Health and Safety issues.

In order to be able to deal with Health and Safety issues more effectively, this Conference demands that Brigade Health and Safety Representatives be issued with mobile phones which have e-mail facility.

SHROPSHIRE

Resolution 44 – INCREASING THE FBU MEMBERSHIP

Conference notes that the issue of access to the Fire Brigades Union to all employees of UK Fire and Rescue Services has previously been debated by Conference. Conference further notes that with a dwindling Grey Book establishment due to the cuts agenda pursued by Government, and others, that FBU membership may be decreasing pro rata.

Conference therefore agrees that from this point that access to membership of the Fire Brigades Union for all employees of UK Fire and Rescue Services be permitted and until such necessary rule changes are put in place that those employees, such as those conditioned to the Green Book etc, be considered by Conference as ‘such other categories of employees’ in line with the FBU Rulebook.

MERSEYSIDE

Resolution 55 – EQUAL PAY

This Conference notes the terms of the 2012 pay settlement.

This Conference calls on the Executive Council to include in the issues that the FBU raises with the employer’s representatives, the issue of equal pay for Control specific roles with that of the equivalent Operational roles; with the aim of agreeing a review of Control staff pay based on the equal pay for work of equal value legislation.

CONTROL STAFF NATIONAL COMMITTEE

Resolution 59 – CANCERS WITHIN CONTROL FACILITIES

Conference notes with extreme concern the numbers of control staff members in some control branches that have been diagnosed with cancers such as breast cancer. With that in mind, Conference requests that the Executive Council investigates this further and commissions a report from the appropriate professionals into this. This report to be published not later than the next biennial conference in 2015 with recommendations, if necessary, for further studies to be carried out.

TYNE AND WEAR

Resolution 60 – FIREFIGHTER CANCERS

Conference demands that the Executive Council lead the way in undertaking a study/survey into all Firefighters, serving, retired and deceased who have been affected directly by cancer and how the results compare to the national statistics for the general population. This report to be produced before the next FBU conference.

TYNE AND WEAR

MOTIONS DEFEATED ...

Resolution 6	SHIFT ALLOWANCE	NOTTINGHAMSHIRE
Resolution 16	FREEDOM OF MOVEMENT – FIRE CONTROL STAFF	LOTHIAN & BORDERS
Resolution 29	RE-AFFILIATION TO THE LABOUR PARTY	CLEVELAND
Resolution 42	EQUALITY, VALUING DIFFERENCE	LESBIAN, GAY, BI-SEXUAL AND TRANS COMMITTEE

Final Appeals Committee

REGION/SECTION	NAME
Region 1	Paul Wilson
Region 2	Stephen Boyd
Region 3	Peter Wilcox
Region 4	Pete Smith
Region 5	Steve Shelton
Region 6	Tom Murray
Region 7	Brian Moss
Region 8	Cerith Griffiths
Region 9	Brian Hooper
Region 10	Gordon Fielden
Region 11	Mark Simmons
Region 12	Ali Burrows
Region 13	Val Hampshire
NWC	Kerry Baigent
ONC	Mick Higgins
CSNC	Sue Offland
NRC	Harry Cotter
B&EMM	Micky Nicholas
LGBT	Pat Carberry

Firefighter Representatives

REGION/SECTION	NAME
Region 1	John Duffy
Region 2	Dermot Rooney
Region 3	Paul Reames
Region 4	Richard Walker
Region 5	Steve Harman
Region 6	Gary Mitchell
Region 7	Andy Dennis
Region 8	Cerith Griffiths
Region 9	Roy Humphreys
Region 10	Paul Embery
Region 11	Danni Armstrong
Region 12	Paul Watts
Region 13	Kevin Herniman
NWC	Sarah Gartland
ONC	Mick Higgins
CSNC	Sharon Thorndyke
NRC	Harry Cotter
B&EMM	Micky Nicholas
LGBT	Lucy Masoud

Election of Standing Orders Committee

Re-elected

Brother Paul Reames for 4 years

Elected

Brother Alan Chinn-Shaw for 4 years



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