

ESSEX POLICE, FIRE AND CRIME COMMISSIONER
FIRE & RESCUE AUTHORITY
Essex County Fire & Rescue Service



Meeting	Service Leadership Team	Agenda Item	5b
Meeting Date	9 th April 2019	Report Number	19-102
Report Author:	Director of Innovation, Risk & Future Development		
Presented By	Director of Innovation, Risk & Future Development		
Subject	Dispute Resolution Action Plan Update		
Type of Report:	Information		

RECOMMENDATIONS

This report provides members of the board with an update on the action plan for the resolution of the trade dispute, which can be found in Appendix One.

BACKGROUND

On the 24th October 2014 the Fire Brigades Union (FBU) registered a trade dispute with Essex County Fire & Rescue Service seeking the following four assurances:-

Assurance 1 - The immediate suspension of the changes unilaterally proposed for implementation by SMB to the terms, conditions, and duty systems (including start and finish times) of Emergency Fire Control Staff, and the associated staffing levels for the Emergency Fire Control, with a view to reaching agreement with the FBU, consistent with compromise solutions offered during the negotiations.

Assurance 2 - There will be no unilateral imposition of changes or variations that detrimentally affect the speed, weight and capacity of emergency response resources currently provided during the day and/or at night by ECFRS. This includes no unilaterally imposed variations in the operational and supervisory staffing levels currently available during the day and/or at night, no alterations to current supervisory roles/responsibilities and no variations in the current duty system crewing status of existing appliances during the day and/or at night. Any such changes/variations will be made only after prior IRMP consultation with the public and subsequent agreement with the FBU achieved through genuine and meaningful consultation and negotiation.

Assurance 3 - There will be no unilateral imposition of new duty systems for uniformed staff, including changes to start and finish times, or changes to the existing Wholetime Shift System, Day-Duty System, Retained (On-Call) Duty System, Day-crewing Duty System or Flexible Duty System. Any such new duty systems or changes will require prior agreement with the FBU achieved through negotiation with the FBU in accordance with

the Grey Book and/or the collectively agreed Essex consultation and negotiation procedures.

Assurance 4 - There will be no unilateral changes or variations to the existing terms and conditions of any uniformed Grey Book employees. Any such changes/variations will require prior collective agreement with the FBU achieved through negotiation with the FBU in accordance with the Grey Book and/or the collectively agreed Essex consultation and negotiation procedures.

On the 29th March 2017 a dispute resolution document was agreed and signed, the main elements of which, can be found in Appendix One. There has been significant progress in the majority of areas, however recently the FBU have expressed concern on the Service's reporting on 5 and 4 rider at a two-pump stations and five riders a one-pump station, and the Service's commitment to operational training elements.

BENEFITS AND RISK IMPLICATIONS

If the Trade Dispute is left unresolved then there remains a risk that strike action could be taken by members of the FBU and the progress made to date in delivering changes within the Service could be placed in jeopardy.

FINANCIAL IMPLICATIONS

The dispute resolution agreement includes commitments on the future level of crewing on appliances and the numbers of firefighters employed to meet this commitment. The resource implications of this are reflected in the Service's planning.

EQUALITY AND DIVERSITY IMPLICATIONS

There are no direct quality implications with this paper. Any specific items within the dispute resolution that have potential implications will be subject to an equality impact assessment.

WORKFORCE ENGAGEMENT

The Service continues to engage with all representative bodies as appropriate over relevant elements of the Dispute Resolution.

LEGAL IMPLICATIONS

There are no significant legal implications.

HEALTH AND SAFETY IMPLICATIONS

The Management of Health and safety at Work Regulations 1999 sets out the statutory duties of employers to put suitable arrangements in place to assess organisational risks and have suitable plans in place to reduce the risks to as low as reasonably possible. ECFRS follows this principle when making or updating arrangements to meet requirements under the National Framework and IRMP.