

ACO Evans
Employers Joint Secretary
Merseyside Fire and Rescue Service
Service Headquarters
Bridle Road
Bootle
Merseyside
L30 4YD

Date: Friday, 11 January 2008

Ref: Registration of Dispute: Consultation Regarding Hazmat Unit - Bromborough Fire Station.

Dear Mr. Evans,

I write with regard to the above matter of consultation, a consultative issue required as part of the Agreement of Principles document, agreed between the FBU and MF&RA in October 2006 to resolve the trade dispute of that time.

You will recall that the Agreement of Principles document stated the following:

- 4.3 **W2-2 (Bromborough Second Pump)** This appliance will remain whole time, 24/7, rather than the retained resilience system. This status is only assured until the end of financial year 2007/8, when the position will have been reviewed.
- 4.4 MRFS shall consult with the FBU on all aspects of the concept of a hazmat unit /second pump, at Bromborough. The FBU are not opposed to the hazmat unit/second pump concept in principle. The FBU will be consulted on all aspects of the Haz-mat concept for Bromborough fire station.

You are also aware that the FBU has recorded significant concerns with regard to this particular consultation exercise due to the actions of the Services appointed consultation team. The FBU position has been stated many times in meetings that we do agree the concept in principle but remain of the view that this is a vital strategic resource that should remain operationally available on a wholetime basis. The FBU has had to request, through no fault of the Union's, an extension to the consultation timeframe, you have assured me that the request will be considered in conjunction with the decision of the Authority taken at the most recent Authority meeting and I await your comments on that.

Evidently then consultation has not been concluded and no decision has yet been made on this matter, certainly not by the Fire authority elected members.

You are also aware of the NJC Circular, NJC/08/07 the joint protocol for good industrial relations in the fire and rescue service, inserted into the Grey Book as an agreed section. The protocol requires the consideration of alternative approaches to the issue, the Service is aware of the FBU's considered alternative approach previously mentioned.

Further, the protocol stipulates that the employer's representatives are required to take on board trade union views, providing full and frank feedback on how that process has influenced their subsequent position. Evidently, as the elected members are yet to debate and decide on this issue, the full and frank feedback cannot as yet take place.

The agreed consultation procedures, locally enhanced, are also clear on this matter. The procedures state that consultation between the fire and rescue authority and recognised trade unions shall be conducted with a view to reaching agreement. To this end the authority shall give consideration to all issues raised with them and will give reasons when it is unable to agree to any proposals put forward by the Fire Brigades Union.

As aforementioned the FBU support the concept in principal but have maintained the consistent stance that the resource is vital and should remain available on a wholetime basis. This view will also be put to the Authority in documentation form at the conclusion of consultation.

It is regrettable then that the FBU have received reports, since confirmed, that Service managers have informed members of Bromborough Fire Station, that they are to be transferred away from the station as a consequence of the support pump becoming a retained resilience appliance, thus rendering any vestige of genuine consultation, and as such the consultation procedures, defunct. Accordingly, the FBU have no alternative whatsoever, but to register a failure to agree on the breach of the NJC consultation procedures and as such confirm that the matter is to be referred to the NJC Joint Secretaries for assistance. Accordingly, I seek confirmation that the Authority will comply with Section 6, Part C, Paragraph 18 of the Grey Book and that matters regarding this issue is deferred pending dispute resolution.

If you require any further information please do not hesitate to contact me.

Yours sincerely

L Skarratts
Brigade Secretary

cc A Dark - NJC Employees Joint Secretary
D Wright - Clerk to the Authority