

Cllr T Newman
Chair - MF&CDA
20 Martock,
Whiston.
Prescot.
L35 3JZ

Date: Thursday, 07 September 2006

Ref: NJC Assistance - Current Trade Dispute.

Dear Cllr Newman,

You may be aware that today CFO McGuirk was invited and partook in a radio exchange on the Roger Phillips show on Radio Merseyside, along with CFO Wiltshire from Hertfordshire and local and national officials of the Fire Brigades Union.

Mr McGuirk helpfully clarified one important piece of information, a point that was commented upon by the employee's national joint secretary. Mr McGuirk confirmed that it is the decision of the fire authority rather than management to agree to the national fire service negotiators to assist in progressing the dispute closer to resolution.

It was the Unions understanding that it was the Service management team who were reluctant in agreeing to NJC assistance in the very manner the NJC assisted resolution in the Hertfordshire Fire and Rescue Service dispute.

I have received correspondence from the Service, dated 6th September 2006, which has requested that the local joint secretaries meet on Monday 11th September 2006 to agree precisely what is agreed and what is not agreed prior to the NJC Joint Secretaries involvement. You are aware that I have previously requested that the NJC Joint Secretaries become involved at the earliest juncture rather than waiting for 4 days for further talks on the areas of agreement or disagreement to then request national assistance.

I have made it clear to the Service that I am prepared to meet daily if necessary whilst the Joint Secretaries meeting is facilitated and I reiterate that position within this correspondence to you.

Disappointingly, I have today received further correspondence from Mr Evans that does not accept either my request for early NJC involvement or any talks prior to September 11th 2006. I have made it abundantly clear to Mr Evans that the request for NJC involvement is wholly and entirely within the local and national procedures the fire authority has recently reaffirmed complete commitment to. Those procedures very clearly state:

'Where one party considers that external assistance may assist in resolving an issue at corporate level it may request the agreement of the other parties to this approach, and no party will unreasonably withhold agreement to such a request. Such a request shall be made within five working days of completion of discussion at the corporate stage.

**In such circumstances the parties may jointly agree to refer the issue to:*

- *the NJC Joint Secretaries; and/or*
- *ACAS; and/or*
- *the NJC Resolution Advisory Panel (which shall comprise an Independent Chair and the Joint Secretaries)*

to assist the parties further with their negotiations.

Where the parties do not agree on reference of the issue to an external party under [paragraph](#)* within 10 working days of the meeting referred to in [paragraph*](#) (or such longer time as agreed between the parties) then the issue shall be referred to the NJC Joint Secretaries for them to seek resolution of the issue.'*

Mr Evans in his correspondence today's date, attempts to state that he does not consider that discussions have been completed at the corporate stage. You will note from the agreement aforementioned, that discussions do not have to be completed; simply that one party considers that external assistance may assist in resolving an issue.

I ask that since clarification has been given by Mr McGuirk that the hesitancy in inviting the NJC Joint Secretaries lies with the fire authority councillors rather than service management that there is no further obstruction to that invitation. I can confirm that I have contacted the employees Joint Secretary who has indicated agreement to that request.

I can also provide confirmation that I remain available at any time to meet with Mr Evans to discuss the position to date but would reiterate that it seems reasonable for those talks to take place tomorrow rather than waiting for the 11th September 2006, I request that you advise Mr Evans that those talks should take place tomorrows date. Naturally I also remain available over the weekend if Mr Evans finds he has other commitments.

I look forward to your earliest response and if you require any further information please do not hesitate to contact me.

Yours sincerely

L Skarratts
Brigade Secretary

Cc M Wrack
A Dark
D Mills
Elected members
ACO