

THE FIRE BRIGADES UNION

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COURT RULES FIREFIGHTERS CANNOT BE FORCED TO ATTEND 999 MEDICAL EMERGENCIES ON BEHALF OF THE AMBULANCE SERVICE

A legal case brought by two fire authorities seeking to force firefighters to answer 999 medical emergencies on behalf of the ambulance service has been dismissed by the High Court today. The Fire Brigades Union (FBU), who were defendants in the case, welcomed the decision.

The legal case focused on whether firefighters could be required under their contracts of employment to participate in so-called “co-responder” calls. It follows the attempted introduction of co-responder schemes at Retford Fire Station in Nottinghamshire and Grantham Fire Station in Lincolnshire.

The fire authorities argued that they had the right to assign additional duties - such as co-responding - to a firefighter in line with local fire safety plans, known as Integrated Risk Management Plans (IRMP). They also claimed this had been agreed in the settlement which resolved the national fire strike in 2002/3.

But they failed to call any witnesses from the national employers who negotiated that agreement to support such a claim. They did not dispute the FBU evidence that there was no intention to agree this and that the national employers knew that.

The fire authorities argued that the FBU negotiators had done a poor job and had failed to notice the employers slipping in this duty in the small print which referred to firefighters being required to carry out first aid. The union said there was no change and that firefighters have always carried out first aid for casualties at fire and road traffic incidents they attend until the ambulance arrives.

That has always been agreed and is very different, the union said, from becoming an auxiliary ambulance service and attending purely ambulance calls which is what these fire authorities were trying to impose.

The fire authorities could not explain why a fire appliance attending an ambulance call is treated for the purpose of NHS statistics as the ambulance attending. The ambulance can attend much later - 15, 20 minutes or more after the call - and yet will be treated as having arrived within their 8 minute target if the fire appliance arrived within that time. This is despite the clear evidence that, even if Firefighters do attend within 8 minutes, lives will be lost if the ambulance does not attend a few minutes later.

The FBU made clear the employers were free to raise the issue nationally if they wanted to try and reach agreement. In that way key issues could be properly addressed such as training standards, funding and attendance targets. Documentary evidence was produced to confirm that, after delays by the national employers, national discussions were now ongoing at a ministerial advisory committee. Despite

this clear evidence, these fire authorities tried to deny that there were any such discussions.

FBU General Secretary Matt Wrack: “We welcome the ruling. It’s clear these two counties jumped the gun and tried to impose co-responding without national discussions, with no proper procedures and with no UK wide standards.

“Rather than being the solution co-responding as it currently operates is part of the problem. We believe it is being used to mask and potentially worsen performance problems in the Ambulance service.

“Since the introduction of co-responding in Nottinghamshire, the Ambulance Service has reached the point that in some cases it now takes as long as 20 minutes for an ambulance to attend the scene of a life-threatening emergency. In Lincolnshire the Ambulance Service has deteriorated year on year following the introduction of co-responding.

“Like the issue of NHS waiting lists, targets can become more important than the service actually provided. It is unacceptable that NHS targets allow the basic first aid provided under a co-responding scheme to count as the time of the ambulance service response in place of the actual ambulance response time.

“There is then no target for the ambulance to get there. so the result can be a worse service but this is covered up by misleading statistics suggesting the opposite. They have tried to pull the wool over the public’s eyes, but they did not succeed with the judge.”

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