



The Fire Brigades Union

LONDON REGION

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LFEPA Member
Ms Valerie Shawcross, CBE, AM

25th May 2010

Dear Valerie,

Industrial Relations within the LFB

I am sure that I need not remind you of the industrial dispute that took place in 2009 between the Fire Brigades Union (FBU) and the London Fire Brigade (LFB), which in the main, focused on the breakdown of industrial relations between the two parties. It was hoped at the conclusion of that dispute, that industrial relations would form some sort of joint working partnership where transparency and openness would transpire to the benefit of both respective parties.

However, I regret to inform you that, this has not been the case and we again now face a summer where an industrial dispute could be imminent, we believe that the cause of such a dispute, again is due to similar aspects of the previous dispute in 2009, in that, industrial relations within the London Fire Brigade are now nearly non-existent.

Whilst the Fire Brigades Union remains open to change and modernisation for the benefit of both the organisation and the communities we serve, we cannot just sit back and accept either change for change sake or change by imposition.

You will also be aware of the Grey Book terms and conditions of service and the NJC protocols in which, both consultation and negotiation should be on the basis of openness, transparency and be meaningful, yet it would appear that from responses from the LFB to observations submitted by the FBU to consultation documents that, the LFB merely treats consultation with the representative bodies as a tick box exercise. It is often the case that genuine concerns raised by the FBU during the consultation process are simply noted and then ignored.

It would appear to the FBU that the same can be said over issues which require negotiation, whereby should the representative bodies not agree with the proposals put to them, then the LFB simply impose change without any due regard for the resulting breakdown in industrial relations or the reduced

morale levels within the workforce which would account for numerous examples of resistance to change.

One such example is that of the authority decision to replace beds on fire stations in 2006, following which an agreement was entered into by both sides in 2009 on a design specification that met the authorities expectation and the FBU members approval, an agreement which in 2010 was reneged on by the LFB with the opening of the new fire station in Harold hill (which consequently was welcomed by the FBU) at which an unsafe resting platform was introduced.

The FBU made several offers to reach a compromise on this issue, all of which were dismissed and has now left serving firefighters attached to the station feeling both isolated and under valued. To safe guard their health and safety and welfare those same firefighters and watch managers have now taken to using the floors of the fire station in order to obtain some rest during the stand down period, a move which has taken the LFB back hundreds of years, clearly the LFB cannot now claim to be fit for the 21st century.

A further example of poor industrial relations can be seen when the LFB attempted to consult rather negotiate over the disbanding of the LFEPA council, whereby representative bodies have the opportunity to exercise their right to address members. The LFB issued 90 days notice of their intention to remove the council from the agreed constitution, thereby cherry picking which parts of that agreement the LFB wished to be committed to. The FBU at that time again offered compromise, by suggesting that the council should remain until after the general election when further discussions could take place, again this was dismissed on the grounds that the council was seldom used and this was the reason for it to be disbanded. The LFB therefore again imposed change.

Whilst I do not intend to outline the many varied issues of dispute that now exist between the LFB and the FBU, it would be remiss of me not to comment on at least two others which are extremely important, firstly, that of changes to working patterns and secondly, the suspension and unnecessary restrictions placed upon one of our regional officials.

As again you are undoubtedly aware the authority has sort to achieve efficiency and productivity increases through the use of changes to the current working patterns of those uniformed members of staff on fire stations, you will also be aware of the counter arguments from the FBU that such change is simply change for change sake. The FBU have attended some 20 meetings since 2006 on this issue, throughout those meetings those attending on behalf of the LFB have continued to maintain that change was not linked to cuts or a poorer service, yet in 2009 the FBU obtained and disclosed on the London Politics Show, what has now become known as the leaked document which clearly identified future proposals for cuts to frontline resources including staffing levels. Such a document therefore calls into question the honesty, integrity, and transparency of attending such future meetings on this issue.

However, as the FBU does not wish to be seen as an obstruction to change, we continued to meet with the LFB until the January of this year (which brings me on to the second point), whereby an incident involving the Authorities Chair's (Brian Coleman) decision which sought to prevent the FBU from fully representing its members, by exercising our right to address authority members at its public meeting in January, on all agenda items which held a particular importance to our members welfare or conditions of service.

On the morning of the LFEPA meeting, I was notified that the chair was to suspend standing orders to prevent the FBU from addressing members on five separate issues, one of which, has been detailed above, and limiting our right to address members on no more than two items. The FBU would view this as direct confrontation and an infringement of our rights to represent our members, this view was relayed to both the head of human resources and to the members of the FBU London Regional Executive (LRX), one of which is Mr Paul Embery (whom I am sure you are aware of). Paul was due on that day to address members on the issue of working patterns; however, as you may also be aware, it has now become apparent that both the Corporate Management Board (CMB) and the Chair of the authority both had concerns and reservations on Paul addressing the authority.

Prior to the commencement of the LFEPA meeting (which is a public meeting), Paul along with another member of the LRX were quietly discussing the issue above in the lobby area of union street (as happens on all other occasions that the LFEPA meeting is held), when an instruction was delivered to Mr Embery via the Head of Human Resources, that Mr Embery should remove himself from the lobby area, as the chair/CMB did not wish authority members entering the building to have to confront or see Mr Embery.

This then gave rise to a situation that has resulted in Mr Embery being suspended, pending a discipline hearing, however, Mr Embery was also subjected to further excessive restrictions to prevent him carrying out his elected role within the FBU, two of which is his position as the Joint Secretary on the Joint Committee for Firefighters (JCF) and as a lead official on the negotiations over changes to working patterns and Non-Op conversion to FRS.

As I am also sure that you are aware the FBU are not prepared to have the LFB dictate who our officials are when it comes to representing our members (this clearly remains a decision for the FBU and its members), and therefore we have been unable to meet with the LFB on some extremely important aspects including working patterns, due to their refusal to meet face to face with Mr Embery in attendance.

Although we have noted that the LFB were prepared to meet using a third party at a facilitated meeting, we cannot accept such a proposal as the FBU does not consider that we have arrived at such a juncture in the proceedings to permit such intervention, which normally would only be requested once discussions have either been exhausted or that agreement can not be reached following such discussions. I would also add that the LFB held a similar position to that of the FBU in 2008/9 in respect of a request from us for third party intervention over the matter of WM's receipt of CPD payments.

It appears to the FBU to be extremely perverse to say that the LFB are fully prepared to meet the FBU via a 3rd party safe in the knowledge that Mr Embery would be in attendance, yet they refuse to meet face to face, which is the agreed process under the grey book terms of conditions and is fully endorsed within the NJC protocols, to which the LFB have stated they are fully committed to.

The FBU has also requested that in accordance with Mr Embery's suspension notice, that it be lifted for the duration and purpose of such meetings, a request that has on four occasions been rejected.

We have also offered to set up meetings away from authority premises at any time day or night or at weekends at our expense, where our elected officials including Mr Embery would be in attendance, again the LFB have refused to accept such a face to face invitation.

As a consequence we have therefore been unable to action the authorities request to negotiate fully over this issue as a direct result of the LFB's refusal to accept our member's legitimate right to be represented by nominated officials of their choosing, one of which is Mr Embery.

Lastly, I would ask all parties to review their previous decision, that changes to working patterns would increase productivity and deliver better efficiency, in light of the recent publication of how our members have greatly exceeded the LFB targets on fitting smoke alarms, this clearly demonstrates that those same objectives can met within the current shift system and if negotiated correctly could deliver even better results for the future with a workforce fully committed to deliver, the alternative of course, would be less attractive with a workforce that would resist change and not commit to delivering on either targets or LFEPA objectives.

Yours sincerely

Ian Leahair

Ian Leahair
FBU
Executive Council Member for London