

MEETING: 21 JULY 2008

SUBJECT: PAY AWARD 2008 AND ASSOCIATED ISSUES

**JOINT REPORT OF THE CHIEF FIRE OFFICER, CLERK TO THE AUTHORITY,
THE FINANCE OFFICER AND PERSONNEL ADVISOR**

1 INTRODUCTION

- 1.1 The Authority has been informed in various recently released National Joint Council (NJC) Circulars of the agreed pay award for 2008 and other associated issues.
- 1.2 This report outlines the contents of the Circulars, and identifies the implications on this Authority, for the information of Members.

2 NJC CIRCULAR 6/2008 - PAY AWARD – ‘GREY BOOK’ EMPLOYEES

- 2.1 The pay award under employees’ conditions relating to the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (‘Grey Book’), determined on the basis of a national agreement, has produced an increase of 2.45% effective from 1st July 2008. Arrangements are now in place to ensure that the relevant pay increases are paid to all eligible staff.
- 2.2 Continual professional development payments have also been increased by 2.45%.

3 NJC CIRCULAR 8/2008 – FAIRNESS AND DIGNITY AT WORK - SECTION 2 OF THE SCHEME OF CONDITIONS OF SERVICE (GREY BOOK)

- 3.1 At its meeting on 10th June 2008, the NJC considered and accepted the outcome of a Joint Working Party which had reviewed the content of Section 2 of the Grey Book. The Chief Fire Officer has made the necessary arrangements to amend existing copies of the Grey Book and make all affected personnel aware of the changes.

4 NJC CIRCULAR 9/2008 – PART-TIME WORKERS (PREVENTION OF LESS FAVOURABLE TREATMENT) REGULATIONS

- 4.1 The Authority will be aware that the NJC agreed in November 2000 that both sides would co-operate to ensure that a test case was brought as speedily as possible to an employment tribunal.
- 4.2 Since that time test cases in two authorities, Kent and Berkshire, were identified and have been subject to the Employment Tribunal, Employment Appeal Tribunal, Court of Appeal and House of Lords processes returning finally at the

request of the House of Lords to the original Employment Tribunal again for re-consideration and determination earlier this year.

4.3 The judgement of the Tribunal on that occasion was:

- (i) “The Tribunal finds and declares that the Claimants were engaged in broadly similar work as their named comparators.
- (ii) The Claimants were treated less favourably than their named comparators in respect of access to pension rights and payment for sickness absence.
- (iii) The Respondent’s arguments of justification are dismissed.
- (iv) The Claimant’s claim for increased pay for additional responsibilities is adjourned for 8 weeks.”

The Tribunal indicated that it believed the parties should endeavour to reach a negotiated settlement. Following discussion within the respective Sides an approach was made to Tribunal to allow the parties until September 2008 for those negotiations to take place, with the possibility that it may take slightly longer. Tribunal has accepted that request and the cases will continue to be stayed in the interim.

The pension aspects of the cases are being handled by CLG and overall acceptance of a negotiated settlement will be dependent upon Tribunal being satisfied that all aspects have been settled.

5 **NJC CIRCULAR 10/2008 – ROLEMAPS AND NATIONAL OCCUPATIONAL STANDARDS**

5.1 The Authority will be aware that The *Fire and Rescue Services Rolemaps* document was issued by the National Joint Council in August 2005. The rolemaps and national occupational standards contained therein were developed in October 2001 and May 2003.

5.2 At its meeting on 10th June 2008, the NJC recognised that it may be in the best interests of the UK fire and rescue service for rolemaps and/or national occupational standards to be reviewed and if necessary revised from time to time, as appropriate.

5.3 Accordingly, the NJC has decided to create a small sub-Committee specifically to consider any proposed changes put forward either by the external bodies responsible for the development of such issues or by either side of the National Joint Council, including the Middle Managers Negotiating Body.

5.4 The sub-Committee, which will include Middle Manager Negotiating Body representation, will meet as and when necessary in order to make recommendations to the National Joint Council and/or Middle Managers Negotiating Body as appropriate.

6 NJC CIRCULAR 11/2008 – SKILLS IN THE WORKPLACE

- 6.1 The NJC recognises the importance of developing and retaining a skilled and qualified workforce, enabling employees to attain the skills necessary to develop and achieve their professional ambitions and assisting fire and rescue services to continuously improve organisational performance.
- 6.2 The NJC encourages fire and rescue authorities to commit to:
- Actively encourage and support employees to gain the skills and qualifications that will support their career development, future employability and meet the needs of the organisation;
 - Actively encourage and support employees to acquire basic literacy and numeracy skills, and work towards at least their first full Level 2 qualification in an area that is relevant to the organisation;
 - Demonstrably raise employees' skills and competencies to enhance their personal development and improve the organisational performance of fire and rescue services through investing in economically valuable training and development.
- 6.3 Fire and Rescue Authorities in England are further encouraged to support the *Skills Pledge*, which is a voluntary, public commitment by the leadership of an organisation to encourage and support all its employees to develop their basic skills, including literacy and numeracy, and work towards relevant qualifications to at least a Level 2 (equivalent to 5 good GCSEs).
- 6.4 Unions play an important role in engaging and supporting learners in the workplace and key to this is the role of Union Learning Representatives. Initiatives such as the *Skills Pledge* will assist unions and employers in promoting joint commitment and action on skills in the workplace.
- 6.5 Members will be aware of the commitment both the Authority and its Officers have shown in terms of up-skilling the workforce. However, the Chief Fire Officer is considering the content of this Circular prior to implementation.

7 FINANCIAL IMPLICATIONS

- 7.1 The effect of the 2.45% pay award in 2008/2009 is £717,249. Provision has been made within the 2008/2009 Revenue Budget at 2% amounting to £585,509. Taking into account current and expected staff turnover in 2008/2009, the Chief Fire Officer, having consulted with the Finance Officer, has identified that the balance of £131,740 can be met from within the existing salaries budget. The full year effect of the pay award will be built into the base budget from 2009/2010.
- 7.2 The payments under the Continual Professional Development Scheme can be met from within the existing budget. The potential financial implications of the remaining Circulars are being considered by the Chief Fire Officer and will be subject to future reports as appropriate.

8 RISK MANAGEMENT

8.1 A risk assessment has been undertaken to ensure that the risk to the Authority has been minimised as far as practicable. The assessment has considered an appropriate balance between risk and control; the realisation of efficiencies; the most appropriate use of limited resources; and a comprehensive evaluation of the benefits. The risk to the authority has been assessed as low utilising the standard risk matrix based on control measures being in place. The complete risk assessment is available on request from the Chief Fire Officer.

9 RECOMMENDATIONS

9.1 The Authority is requested to:

- a) Endorse the action taken by the Chief Fire Officer;
- b) Receive further reports as appropriate.

BACKGROUND PAPERS

The undermentioned Background Papers relate to the subject matter of the above report: -

- National Joint Council for Local Authorities' Fire Brigades Circular NJC/6/08 – NJC 11/08