



Japan Local Government Centre, London

Monthly Report for November 2010 (England) – London Firefighters' Dispute

Background

In 2004 the UK Parliament passed the Fire and Rescue Services Act, which sets out the legal duties and local structures (fire and rescue authorities) for the Fire and Rescue Service in England and Wales. The Act replaced the 1947 Fire Service Act, which had governed fire brigades since the disbanding of the National Fire Service (1941-1948) created during the Second World War. A separate Act was passed by the Scottish Parliament in 2005 for the same purpose outside of England and Wales.

The 2004 Act, introduced alongside the Civil Contingencies Act that year (which overhauled local authority emergency planning), said that fire and rescue authorities (in London the Fire and Emergency Planning Authority created in 2000), were required by law to ensure that their fire and rescue services:

- promote fire safety
- fight fires
- protect people and property from fires
- rescue people from road traffic accidents
- deal with other specific emergencies, such as flooding or terrorist attack; and
- do other things to respond to the particular needs of their communities and the risks they face

The Act was passed following the 2002 Independent Review of the Fire and Rescue Service carried out by academic Sir George Bain, alongside then Director of INLOGOV Sir Michael Lyons and former TUC President Sir Anthony Young. The Bain review was tasked with examining the UK's fire service operational needs, including the pay and conditions of firefighters. The government responded to the review with its 2003 White Paper *Our Fire and Rescue Service*, which led to the 2004 Act.

However, in 2002 and 2003, a series of industrial actions were called by the Fire Brigades Union (FBU) in response to the proposals of the Bain review for a lower than demanded pay rise and changes to firefighters' working conditions. The union said that its 40% pay increase demand reflected the dangerous nature of the role, although *The Lancet* found that firefighting was the 23rd most dangerous occupation on account of high standards of health and safety in its training. The FBU also opposed the Bain review's support for increased firefighter recruitment to come from part timers (whose separate union is anti-strike), which it saw as an attack on the main unionised workforce. The strike held between 13 and 15 November 2002 was the first national fire strike since the 1977 'winter of discontent' which crippled *Any opinions expressed in this report are solely those of the author and do not necessarily represent those of JLGC or CLAIR.*

the public sector under the last Labour government following its severe fiscal restraint. Fire cover was provided by the Army under 'Operation Fresco', using 19,000 soldiers (as well as professional RAF firefighters) and a fleet of mothballed 1950s military 'Green Goddess' fire engines last used in the 1977 strike. Four further strikes were held in November, January and February. In several cases, firefighters abandoned picket lines to attend incidents however and part-time firefighters were also able to extend cover further.

Under the 2004 Act, fire and rescue authorities were given a legal duty to ensure the appliances were available during any future industrial action and the Green Goddess fleet was sold off to developing countries.

2010 London Fire Dispute

The dispute centres on a plan approved by the London Fire and Emergency Planning Authority (LFEPA) to change firefighters' shift patterns and place them on new contracts. Firefighters are opposed to this because longer day shifts would affect their ability to hold down second jobs, deemed necessary to cope with comparatively low salaries, while the FBU claims that reduced night shifts are being introduced to close stations. Those refusing to accept the changes were given notice that they will have their contracts terminated, which the FBU claims is "politically motivated" bullying behaviour by the authority, in particular its Chairman Brian Coleman who has provoked a number of conflicts with staff. The Chairman is a Conservative London Assembly Member appointed by the Mayor.

Under a £9m five year deal agreed in 2009, the AssetCo company must provide firefighting staff to the London Fire Brigade in event of industrial action, pandemic flu or natural disaster.

The first strike since the 2002/03 dispute was held in London on 23 October 2010, with a walkout by staff following a ballot of FBU members. Cover was provided by 162 AssetCo staff using 27 appliances, which responded to 49 incidents during the strike. The London Fire Commissioner Ron Dobson claimed that agency staff were harassed and intimidated by pickets during the action, a claim denied by the FBU. Firefighters held a second eight hour strike on November 1. A further strike set for Bonfire Night on November 5 was called off when the FBU called on the employers to delay any deadline for contracts to be signed until the New Year and to consider its compromise offer on shift patterns. Both sides are now in negotiations on this following an independent arbitration panel which found in favour of the employer's stance. The 27 appliances requisitioned and stored at a secret location have yet to be returned to their stations, an action considered reckless by several Members of Parliament who raised it in the House of Commons. LFEPA Chairman Brian Coleman said that the fact that the London Fire Brigade has been able to operate without them demonstrates the further efficiencies that could be made.

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