

FBU Pensions Bulletin



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AN INSULT TO RETAINED FIREFIGHTERS

The Westminster government's review into the normal pension age (NPA) for firefighters was published in January and does not provide evidence to make firefighters work to 60. Instead the view by Dr Tony Williams broadly supports the FBU's position that the government's proposals are unworkable, unsustainable, unaffordable and unfair.

But the review lets the cat out of the bag about the real threat of capability dismissals which will affect everyone but will be an even bigger threat for firefighters working the retained duty system.

This briefing explains the threat to RDS firefighters in more detail:

- New pension proposals are currently being forced through
- Retained firefighters will be particularly hard hit
- The proposals rely on untested fitness standards which have not been negotiated or adequately discussed
- As a result thousands of firefighters face the threat of dismissal under capability
- The threat is particularly high for retained firefighters.

You will be aware that central government is currently forcing through various changes to firefighters' pensions.

These will affect retained firefighters in various ways:

- **New firefighter pension scheme:** several thousand RDS firefighters are already members of the New Firefighters Pension Scheme (NFPS). This scheme was introduced in 2006. The government's proposals for a new scheme will make it more expensive. Retained firefighters – like everyone else – have the right to a scheme which is affordable, sustainable and fair. Firefighters in the NFPS are entitled to a good quality pension scheme like everyone else. The current government proposals do not deliver that.
- **Modified pension scheme:** Several thousand RDS firefighters will be entitled to rights under the Modified Pension scheme. This is currently being finalised. It will be presented for public consultation in the next few weeks. The modified scheme is being introduced as a result of the legal victory of the FBU in relation to retained firefighters as part-time workers. It will provide equal pension rights to retained firefighters who were in the service and were previously denied those rights.

However, at the very time these rights are being granted following our legal victory – the government is taking them away by attacking the pension rights of every single firefighter. Retained firefighters demand the same pension rights as everyone else. We cannot accept the government giving with one hand and taking away with the other.

- **Retained firefighters in no scheme:** Even RDS firefighters who are not in any fire service pension scheme will be under threat from these proposals. That is because the proposals and associated recommendations will mean the imposition of untested fitness standards and regimes. Thousands of firefighters will be at risk of dismissal under capability. This applies even if you are not a member of any pension scheme.

How are retained firefighters under threat?

Cost

The government proposals will significantly increase the cost of the pension scheme to all firefighters. They intend to increase contributions from 11% to 13.2% in the FPS (and the modified scheme for RDS members) and from 8% to 13.2% in the NFPS.

Pension age

Under the new proposals, firefighters are being told they will have to work until age 60. To achieve this, it is recommended that fitness standards will need to be more rigorously enforced and regularly assessed. The government's report on this matter very clearly states that this will result in a significant number of firefighters facing dismissal from the service on grounds of capability.

How many will be affected?

The recent government report (the Williams report) says **significant numbers of firefighters will not be able to maintain fitness until 60 and will have to leave without immediate access to their pension or face dismissal on capability grounds.**

The same report that says that **66%** of current firefighters between 55-60 are below the recommended minimum fitness standard. This gives an indication of the numbers of the current workforce who face the threat of capability dismissal.

Why does this affect retained firefighters?

The government report concludes that in order to deliver a pension age of 60 fitness levels would need to increase for all. It accepts that many of the current workforce are unlikely to be able to achieve this. For wholetime firefighters it recommends that fitness training periods need to be built into work routines.

For retained firefighters it makes no such recommendation. The fire service employers are unwilling to pay for such support.

Despite requiring the same fitness levels, the proposals for achieving and maintaining this are completely different. This will leave retained firefighters at a **higher risk** of capability dismissal than others. It is an insulting attack on RDS firefighters.

The government plans mean they are trying to introduce a pension scheme which:

- Costs much more
- Will not work
- Will not provide the pension you expected at the time you expected it.

What is the FBU trying to do to resolve this?

We continue to discuss the issue with government ministers. We have also raised the issue with the fire service employers – after all it is they who will be threatening our members with the sack.

We want decent pension arrangements and we want to ensure that thousands of retained firefighters are not threatened with the sack. Our demands are perfectly reasonable. The government and employers can easily resolve the problem by sitting down and negotiating.

The review lets the cat out of the bag and shows that capability dismissals are definitely on their agenda. On page 123 – paragraph 9.1.2 it states: “significant numbers will be in a position where they can no longer cope, often through loss of fitness, but the only option is to leave or have their contract terminated on capability grounds without early payment of pension. This is often a difficult process for all involved.”



Q&A

Q. I'm an RDS firefighter and I'm not even in a fire service pension scheme – how can this possibly affect me?

A. This capability threat is a real game changer because it won't just be used in cases where people are pension scheme members. If you fail to meet the fitness standard the options are made clear – leave or face the sack.

Q. Why are the FBU saying RDS firefighters are more at risk of capability dismissals?

A. The report recommends on page 146 that wholetime firefighters get time to keep fit as part of their working day but doesn't give this opportunity to RDS. This is despite expecting the same fitness requirements with the same penalty for failing.

Q. The report suggests 'appropriate support and opportunities for fitness training should be provided for retained firefighters'. What does this mean?

A. What this actually means is unclear, but one thing is clear: it won't mean getting paid time to train. Employers have made it clear that this is not on offer and they won't pay for it. This adds insult to injury when you consider that the role fitness requirements are the same, the prospects of being dismissed are the same but the support for maintaining fitness is not.

Q. Will fitness standards be the same for RDS and WT?

A. The fitness standard reflects the occupation so it must be the same for everyone. The report confirms this on page 6 paragraph 1.6.5 where it explains that the role requirement sets the standard and if someone meets the standard they are fit for duty irrespective of age or gender etc.

Q. What approach has the FBU taken?

A. The FBU has submitted our own evidence at every stage of the process. Only the FBU has produced any serious evidence on behalf of retained firefighters. The FBU was the sole representative of employees during the review. The FBU has organised lobbying of MPs and held meetings with ministers.

Q. What are the FBU trying to achieve?

A. Quite simply the FBU wants a scheme that is affordable, sustainable, workable and fair. We also need to make sure that any Normal Pension Age is appropriate and is one that scheme members can reasonably expect to be able to work to and retire at. Government and employers agreed with this when they agreed the review terms of reference. But these proposals do not deliver this. The current proposals will mean an unachievable normal pension age which will result in significant numbers of firefighters being sacked. This is not FBU spin or scaremongering. It is what their own report says.

We cannot simply sit back and let them ignore their own evidence. We cannot let them get away with introducing this threat of mass dismissals.

**Attend your local meetings
Lobby your MP
Support the FBU campaign for decent pensions
Say no to mass dismissals**