

Employers' Secretary, Naomi Cooke  
18 Smith Square, London, SW1P 3HZ  
Telephone 020 7187 7335  
e-mail: firequeries@local.gov.uk

Employees' Secretary, Matt Wrack  
Bradley House, 68 Coombe Rd  
Kingston upon Thames KT2 7AE  
Telephone 020 8541 1765

**NATIONAL JOINT COUNCIL  
FOR LOCAL AUTHORITY  
FIRE AND RESCUE SERVICES**

---

**To: Chief Fire Officers  
Chief Executives/Clerks to Fire Authorities  
Chairs of Fire Authorities  
Directors of HR (Fire Authorities)**

**Members of the National Joint Council**

---

25 May 2021

**NJC/1/21**

**INDEPENDENT CHAIRS ANNUAL REPORT 2020**

Please find attached the Independent Chair Professor Lynette Harris's annual report for the National Joint Council and Middle Managers Negotiating Body for 2020.

Yours faithfully,

**NAOMI COOKE  
MATT WRACK**

Joint Secretaries

**NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITY  
FIRE AND RESCUE SERVICES**

**ANNUAL REPORT OF THE INDEPENDENT CHAIR  
2019 - 2020**

**Professor Lynette Harris**

## Background

The National Joint Council for Local Authority Fire and Rescue Services (NJC), including the Middle Managers Negotiating Body (MMNB), is the body responsible for the supervision, from a national point of view, of all questions affecting the conditions of service of employees (other than those in Brigade Management roles) of fire and rescue services established under the Fire and Rescue Services Act 2004 (for England and Wales), Fire (Scotland) Act 2005 and the Fire and Rescue Services (Northern Ireland) Order 2006.

The NJC handles issues that affect all employees from firefighter to area manager. The MMNB has plenary powers to deal with issues which affect employees solely in the roles of station manager to area manager.

The principal purpose is to reach agreement on a national framework of pay and conditions for local application throughout the fire and rescue service in the United Kingdom. The NJC and MMNB are committed to the local democratic control of fire and rescue services to the community.

The parties to the negotiation are the Employers' Side comprising representatives of the Local Government Association, Welsh Local Government Association, Scottish Fire and Rescue Service Board and the Northern Ireland Fire and Rescue Service Board. The Employees' Side comprises representatives of the Fire Brigades Union and, for the MMNB, the Fire Brigades Union and the Fire Officers Association.

An Independent Chair oversees the work of the National Joint Council and the Middle Managers Negotiating Body and is supported by two Vice-Chairs. Vice-Chair appointments alternate between the Sides on an annual basis.

For this year Cllr Nick Chard serves as Vice Chair of the NJC and Ian Murray as Vice Chair of the Middle Managers Negotiating Body.

The Independent Chair works closely with the Joint Secretariat, which is currently provided by the Local Government Association and the Fire Brigades Union.

The membership of the National Joint Council and the Middle Managers Negotiating Body during 2019/20 is attached to this report.

## **Introduction**

In my second year as the Independent Chair of the NJC a considerable amount of work has been carried out by Members and Joint Secretaries. The main issues are outlined in this Annual Report, which covers the period from 1 October 2019 to 30 September 2020.

## **What do we do?**

1. The National Joint Council provides:
  - The national negotiating machinery for the pay and conditions of service of uniformed fire service employees in the United Kingdom.
  - The services of the respective side Secretariats in assisting parties at local level to resolve areas of disagreement.
  - The services of the respective side Secretariats in assisting parties at local level in the interpretation of the national scheme of conditions of employment and the flexibilities contained therein.

## **Meeting dates in 2019 - 2020**

2. The National Joint Council met on three occasions: 10 October 2019; 26 February and 5 June 2020. The Middle Managers Negotiating Body also met on those dates. A number of issues were considered and reports from the Independent Chair were approved. The Treasurer's Report for the year to 31 March 2019 was approved at the AGM meeting of 10 October 2019.

## **Issues under consideration during 2019 – 2020**

3. Issues under consideration by the National Joint Council and, as appropriate, the Middle Managers Negotiating Body, on which there were written and oral reports from the Joint Secretaries, included:

### COVID-19 & Tripartite Agreement

4. The Tripartite Agreement – National Employers, FBU and NFCC - secured national agreement on firefighters' activities in order to support the COVID-19 response by assisting the NHS, Ambulance Services and other partners with the fire services' skills and workforce resource following requests from Local Resilience Forums.
5. Significant work also identified a number of nationally agreed best practice risk assessments and statements related to the additional activities.

### Pay

6. The National Employers wrote to the employees' side in August formally setting out an offer of a 2% uplift in pay as the most that could be afforded for the settlement year 2020/21. Both sides agreed in September, following a period of employee consultation,

to implement that uplift of 2.0% on basic salaries and continual professional development payments with effect from 1 July 2020.

#### Inclusive Fire Service Group

7. The NJC has a continuing commitment to improvement of equality, diversity, and cultural issues in the fire service.
8. The membership of this NJC-led group involves a number of other interested parties within the fire service including the National Fire Chiefs Council, Fire and Rescue Services Association and Fire Officers Association. It has also engaged with wider special interest groups.
9. The group identified a number of practical strategies designed to lead to improvements at local level. The strategies were very well received. Responses from FRAs stating support and current and future actions were analysed and an [overview report](#) was provided to all interested parties. These improvement strategies should now have had sufficient time to become embedded in services and should now be delivering improvement. Accordingly, a monitoring exercise is underway.
10. The purpose of the exercise is to determine the extent to which the improvement strategies have become embedded and whether or not they have begun to deliver improvement. The exercise involved:
  - A survey of FRSs
  - Gathering data on the demographics of the workforce
  - Independently run employee focus groups
  - Workshops with FRS Equality & Diversity Officers/Leads and local and national union representatives.

#### Part-Time Workers (Prevention of Less Favourable Treatment) Regulations: progress regarding implementation of the Employment Tribunal settlement agreement

11. Settlement payments have all been actioned and where linked to Employment Tribunal cases such cases have been withdrawn.
12. In cases where an individual could not be found or has not responded to any communication, the Tribunal is in the process of being advised that the union has withdrawn its support. Once that has concluded, the respective FRA will apply for the affected employment tribunal case/s to be struck out.
13. This long-running legal case has evidenced the ability of the National Joint Council to secure agreement and effectively administer the outcome including in a legal context.

#### **General Joint Secretariat Activity**

14. Issues under negotiation within the NJC are in the main progressed through the Joint Secretariat acting within the remit of its respective Sides.

15. On occasion lead members from each Side of the NJC/MMNB may meet outside of the usual round of larger meetings.
16. The Joint Secretariat normally meets formally every four to six weeks to exchange information and to progress negotiations. These meetings are also an opportunity for either side to identify potential local industrial relations flashpoints and subsequently to raise those concerns with the local management or union side as appropriate.
17. The Joint Secretariat leads discussion in National Joint Council working parties which informs negotiations and respective Side positions, as appropriate.
18. The Joint Secretariat also leads discussion in the sub-Committee on changes to rolemaps and national occupational standards and the joint Scoping Group in connection with the negotiation on broadening the role.
19. When jointly requested to do so, the Joint Secretariat also works with parties at local level who wish to explore their current industrial relations relationship with a view to seeking improvement. This involves a full day session working with key local management and union representatives. Unfortunately, the opportunity to carry out such training this year has been restricted by the COVID-19 situation.
20. The Joint Secretariat has handled a considerable number of requests from local parties seeking interpretation or clarification of Scheme of Conditions of Service issues or early informal assistance where a matter is likely to prove difficult to resolve at local level.
21. In addition to the above, the Joint Secretariat has a formal conciliation role when requested by both parties at local level to assist in resolution of local disagreements.

#### **Joint Secretariat - Local Conciliation**

22. In circumstances where discussion has been exhausted without agreement on an issue, or issues, at local level the Joint Secretariat when requested by both parties to do so can provide a confidential conciliation process in order to assist the parties in identifying a mutually agreeable outcome.
23. The Joint Secretariat has a very good record of assisting the parties to either reach agreement at the time of conciliation or to develop the basis of an agreement which leads to a resolution following further discussion shortly afterwards at local level.
24. Over the past year conciliations have taken place with 3 services.

#### **Resolution Advisory Panel (RAP)**

25. The Scheme of Conditions of Service Negotiation Procedure contains a number of options that local parties can explore to facilitate resolution to local issues where negotiation at local level has been exhausted. One of those options is the NJC's Resolution Advisory Panel whose remit is to endeavour to facilitate an agreement between the parties but where that is not possible the Independent Chair will make a recommendation based upon the positions presented and discussed during the

course of the meeting and which he believes can form the basis of an agreement.

26. Following the sad death of the RAP Independent Chair Professor William Brown, a recruitment exercise will be held for a new Independent Chair of the body.

### Technical Advisory Panel (TAP)

27. The NJC also operates a Technical Advisory Panel which can consider whether or not a new duty system proposed at local level reflects the principles contained in Section 4 of the Scheme of Conditions of Service (Grey Book) where it has not been possible to reach an agreement on its introduction. As with RAP, the Technical Advisory Panel endeavours to facilitate an agreement between the parties, but where that is not possible the Independent Chair can, in addition to commenting on the extent of compliance with the principles, recommend a proposal that he believes may form the basis of an agreement.
28. The NJC's Technical Advisory Panel, which is comprised of an Independent Chair and the Joint Secretaries, did not receive any requests for assistance during 2019/20 and therefore did not meet.
29. The current Independent Chair of the TAP is Mr Steve Hodder.

### Circulars

35. A number of circulars have been issued since the last report of the Independent Chair:

NJC/6/19	Independent Chairs Report 2018/19
NJC/1/20	Novel Coronavirus: COVID-19
NJC/2/20	Annual Leave – Retained Duty System
NJC/3/20	Leave during Coronavirus outbreak
NJC/4/20	Employees' side pay claim
NJC/5/20	Pay Award 2020
NJC/6/20	CPD Uplift 2020

### Conclusion

36. There are several aspects to the role of Independent Chair. This year it has involved:
- chairing of NJC and MMNB meetings
  - consideration, with the Joint Secretaries, of items due for discussion through the NJC and/or MMNB at those meetings
  - ensuring the NJC and MMNB are each aware of the work of the other and that an opportunity for comment is provided.
  - raising issues relating to how the formal business of NJC/MMNB meetings is handled with Joint Secretaries as appropriate
  - provision of this annual report

37. Over the past year, the unprecedented challenge of the Covid-19 pandemic has dominated the agenda for all UK emergency services and the parties are to be commended for the Tripartite agreement between the National Employers, National Fire Chiefs Council and Fire Brigades Union which provided the framework for the Service's COVID-19 response.
38. As identified in my last report, it is recognised that the Joint Secretaries, other colleagues and members of joint working groups undertake a great deal of work that is not visible, much of which underpins those matters formally reported at NJC and MMNB meetings.
39. I am very aware that extensive communications between the parties have continued to take place behind the scenes, despite it not being possible to have face to face interactions for much of this year. Whilst communications processes have been maintained virtually, it is acknowledged that this has been at times challenging, particularly in circumstances when it would have been of value to have been able to meet in person. I should, therefore, particularly like to take this opportunity to thank all those involved for their contributions in difficult times.
40. Part of the role of the Joint Secretariat is to support parties with differences to reach agreement and it provides a confidential conciliation process at local level. It is noted that the Joint Secretariat have, as last year, assisted three services to reach agreement.
41. It is with sadness that a vacancy is reported for a new independent chair of the Resolution Advisory Panel due to the unexpected death of Professor William Brown who contributed so much to employment relations in the Fire Service.
42. The pandemic has meant that meetings of the NJC and MMNB have had to take place virtually since June 2020. It is hoped that it will be possible to meet again next year once COVID-19 restrictions no longer apply.

**Professor Lynette Harris**  
**Independent Chair**

**MEMBERSHIP OF THE NATIONAL JOINT COUNCIL**

**1 OCTOBER 2019 TO 30 SEPTEMBER 2020**

<b>Employers' Side</b>	<b>Employees' Side</b>
<b><i>Local Government Association</i></b>	<b><i>Fire Brigades Union</i></b>
Cllr K Aspden	Mr M Wrack
Cllr G Brackenridge	Mr I Murray
Cllr N Chard	Mr A Dark
Cllr M Healey	Mr A Noble
Cllr R Knox	Mr C McGlone
Cllr M Payne	Mr J Quinn
Cllr R Phillips	Mr C Griffiths
Cllr I Stephens	Mr P McDonald
Cllr S Timoney	Ms L Rowan-O'Neill
AM F Twycross	Mr P Preston
	Mr L Skarratts
<b><i>Scottish Fire and Rescue Service</i></b>	Mr D Shek
Dr K Darwent	Mr R Jones
Mr W McQueen	Mr P Smith
<b><i>Welsh Local Government Association</i></b>	
Cllr P Marsden	
<b><i>Northern Ireland Fire and Rescue Service</i></b>	
Ms C McKinney	

**MEMBERSHIP OF THE MIDDLE MANAGERS NEGOTIATING BODY  
1 OCTOBER 2019 TO 30 SEPTEMBER 2020**

<b>Employers' Side</b>	<b>Employees' Side</b>
<b><i>Local Government Association</i></b>	<b><i>Fire Brigades Union</i></b>
Cllr K Aspden	Mr M Wrack
Cllr G Brackenridge	Mr I Murray
Cllr N Chard	Mr A Dark
Cllr M Healey	Mr A Noble
Cllr R Knox	Mr C McGlone
Cllr M Payne	Mr J Quinn
Cllr R Phillips	Mr C Griffiths
Cllr I Stephens	Ms L Rowan-O'Neill
Cllr S Timoney	Mr T French
AM F Twycross	Mr P McDonald
	Mr G Cook
	Mr P Trayner
<b><i>Scottish Fire and Rescue Service</i></b>	Mr G Ashman
Dr K Darwent	
Mr W McQueen	<b><i>Fire Officers Association</i></b>
	Mr A Robinson
<b><i>Welsh Local Government Association</i></b>	
Cllr P Marsden	
<b><i>Northern Ireland Fire and Rescue Service</i></b>	
Ms C McKinney	