



## **Nottinghamshire and City of Nottingham Fire and Rescue Authority - Policy and Strategy**

**Exempt Minutes of the meeting held at Joint Fire / Police HQ, Sherwood Lodge, Arnold, Nottingham, NG5 8PP - Joint Fire / Police HQ, Sherwood Lodge, Arnold, Nottingham, NG5 8PP on 11 November 2022 from 10.01 am - 10.51 am**

### **Membership**

#### Present

Councillor Michael Payne (Chair)  
Councillor Patience Uloma Ifediora  
Councillor Mike Quigley MBE  
Councillor Jonathan Wheeler

#### Absent

Councillor Sybil Fielding  
Councillor Jason Zadrozny

Councillor Tom Hollis

### **Colleagues, partners and others in attendance:**

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**8 Apologies for Absence**

**9 Declarations of Interest**

**10 Minutes**

**11 Local Firefighter Pension Annual Report 2021/22**

**12 Exclusion of the Public**

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Please note: these minutes are not for publication by virtue of schedule 12a of the local government act 1972

### **13 Exempt Minutes**

**The exempt minutes of the meeting held on 24 June 2022 were confirmed as a true record and signed by the Chair.**

### **14 Resilience Update**

Matt Reavill, Risk, Assurance and Operational Training, presented the report which provides committee with an update on local and national issues which have the potential to impact on the Service, including industrial action, and provides a summary of the arrangements to ensure that critical service can be maintained.

The following points were highlighted:

- a) Industrial action is more likely to take place than not with regard to the national pay award, which has been reviewed and is now presented as a 5% increase. The trades unions are balloting with a recommendation to reject this offer, with the proposal to strike. The earliest period of industrial action could be from mid-January 2023;
- b) The Home Office has stipulated that the Service must provide a minimum of 30% of its normal operational firefighting capacity during periods of industrial action. It is not yet confirmed that the Service will be able to meet this requirement but work continues to strengthen resilience;
- c) The service has already agreed some measures to help support communities during industrial action, and further recruitment of contingency crew operatives continues;
- d) The number of Resilience contracts with existing operational staff are increasing and will be further promoted;
- e) With regard to staffing the Joint Fire Control, agreements are in place and emergency calls will be handled by Derbyshire Police, with assistance from an on-site Nottinghamshire Principal Officer;
- f) The current cost of third party cover contract arrangements is being investigated but are expected to have risen significantly since quotes were last received in 2019 when the cost would have been £0.5m per three-year period.
- g) If industrial action does take place, it is proposed not to use fire stations as response bases as the Service wants to maintain good local industrial relations and does not want active staff to be required to cross picket lines;
- a) The response base sites are yet to be confirmed, but the Service is working with partners to identify appropriate bases within the community for the appliances which are planned to be available;

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- b) Options to address the partial performance policy gap previously identified are being considered and a new policy is in development. However, to maintain good industrial relations, it is suggested that it is not progressed at this time.

Questions from members were responded to as follows:

- c) With regard to resilience contracts, the Service does have a recall clause to reclaim the contract value if the contract is not honoured. Some firefighters who accepted the contracts are due to retire soon, however if they were to leave now, the Service would seek to retrieve the contract pay. It is unknown if any resilience contract staff have worked during any previous industrial action, but the Service will need to support them in fulfilling their commitment rather than alienate them. Resilience contracts are a realistic planning assumption but the outturn won't be known until the contract terms are applied;
- d) There is an urgent National Fire Chiefs Council (NFCC) meeting with the new Fire Minister this week with regard to seeking assurance of the ability to meet 30% service capability during industrial action. The country as a whole is less resilient than during previous industrial action;
- e) Staff morale continues to drop across all employee levels and representatives of the FBU trades union have indicated they are confident that the pay offer will be rejected and that industrial action will receive support. This may initially bring the organisation to stop until resources, such as appliances, can be moved to where they are required within the resilience plan;
- f) Ben Selby of the FBU has offered to work with the Service to jointly lobby Central Government for appropriate funding;
- g) The NFCC is working with fire services who won't or are unlikely to meet the 30% operational threshold, including those likely to have an impact on Nottinghamshire;
- h) FBU representatives have indicated that if firefighters had initially been offered 5% they would have accepted it. However, with increasing interest rates and rising costs, the 5% offer at this time is not considered acceptable. The Fire Authority budgeted for a 3% pay rise, and anything above this will need to be funded by the Authority;
- i) Industrial action will result in fewer appliances being available, but crewing staff will predominantly have, or have had fire service experience. Risk levels need to be recalibrated and there will be a national campaign warning the public and businesses to be more careful;
- j) Army support is being dealt with at a national level and services which are known to struggle to meet the minimum operational level have been requested to identify themselves now. It is proposed that there will be 8 Army appliances, which will be made available across the whole of England. The Green goddesses which were previously used during industrial action, no longer exist;

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- k) The Service is working to blend experienced staff with those less experienced, but if a major incident occurs during strike action, the Service will look to of the workforce as there is an existing agreement for recall in such circumstances. However, it is likely that if striking, firefighters will be working elsewhere to earn the money lost in wages, and therefore not necessarily easily available.

Members' comments included:

- l) Committee members appreciate the work of the Risk, Assurance and Operational Training Team, particularly with regard to preparations for industrial action. Reports to date have been very comprehensive and helpful in providing assurance to members;
- m) The use of third-party contracts is not an option which members wish to pursue, so this should be recorded as such to prevent any further exploration work;
- n) Any industrial action on current issues is a battle against Central Government and not this Fire Authority.

#### **Resolved**

- 1) to note the implications to the Authority outlined in the report relating to industrial action;**
- 2) to note the increased risk to the Authority during any period of industrial action;**
- 3) to oppose the use of partial performance as detailed in the report and support further policy development;**
- 4) to endorse the current approach to Industrial action planning;**
- 5) to reject the potential use of third-party resilience contracts.**

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