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FIRE & RESCUE SERVICES National Employers

**To: Chief Fire Officers
Chief Executives/Clerks to Fire Authorities
Chairs of Fire Authorities
Directors of Human Resources**

Members of the Employers' Side of the NJC

29 February 2008

CIRCULAR EMP/02/08

Dear Sir/Madam

PROTECTED PAY POINTS

1. The 2003 Pay and Conditions Agreement introduced a competency related pay structure. As a consequence it was necessary to transfer employees from the pre-existing rank structure to the new role structure.
2. In most cases the pay assimilation from one to the other was straight-forward. However it did include protected pay points at Station Officer, Fire Control Officer, and Principal Fire Control Officer levels.
3. A number of the protected pay points are no longer relevant. Employees on those points have subsequently moved through the scale and are now on the highest point.
4. The remaining points were subject to review by 1 July 2007:

Station Officer	Point L
Fire Control Officer	Point L
Principal Fire Control Officer	Point P

5. Authorities will be aware from circular NJC/10/07 that overall agreement on the outcome of the review was not reached in July 2007. Instead, the National Joint Council (NJC) agreed to apply the pay award for 2007 to this group and that work would recommence immediately to resolve the review.
6. That further discussion did not identify a jointly acceptable solution and the matter was referred to ACAS for conciliation.
7. The conciliation meeting took place last month and concluded that although unable to reach a mutually agreeable solution, progress had been made and discussion should continue at Joint Secretary level.

8. Accordingly, further discussion has taken place at Joint Secretary level. The Employers' Secretariat's view was informed by both lead Employer members and members of the Advisory Forum. Members and advisers were keen to resolve the matter through collective agreement and were also mindful of the potential alternative outcomes.
9. I write to advise authorities that the position attached at **Appendix A** is the result of those further discussions.
10. The proposed solution, as written, will be considered at the next NJC meeting on the 13th March 2008 when it is hoped to resolve the matter.
11. However, should the position not be acceptable to both Sides then the matter will be immediately referred to ACAS for arbitration.

Yours faithfully,



Gill Gittins
Principal Negotiating Officer

PROTECTED PAY POINTS REVIEW

This review covers the following pay points:

- Watch Manager 'B'/protected pay point L
- Watch Manager 'B' (control)/protected pay point L
- Group Manager 'B' (control)/protected pay point P

Both Secretaries will explore with their respective Sides the potential of the following options to conclude the protected pay points review.

Watch Manager 'B' protected pay point L

Watch Manager 'B' (control)/protected pay point L

- Application of the pay award minus £350 each year for the next 3 years (2008 – 2010)
- Those remaining in one of the above protected posts on 1 July 2011 to receive a lump sum, non-pensionable, payment of £1050 and to be assimilated to the Watch Manager 'B'/Watch Manager 'B' (control) pay rate at that time.

Group Manager 'B' (control)/protected pay point P

The 'gap' for this group is markedly less and therefore will close sooner. The proposal for this group is therefore:

- Application of the pay award minus £350 each year for the next 2 years (2008 – 2009)
- Assimilation to the Group Manager 'B' rate on 1 July 2010
- Those remaining in a Group Manager 'B' post on 1 July 2010 to receive a lump sum, non-pensionable, payment of £700

Additional issues

- It is recognised that this is a national agreement which may be supplemented or improved upon by local agreement
- Where there are already local agreements specifically on this matter in place, these shall remain extant
- Authorities are encouraged to identify those employees receiving pay protection under these circumstances and are encouraged to make such arrangements as necessary in order to reduce the numbers of those staff eligible for pay protection. Whilst not an exhaustive list these arrangements may include: targeted development; rewarding utilisation of specific skills.
- An individual shall no longer be covered by this agreement where he/she is placed on a salary above their protected level.
- The application of these pay protection arrangements will not result in any individual's salary being reduced until such time as the pay protection arrangements finish. At that point individuals will move on to the substantive role-based salary applicable at that time.