

NON-UNION

“Non-Standard Circumstances and Previous Employment” Document

“Non-Standard Circumstances and Previous Employment”: Introduction

Following the discussions with the FBU we strongly encourage you to accept these terms unless there are “Non-Standard and Previous Employment Circumstances” which are:

- (i) where an individual has had a continuous period of sickness absence within the period from 1 July 2000 to 30 June 2010 of nine months or more (excluding any period of paid sickness absence for illness or injury arising out of authorised duty pursuant to Section 5, part B, paragraph 11 of the 6th edition of the Grey Book); and/or
- (ii) where the individual is able to show that the way in which the Compensation Payment has been applied, using the starting point figures set out above is incorrect; and/or
- (iii) where an individual has been employed by more than one Fire Authority under a retained duty system during the period 1 July 2000 to 30 June 2010 and the individual is able to provide documentary proof of their previous service within that period by another Fire and Rescue Authority.

1. Non-Standard Circumstance: continuous sickness absence exceeding 9 months

If an individual claims to have a period of continuous sickness absence of nine months during the period from 1 July 2000 to 30 June 2010 (“the Reference Period”) (excluding any period of paid sickness absence for illness or injury arising out of authorised duty pursuant to Section 5, part B, paragraph 11 of the 6th edition of the Grey Book), then she or he will need to provide to her/his employing authority appropriate supporting documentation confirming the continuous period of sickness absence in the form either of a report (or reports) from a medical practitioner, medical records evidencing the same or Doctor’s Statements under the Statutory Sick Pay (Medical Evidence) Regulations 1985 covering the relevant periods. That supporting documentation should be sent to Popularis with the completed “Non-Standard Circumstances and Previous Employment” form attached to this letter. Popularis will then need to share that information with the employing FRA in order to process the claim.

2. Non-Standard Circumstances: incorrect calculation information

If an individual believes the information used to apply the Compensation Payment is incorrect, they should first seek to agree the information/seek clarification from their FRA as to the correct figures before using the Non-

Standard Circumstances process. If agreement or clarification with the FRA cannot be achieved, the individual should complete and return the Non-Standard Circumstances and Previous Employment form.

3. Previous employment with another FRA

If you were employed by another FRA under a retained duty system at any time during the period from 1 July 2000 to 30 June 2010 and you believe that such service has not been taken into account in calculating your Compensation Payment, please also complete the Non-Standard Circumstances and Previous Employment form and provide documentary evidence proving your dates of previous employment, such as a contract of employment.

Non-Standard Circumstances and Previous Employment Procedure

Any individual who claims that Non-Standard Circumstances or Previous Employment apply to them, and who does not therefore wish to accept the payment offered in full and final settlement of their claim, should complete and return the attached "Non-Standard Circumstances and Previous Employment" form, showing clearly why she or he contends that Non-Standard Circumstances apply to their claim.

Where an individual completes and returns an "Non-Standard Circumstances and Previous Employment" form to Popularis, they will not receive the payment referred to on the attached form and the procedure set out below will apply.

From the end of the period of 14 days in which to respond to the letter setting out your offer of full settlement your employing FRA will have a further 21 days in which to determine whether it agrees that Non-Standard Circumstances or Previous Employment, as defined, apply. (If no response is received to the letter setting out the offer of full settlement within the specified 14 day period, a final reminder letter will be sent setting a deadline for response of 14 days. If a completed Non-Standard Circumstances and Previous Employment form is received within that 14 day period, your employing FRA have a further 21 days in which to determine whether it agrees that Non-Standard Circumstances or Previous Employment as defined apply).

If the employing FRA accepts that Non-Standard Circumstances or Previous Employment apply, it will send to the individual a revised offer, copied to Popularis, which will provide for a payment to that individual of the sick pay that would have been received had the revised Grey Book terms been applied to them and/or the corrected Compensation Payment recognising any additional sum in respect of his/her previous employment with a different FRA during the Reference Period.

If the employing FRA disputes that Non-Standard Circumstances or Previous Employment apply, it will notify the individual within 21 days, copied to Popularis.