



Fire Officers' Association
London Road
Moreton-in-Marsh
Gloucestershire
GL56 0RH

Telephone: 01608 652023

Email: foa@fireofficers.org.uk
Website: www.fireofficers.org.uk

MEMBERS' CIRCULAR 13/07

13th June 2007

To: Regional Representatives, Branch Secretaries and FRS Contacts

FOR THE ATTENTION OF ALL CONTROL MEMBERS

REGIONAL CONTROL CENTRES

Concern over the implementation, staffing, conditions of service and HR matters relating to regional controls, has prompted the Association to ask questions of the People & Organisation Design Workstream, FiReControl Project. They have replied to our request, and listed below are the answers to our questions:

Q Will a staff selection process occur to recruit staff for the new controls or will the required number of staff be transferred and what selection criteria will be used?

A *Where numbers of people for whom it is reasonable to transfer are greater than the number of positions available within the new Control Centre there will be a selection process. Also, where the positions within the new Control Centre do not have a direct 'read across' to current jobs, there is likely to be a selection process of some sort to match 'best fit' of skills, experience etc. Although the national team will provide guidance on the process to be used, it will be for the Local Authority Controlled Company (LACC) who are established to manage the RCC to make the necessary decisions on what selection criteria will be used. However the guidance will make it clear that they will need to be fair & equitable, and, as the criteria will effectively be used for selection for redundancy (rather than selection for employment), these criteria will be consulted on with unions.*

If, on the other hand, there are fewer potential transferees than there are posts which are comparable to those transferees, then all will automatically transfer. There will, however, still need to be an assessment of skills / competences at some point anyway as part of the training needs analysis process to ensure that the training on the new systems meet individual needs.

Q Where redundancies are necessary, will the arrangements be the responsibility of existing or new employers?

A *Technically, it is the responsibility of the new employers to make the redundancies – they will certainly make the decisions about numbers of employees. However, it is not uncommon for the existing employers actually to carry out the process on behalf of the new ones, principally because they have the current employment relationship, and this will enable staff who are technically redundant to benefit from any redeployment opportunities etc. The national team are in the process of making guidance available to the LACCs/ FRAs on this, but ultimately it is up to the new and existing employers to determine which route they follow, as inevitably there are as many legal opinions on this area of employment law as there are lawyers!*

Q Will the responsible employing body use discretionary powers to make up actuarial reductions for staff taking early retirement on grounds of efficiency?

A *This will depend entirely on what the individual employers' custom & practice is.*

Q Will managerial structures and managerial roles remain as they are or will some other system be introduced?

A *A paper "The Organisation Design Proposition" was signed off as fit for purpose by the Senior Operations Group more than a year ago, which contained the proposed staffing structure of the new organisations and job descriptions for each position. A version of this is on the FiReControl website. The actual structure and posts within the Control Room are mandated as part of the resilience aspect of the network, although actual number of positions is for each LACC to determine. However, once again guidance on numbers is being provided by the national team so that the new employers have information on which to base their decisions.*

Q The required number of staff appears to have been pre-determined, in which case, we assume that an appropriate shift system has been developed. To what extent will this differ from the current system?

A *Staffing numbers have not been pre-determined, although some initial views have been provided by the national project based upon call volumes within each region. The LACC will need to make final decisions on these numbers. Shift patterns are again their responsibility to decide on. However, the OD Proposition suggests shifts which reflects call volumes at different times of the day. This shift pattern is based upon 2 x 12 hour shifts, and one 'twilight' shift (4pm to 11pm) to cover the peak in calls.*

Q Are staff to be transferred under TUPE Regulations?

A *The national team have stated on a number of occasions that TUPE does apply. There have been a number of alternative opinions about this, but the crux of the matter is that the Cabinet Office Guidelines on transfers in the public sector state that even where TUPE could be considered not to apply to a transfer, public authorities should act as though it does anyway.*

Q Will the new companies be regarded as a local government employer in terms of access to the Local Government Pension Scheme and is it likely that existing pension arrangements will carry over to the new employing bodies

A *Under the terms of TUPE there is an obligation to provide a 'comparable' pension scheme, as technically the pension is not something which automatically transfers. However, it is clearly in best interests for the new bodies to gain admitted body status to the LGPS, and that is the assumption that we are working on.*

Q Will staff be employed under Grey Book, Green Book conditions or neither?

A *Those staff who transfer will transfer on their current terms and conditions, and these will be protected under the terms of the TUPE legislation. The LACCs will need to consider separately what terms & conditions they wish to provide for those staff who have not been transferred under TUPE, but Cabinet Office guidance is again clear that any such terms must be broadly comparable to those of transferring staff. Once again, the national project is providing some guidance to the LACC on what issues need to be considered in making these decisions.*

Q Will national collective bargaining arrangements apply or will these be kept at a local level?

A *Again, it will be for the LACC to make these decisions, although as transferring staff will be employed on their existing terms & conditions, their arrangements for changes to t & cs will remain at a national level if that is where they are currently, in line with TUPE.*

Given the importance of the above matters, we feel that some attention must have been given to them by this stage, despite the key players' reluctance to discuss them. We would be grateful if you are able to shed any light on these matters.

We also feel it would be useful for you to have a breakdown of the various groups/resources which are involved in discussing the project and providing guidance / comment on it:

- **HR Working Group:** a strategic level group comprising an HR representative from each region, CFOA, national employers' org, LG Employers, and national team, and chaired by the LG Employers. This group looks at guidance which needs to be provided to the regions and FRAs, and reaches a consensus on that guidance as best practice on which the employers can make their decisions.
- **HR Implementation Group:** a new, tactical level group which looks like it will involve a core of HR practitioners from each region, plus other people as necessary, to support each other in identifying and doing the work necessary to carry through the transfer. The membership of this group is likely to fluctuate, with one region having a greater initial stake in it than those who are later in the roll-out order.
- **Senior Operations Group:** comprising Regional Project Directors from all regions, CFOA. They review all aspects of the project from an operational viewpoint.
- **Finance Working Group:** comprising finance representatives from all regions and the LG Employers. Review the project from a financial perspective.
- **Legal Working Group:** comprising legal representatives from all regions and the LG employers. Review the project from a legal perspective.
- **Control Project Sounding Board:** comprising other stakeholder groups including representative bodies. Review the project from their perspectives.
- Each region has its own project team structure and communications process, including subject specific groups.
- The national team is releasing funding to regions to employ an interim HR resource whose main focus will be to provide HR support directly to the LACCs until they have decided how they are going to resource the HR function within the RCC: each region is receiving the equivalent of 6 months full time funding for a senior HR professional, which will be given at a different point depending on the region's place in the roll-out order. How they spend this funding is up to the region to determine, ie it could be used to fund half time for a year, or whatever permutation they choose. The first wave's funding is due to be released for October this year, providing the LACCs have been established by then.

Whilst we welcome the People & Organisation Design Workstream of the FiReControl Project frank answers to our questions we are concerned that all this information is not being conveyed to the staff who will be affected by this major change, and we will endeavour to keep you as informed, as and when we receive information.

In the interim we have devised a questionnaire which has been placed on a new page on our website entitled Regional Control Centres. However, for our Control Members, this is one of the most important issues that has arisen this century, and if we are to thoroughly address all the issues that will arise we need our members to get more involved. So, if you wish to become part of the shaping of your own, and other member's conditions, both nationally and locally, please contact us via the email address given on the front page of our website.

If you have the time please visit the site <http://www.fireofficers.org.uk> and complete the questionnaire. Instructions on how to do this are detailed on the web page.