

FIRE FIGHTER

AUGUST/SEPTEMBER 2005

NEW
DIMENSION
IS HERE



An attack on us all

I AM writing this at the weekend following the London bombings. I know that all FBU members and their families will have shared a sense of shock and horror as the scene unfolded during that Thursday and in the days following.

The thoughts of all who work in the fire service will be with the families and friends of those who were killed or injured. I know also that our members will utterly condemn such an act of horrific and indiscriminate violence. The victims of this attack were ordinary people going about their daily lives and this fact simply adds to the anger that we all feel.

We will all want to pay tribute to



ANDREW BARRETT

the race or religion of those offering assistance.

We must remember that, and ensure that these bombings are not allowed to create further divisions in society. The victims of these attacks were of all races and many faiths and none. London is the most multi racial and multi cultural city in Europe, so any attack on London's civilians will inevitably hurt many communities not only in the UK, but across the world.

There will be those, particularly on the far right, who will attempt to use this horror as an excuse for attacking Muslims and Muslim communities. Indeed the media has already reported an attack on a mosque. I know the whole trade union movement will unite to oppose the racists and fascists behind such attacks.

As always there have been individual stories of particular heroism and compassion.

Tribute must be paid to the workers who put their training into practice. Transport workers on the tube and on buses did what they could in appalling circumstances – undoubtedly ensuring that lives were saved and suffering reduced. Emergency service workers performed as we would expect them to – with professionalism, dedication and compassion. Ambulance staff and hospital workers put their training and procedures into practice to magnificent effect.

At the heart of the emergency operation were our own members in the London Fire Brigade. I am sure that all FBU members were proud of the role that firefighters

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the people who immediately did what they could to assist. In many cases commuters – themselves caught up in the horror – did what they could to assist at the scene.

Those who were helping did not inquire as to the race or religion of those to whom they were offering the hand of humanity. And those being helped did not inquire as to

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One of the lessons to be learned from the 7/7 bombs in London is that cutting the number of firefighters will do nothing to protect people from terrorism

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The public will not benefit from the new fire safety legislation, RRO, without effective auditing of fire authorities' enforcement activities

played throughout that Thursday and during the following days. In a sense we should not expect any acknowledgement – the fire service did what it is trained to do.

But as always happens firefighters will have given far more than merely what is required by training. Ours is a humanitarian profession and the firefighters involved gave every effort, often in extremely difficult conditions, to save lives and assist survivors.

Tribute must be paid to the workers who did what they could in appalling circumstances – undoubtedly ensuring that lives were saved – with professionalism, dedication and compassion

Yet my pride at the professionalism and compassion of our members – and of the other workers involved – is also tinged with some anger. I am angry that our service remains under attack. In London itself, the fire authority has agreed cuts in central London stations. Indeed one fire station has closed and the authority proposes further job cuts later this year. There is a similar picture throughout the service.

Our officials in London have called for an urgent review of the cuts proposals in the light of the bombings and that call should be endorsed by us all. Politicians need

to accept some responsibility for their actions. The simple truth is that cutting fire engines and firefighters anywhere – never mind the centre of major cities which are obvious targets – will do nothing to protect people from terrorism. It will merely put our members under additional pressure. Yes, we will hear comments about how well the service worked. The truth is that we always make it work. In an emergency situation we

do what we can to protect the public. But the fact remains that all too often corners are cut and resources are stretched.

It's time it stopped. It's time politicians ensured that sufficient resources are invested into fire and rescue services so we can ensure the best possible professional response to all the work which we do.

It's time to stop cutting and to start listening to the professionals who deliver the service on the ground. I will adapt a phrase to send a message to politicians from our members throughout the UK, "Give us the tools (and the training) and we will do the job."

Ballot for industrial action in Suffolk as fire authority axes 12 wholetime posts

SUFFOLK members are to hold an industrial action ballot over plans to cut 12 frontline emergency response firefighter posts. If the move goes ahead specialist rescue equipment – an aerial ladder – will not be available at all times.

Although some non-emergency posts will remain, there will still be fewer firefighters to carry out community safety work. The Union will send out ballot papers on 4 July to all its Suffolk members. A result is expected on 25 July. The earliest date for industrial action is 1 August.

Suffolk FBU Brigade Chair Vince Jell said:

“We are already understaffed and only have around 45 frontline emergency response firefighters on duty at any one time to cover a population of 675,000. We are also 67 retained firefighters short.



Vince Jell: spending on community fire safety has gone into reverse

Community fire safety and emergency response will suffer.

“In future the specialist rescue equipment – a turntable ladder – will not be available at all times. Community safety work will also

suffer because these 12 firefighters had a dual role.

“Suffolk has one of the largest areas at risk from fires in England but we spend less on the fire service than all other fire authorities. This is a significant cut for a small fire service which is already run on a shoestring.

According to the Chartered Institute of Public Finance and Accountancy Annual Fire Statistics of the 22 Combined Fire Authorities and county fire brigades in England with populations of less than 900,000, Suffolk is BOTTOM of the table in terms of fire service spending per head of population.

Added Vince Jell: “It is quite clear that spending on community fire safety has gone into reverse. The county council would have to triple the amount it spent last year to match what it was spending

in 2002.

“Having cut that spending they are now planning to cut 12 emergency response fire fighter posts. Community safety work would be cut again, because these 12 firefighters have a dual role.

“It will make our work less safe and the people of Suffolk less safe. We do not want to take industrial action; we do want the new councillors to think again.”

The officials and activists in Suffolk and the rest of Region 9 are now focusing efforts on securing and getting a large YES vote in the ballot.

■ Messages/resolutions of support for Suffolk members can be emailed to Suffolk brigade chair, Vince Jell (vinceatthejells@hotmail.com). They will be forwarded to Suffolk FBU branches.

West Mids members accept new shift system

FBU Members in West Midlands have backed a new shift system with a majority of 3 to 1. The new shift pattern was recommended by the Technical Advisory Panel (TAP) after long drawn out negotiations on June 14 and 15. The issue was referred to TAP after the FBU and West Midlands Fire and Rescue Authority failed to agree, principally over the base system with the employers wanting 12 x 12 and the Union 9 and 15.

TAP chair Roy Lewis recommended changes to the employers proposed based system that saw different start and finish times as well as break and rest periods but left early and late shifts. The latter proposals are not family friendly, argued the Union team, which was led by national officer John McGhee. But Roy Lewis said that since they were enshrined in the authority's local Integrated Risk Management Plan (IRMP) they

could not be challenged.

Lewis had made it clear from the outset that he would make his recommendation based only on the four points set out in the Grey Book: the basic working week to average 42 hours; two periods of 24 hours free from duty; it should comply with UK and European law including Working Time Regulations and Health, Safety & Welfare at Work Regulations; and have regard to special circumstances of individual employees and be family friendly.

The proposed changes to the shift system were put forward under the authority's IRMP, which involved the axing of 13 pumps. “It was passed despite a major campaign involving community groups, the local MP and a petition that led to an adjournment debate in parliament, a meeting with West Midlands Labour MPs and numerous MPs visiting local fire



Peter Gallagher

stations,” says Pete Gallagher, FBU West Midlands. “It was given the green light by the executive of the fire authority against the

wishes of two councils who were mandated to vote against it. The Union is currently taking advice about mounting a legal challenge to the decision of the executive and the IRMP itself.”

Parliamentary Group presses Government on IRMPs

THE FBU's new parliamentary group is pressing for a meeting with Jim Fitzpatrick at the Office of the Deputy Prime Minister on the issue of the cuts agenda being pursued under the new integrated risk management planning process.

The move follows a promise by former fire minister Nick Raynsford prior to the General Election to meet with the Group to discuss concerns it expressed on behalf of the FBU.

In a letter to John Prescott dated March 7 2005, MPs from the group wrote that: "There are anxieties over what appears to be a lack of application of the advice issued to fire & rescue authorities and chief fire officers on the development and implementation of local Integrated Risk Management Plans (IRMPs). As you will appreciate it is critical that the process at local level is seen to be driven by risk-based decisions rather than an emphasis upon financial savings."

The MPs said they had

"been informed that a number of important fire service stakeholders have expressed concerns about cuts under the IRMP process and the uneven fire cover provided by 58 different IRMPs across the country. Insurers are warning they may stop covering certain buildings in the future and business representatives have also questioned the emphasis on IRMPs producing cost savings when the priority should be ensuring they work first."

The group called on the Government to "consider the production of risk-based guidance and standards for fire & rescue service emergency response planning. This information would be greatly assist fire & rescue authorities in ensuring that risk-based emergency response planning is an integral part of the IRMP process, and takes place to a recognised standard."

In a reply dated 24 March, Nick Raysnford repeated the Government's contradictory position. He stated that "an



DAVID MANSFIELD/REPORTERDIGITAL.CO.UK

John McDonnell MP, secretary to parliamentary group

IRMP must set out an authority's assessment of local risk to life and in line with that analysis, how it is going to deploy its resources to tackle these risks and improve the safety of all sections of society." And then went on to say that "it is right that many of the proposals contained in IRMPs are aimed at increasing efficiency," repeating his answer to a parliamentary question in 22 February 2005 that "fire and rescue authorities are making good progress in

realising savings through IRMP."

However, while repeating that the role of the ODPM, post National Standards of Fire Cover, was not to "agree the operational proposals in an authority's plan," he did implicitly suggest the Government may not be able to stand back while life-threatening cuts are made to fire cover in local communities.

He said he would be "happy" to meet the group "later in the year when we will be in a better position to assess what further guidance may need to be issued in respect to the IRMP process."

The FBU parliamentary group is now calling on the Government to honour that commitment.

■ Since being established earlier this year, the group has been briefing MPs, writing to ministers and tabling parliamentary questions and early day motions (EDMs) on a number of issues, from Regional Fire Controls, New Dimension and Attacks on Firefighters to fire safety.

MP tables bill on protecting emergency workers

A PRIVATE Members' Bill tabled in Westminster in June would make it a specific offence to assault, obstruct or hinder emergency workers such as firefighters.

The Union is backing the Private Members Bill tabled by Labour MP Alan Williams, which seeks to extend the protection for emergency workers which has recently come into force in Scotland. The Bill seeks to make it a specific offence to assault, obstruct or hinder emergency workers such as firefighters.

The FBU recently published research showing that attacks on UK fire crews are running at 40 a week with the problem getting

worse. The research found that under-reporting suggested the figure could be as high as 120 attacks a week.

FBU general secretary Matt Wrack said: "The number and ferocity of the attacks seems to be getting worse. It can never be part of anyone's job to get a brick or bottle in the head.

"Many attacks are in deprived areas with poor youth facilities and poor housing, where bored young people turn to drugs and alcohol. But in some areas there seems to be a culture of recreational violence where fire crews are the targets.

"If we can't carry out our job

because of violent assaults then it is our communities which are being put at risk. Fire crews will welcome this Bill which should complement a package of measures to tackle the underlying problem and we hope it gets widespread support."

The full research report has been sent to FBU branches across the UK as well as to fire authorities, MPs, representatives of the devolved parliaments, other fire service stakeholders and a range of interested parties.



Pay formula delivers 3.4% rise

THE national pay rise under the new professional pay formula has been set at 3.4 per cent with some members gaining a larger increase. The 3.4 per cent increase, kicking in from July 1 this year, applies to all FBU members except crew managers, watch managers, group managers and area managers who will see rises of between 4.07 per cent and 4.71 per cent.

The protected long service increments remain as they were and are as follows: Firefighting roles: £990; Control Specific Roles: £942; Non-operational staff: £792.00.

The new pay formula was hammered out as part of the June 2003 pay and conditions agreement and is linked to the AP&T group of professional workers. Recognition of the professional nature of what FBU members do on behalf of the public was central to the national

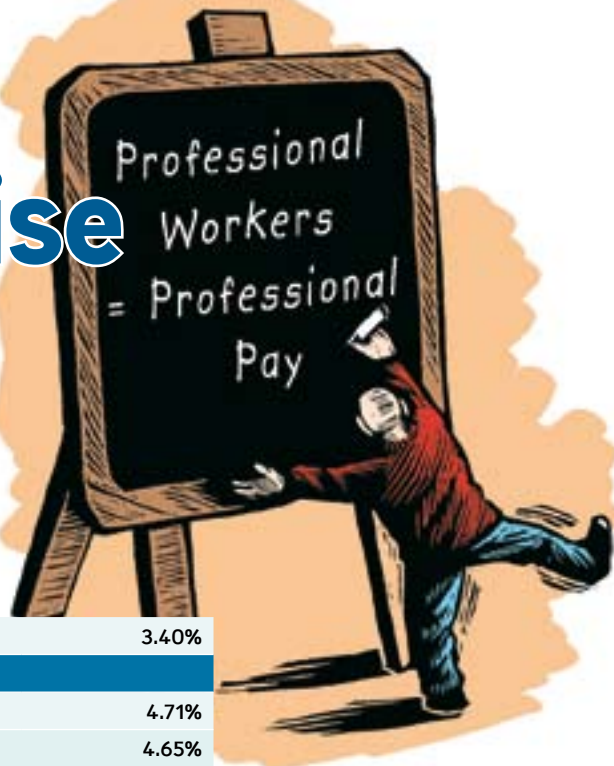
pay campaign launched in 2001 and a new pay formula replacing the old one linked to manual workers wages was one of the four key demands.

Full details of the new pay rates are available on the FBU website, www.fbu.org.uk.

Table:

All members	3.40%
except:	
Crew Manager (Development)	4.71%
Crew Manager (Competent)	4.65%
Watch Manager (Development)	4.18%
Watch Manager (Competent 'A')	4.16%
Group Manager (Development)	4.21%
Group Manager (Competent 'A')	4.19%
Area Manager (Development)	4.09%
Area Manager (Competent 'A')	4.07%

NOTE: These increases in differentials were to be phased in over a 3-year period, and this will conclude with further increases in July 2006. These differentials have also been increased for the respective Control Specific Roles.



■ An arbitration meeting took place in June 21 on pay protection for the substantive move to rank to role.

Professor Linda Dickens, the ACAS-appointed arbitrator, was due to make the award as *Firefighter* went to press. The award will be binding on both the employers and the Union.

£28,000 pay out for injured Swansea FBU member

MALCOLM Jones, a 53 year old retired firefighter from Ystradgynlais, has won £28,000 compensation at Swansea County Court following a "holiday from hell" in Spain.

Mr Jones, who took his case for compensation to court with the support of the FBU, had booked a package holiday to the Hotel Negresco Princess, in Costa Dorada with the high street travel agents Thomsons.

When Mr Jones and his family arrived at the hotel, they were shown to a cramped room with two single beds and a folding camp bed wedged between them.

Despite Mr Jones's complaints to the hotel about the camp bed which was clearly no good for a 5' 8" strapping firefighter, they refused to move the family to another room or provide an alternative bed.

To get in and out of the bed, Mr Jones had to sit on the bed and shuffle up and down the length of it. As he was attempting to get off the bed, it collapsed beneath him causing him to crash down through the broken slats onto the floor below. He suffered a serious back injury, ruining the holiday and keeping him out of the fire service for many months.

The holiday company fought the case all the way to trial at Swansea County Court arguing that they weren't liable for Mr Jones's painful injuries. The Judge rejected their defence and in his judgment said that they had failed to exercise "reasonable skill and care" in the supply of the bed. The Judge also accepted Mr Jones' description of how painful the injury had been and awarded him damages of £28,000.

Mr Jones said of his victory: "I just couldn't understand why the hotel didn't listen when I complained. I was so angry when I was injured. The accident was



Malcolm Jones

completely avoidable and I ended up injured and in severe pain as a result. I'm very lucky that I had my union's backing because they provided legal cover for me and my family through their specialist personal injury solicitors, Thomsons. I couldn't have taken this case on without them.



London United

The FBU stall at London United free music festival held on 16 July in remembrance of all of those who died in the bomb attacks and to show London's

defiance of those who try to change the character of the city through terror. Read article on page 16 on the lessons of 7/7.

Union wins compensation for member from GMC fire brigade

A FIREFIGHTER who injured his back when he slipped on an oily and slippery floor of an appliance room has received £3,000 in compensation.

David Turner was injured at Atherton fire station in Greater Manchester in November 2003. He suffered soft tissue injuries to his lower back and was off work for 10 weeks, though he continued to feel the symptoms of his injury for 14 months.

Greater Manchester Fire Brigade at first failed to respond to the damages claim issued by

FBU lawyers Thompsons. Only when court proceedings were issued did the Brigade respond, but they denied liability in spite of the clear evidence obtained from FBU members.

Ken Wheeler, GMC FBU health and safety co-ordinator, confirmed that there had been previous problems with a slippery floor in that area and that there were broken drip trays. Yet still the Brigade refused to admit liability and continued to fight the claim until just two months before the trial.

Philip Liptrot, David Turner's lawyer at Thompsons said: "It is a disgrace when any employer fights a claim when they are obviously negligent. It is particularly so when it is a Fire Brigade which, as a public sector employer, should be striving to be a beacon of good health and safety practice, not trying to deny its responsibilities."

David Turner added: "I'm very grateful to the FBU, to the region 5 officers and to Thompsons for supporting me in what has been a much longer fight for damages for my injury than it should have been."

Asbestos Register

CLOSE on 90 FBU members have joined the FBU asbestos register since it was launched in April this year. Members can fill in the form on-line on the FBU website (www.fbu.org.uk) and send it electronically direct to our solicitors Thompsons, or print out a form from the website and send it by post. They can also obtain a form by ringing the FBU legal helpline – 0808 100 6061.



STEFANO CAGNONI/REPORTDIGITAL.CO.UK

UNION MEMBERS

As Firefighter went to press, the FBU and trade unions across the UK were pressing the Government on public sector pension reform – and preparing for a fight if promises of genuine negotiations are broken.

SINCE the General Election in May, little has said and even less done about public sector pensions reform. Whether that's good or bad news remains to be seen. Certainly, the announcement in March by the then pensions minister Alan Johnson that the Government would seek genuine negotiations with unions was welcomed by the entire movement. However, his accompanying comment that the Government was "wedded" to its proposals made it fairly clear that such negotiations would likely be tough. Now five million public sector workers, many of whom were set to take strike action in March before the outgoing Government stepped back from imposing the reforms, await to see if this new Government will honour the offer of genuine negotiations.

Earlier indications are not entirely positive. Labour's third term Government has accused of dragging its feet on pre-election promises to withdraw a parliamentary order imposing changes in retirement arrangements for members of the Local Government Pension Scheme (LGPS), which include some 800,000 local authority



JESS HURD/REPORTDIGITAL.CO.UK

Dave Prentis: we will take strike action across all our sectors to defend our pensions

workers and emergency fire control staff. At its annual conference in June, Dave Prentis, general secretary of Unison, told members a strike ballot would be held if the threat was not lifted. "We will take strike action across all our sectors to defend our pensions. We will fight proposals to increase the retirement age and cut benefits. We want you back in your branches organising for the fight of your life," he told Unison annual conference. "The message from this conference is, keep your hands off our pensions."

Furthermore, following the first talks with employers and the Office of the Deputy Prime Minister over the LGPS since the General Election, the TGWU argued that employers were digging in and refusing to honour the pre-election pledge. "We want to see our people treated fairly on pensions," said Jack Dromey, T&G deputy general secretary who has been leading the national campaign for the tens of thousands of T&G members in local government. "That means honouring the agreement made ahead of the General Election for negotiations with the employers and the government. We stand by our commitment to that process. It is the employers who are trying to wriggle free."

In the civil service, remarks by some top senior civil servants (see top right) suggest the road to achieving pensions justice will be bumpy too. Among civil service unions, there is agreement that there should be no compulsion on raising the retirement age and no compulsion on basing them on career average salaries.



JESS HURD/REPORTERDIGITAL.CO.UK

Mark Serwotka: our members won't take detrimental changes to their pensions lying down

Says Mark Serwotka, General Secretary of the PCS: "This year the public sector unions have shown what solidarity can achieve when we stood together to give the government a clear message over pensions. That message was that the government have to listen; that our members won't take detrimental changes to their pensions lying down. We demonstrated this with the joint threat of industrial action; a threat that saw the government do a u-turn on their non-negotiable stance on the raising of the pension age. We now look forward to a positive outcome to these negotiations. PCS strongly believe in a flexible decade of retirement, so that each individual will have the freedom to choose when they retire."

Adds Jonathan Baume, general secretary of the First Division Association: "The overwhelming response of civil servants against the Government's plans to reduce their pension provision demonstrates that 'a fresh start' - as promised by Alan Johnson in March - rather than a reversion to the proposals set out in Building a Sustainable Future is the only way forward. If a fresh start is to mean anything, now is the time for some 'blue sky' thinking and constructive debate to begin to address the real issues surrounding future pension provision in the public sector."

Teaching unions are also working together on protecting their members' pensions. Said NUT General Secretary Steve Sinnot, in response to the March promise of genuine negotiations. "The NUT prefers to work through negotiation to rid teachers of this damaging scheme which has caused such anxiety amongst public sector workers, including teachers, over their pensions. This offer

of talks on all the issues must not be just a ploy to avert industrial action in the run up to a general election. My aim is to ensure teachers' pension rights are protected and that is what I will be arguing for in the negotiations."

UNITE



Jack Dromey: it is the employers who are trying to wriggle free of their commitments

FBU EMERGENCY RESOLUTION 2: PENSIONS

CONFERENCE notes that the proposals have been put forward as part of a wide-ranging attack against public sector pensions and come against a backdrop of a crisis in company schemes as well as a failure by successive UK governments to tackle the poverty-level state pension. Changes to the FPS, as with other public sector schemes, have been on the cards since the early 1980s on the back of tightening public spending and tax cuts.

Conference congratulates the TUC for its efforts at co-ordinating the campaign by public sector unions, which included the lobbies of MPs in November 2004 and February 2005, and a TUC-co-ordinated day of action on 18 February 2005, and congratulates FBU members and officials for participating.

Conference notes that the campaign has helped bring about the Government's current position of committing to serious negotiations with unions over its proposals, rather than its original haphazard and unprofessional attempt at seeking to impose them.

Conference reaffirms its commitment to protect and improve FBU members' pensions and calls on the Union to continue its vigorous campaign.



PA/EMPHICS

ALRIGHT FOR SOME CABINET SECRETARY RETIRING AT 60 (ON £100K+) URGES RETIREMENT AGE OF 65

THE civil service has to adjust to the fact that the pension age is going to rise from 60 to 65, Sir Andrew Turnbull, outgoing cabinet secretary, said yesterday. Sir Andrew, who will retire in July aged 60 on a pension worth, at the least, just under half his £220,000-a-year salary, said one of his biggest regrets was that "we still haven't got over the argument that moving the pension age up to 65 is just life. We just have to face up to it".

FINANCIAL TIMES, June 2005

The FBU, for its part, met with the ODPM in late June to press the new Government on its intentions. Meanwhile, the Union has been encouraging debate among members, in their branches, on the implications of the planned reforms and the most effective strategy to protect the pensions of FBU members going forward (see page 11).

In welcoming the proposed admission of retained firefighters to the FPS, Conference also seeks a further change that would allow firefighters (control) to join the FPS.

In addition, Conference welcomes the proposal to provide survivors' benefits to unmarried partners in the future but also seeks for this to be extended to current members' unmarried partners.

Whilst Conference accepts there may be difficulties in organising common action because the timetable for talks will be different for each group of public sector workers, Conference recognises the need to continue to work with other unions through the TUC and to assist in co-ordinating a united campaign and action against the proposals.

Conference agrees that the Executive Council engages in serious discussions and negotiations with the Government to protect and improve FBU members' pensions. Members will be kept fully informed of those negotiations and if there are detrimental changes proposed at the outcome of negotiations Conference will be recalled.

EXECUTIVE COUNCIL

THE BIGGER PICTURE

PEOPLE'S PENSIONS COALITION

FOUR organisations, including the TUC, formed on June 20 a People's Pensions Coalition to speak on behalf of millions of UK citizens and to call for a new pensions settlement that will deliver a fair deal for pensioners of the future.

Which?, Help the Aged, Age Concern and the TUC say that Britain is stoking up a pensions crisis, with governments of all parties and employers retreating from providing a decent income in retirement. Meanwhile most people cannot afford to save for a pension and even those that can aren't saving enough.

The People's Pensions Coalition says that:

- The UK needs a radical new pensions settlement not based on support from those with a vested interest in the pensions system but on popular support from tomorrow's pensioners.
- Everyone in retirement should be able to count on pension provision from the state that lifts pensioners above the poverty line.

- The current voluntary system is failing, with employers who do provide decent pensions being undercut by those that don't. Employers and employees should contribute to a pension that will provide an additional pension on top of that provided by the state.

- The four organisations oppose retirement ages set by the state or employers. Employees should have more choice about when and how they retire.

- The UK must move towards a pensions system that is much fairer for women and based on the idea of everyone building up their own independent pensions entitlement.

TUC General Secretary Brendan Barber said: 'This is an unprecedented alliance for a radical new pensions settlement. Many in the pensions debate are vested interests. Their lobbying is entirely legitimate, but this powerful coalition speaks for millions. Ministers and the Turner Commission should take careful note.'

THE BIGGER PICTURE

COMPANY SCHEMES
AND THE STATE PENSION

WHAT THE TUC SAYS

AN independent pensions commission with the power to set "compulsory contribution levels" for employers and workers should be established to overcome the pensions crisis, Brendan Barber, general secretary of the Trades Union Congress, proposed yesterday. The new body would also have the power to recommend tax levels required to meet the government's aim to finance acceptable pension benefits for the worst off.

Compulsory pensions levies have been strongly opposed by business organisation, with the British Chambers of Commerce warning this week that one in five of its members "would lay off staff if they were forced to pay into pensions for their employees". Mr Barber was speaking ahead of a government-commissioned report into pensions reform, led by Adair Turner, due to be published this autumn.

The TUC said an independent pensions commission would operate on the same grounds as the Low Pay Commission, which sets minimum wages for employees. Mr Barber said the commission had generally been recognised as a success by employers' organisations, most of which had been against its formation.

John Cridland, deputy director-general of the CBI employers' body, however, said: "We are in the heat of a vital debate to tackle the pensions crisis. Until that is resolved, talk of a pensions body is premature."

FINANCIAL TIMES, June 18 2005

Raising the retirement age may be unnecessary and could penalise the poor, a report said today. Maintaining the state pension age at 65 is easily affordable if the government meets its target of getting 80% of those of working age in paid jobs, the TUC said in its report.

And if the retirement age is increased it will be the poor who will be forced to work longer as those with private or occupational pension provision will be more likely to be in a position to retire early.

There is an alternative to a work-till-you-drop rise in the pension age, the report said, and that is to help those below the pension age get a job and make a full economic contribution so there are more people in work under 65 paying taxes and creating wealth.

"It's perhaps not obvious, but the best way of paying for better pensions is to get the economy working even better. And best of all, we do not need to do this overnight, we have a generation in which to get it right."

It said policies were also needed to help sick and disabled people into paid employment; to help carers combine caring responsibilities with paid employment – such as new flexible working rights; and to help those over 50 get back into work.

THE GUARDIAN, July 1 2005.



PAUL MATTISON/REPORTERDIGITAL.CO.UK

WHAT MR BLUNKETT SAYS

GUIDELINES to help employers enrol workers automatically into their company pensions schemes were published by the government yesterday.

Ministers have been impressed by evidence that staff who join automatically are far more likely to stay and save than those who are merely invited.

David Blunkett, work and pensions secretary, published guidelines making clear that so long as basic rules were followed and individuals were given the chance to opt out, companies could enrol them automatically into group personal pensions and group stakeholder schemes.

The guidance is backed by the Treasury, Revenue & Customs, Financial Services Authority, the City regulator and a range of employer, union and pension interests.

Mr Blunkett announced the move in a speech to the Fabian Society in which he appeared to pour cold water on the case being made by a growing number of organisations for a more generous basic state pension.

It would benefit the better off, he said, while people on the savings element of the pension credit could lose out heavily.

He acknowledged that a universal, citizen's-type pension "has enormous superficial attractions". It would reduce means-testing, be simple and provide a platform on which to save. But aside from the "enormity of the cost", such a move could "perversely ensure that the people who get most benefit out of it are the not the ones you intended to help in the first place".

The minister also said the government would produce a report on women and pensions ahead of Adair Turner's Pensions Commission report in November. Ministers, he added, would host a conference on the issue to give the inequalities that women face in the pension system "the individual focus that it deserves".

FINANCIAL TIMES, Jul 13, 2005

EUROPE'S PENSION CRISIS

THE UK is not alone in suffering a pensions "crisis". Slower growth, high unemployment and an aging population have combined to create serious problems with Continental Europe's state-funded pension system. Most European countries are reliant on 'pay-as-you-go' systems where the working population fund benefits for the retired via social security contributions. Governments have responded by seeking to raise the retirement age and cut back retirement benefits. Faced with the unhappy prospect of paying more, working longer and receiving less when they retire, workers across the Continent have taken to the streets to stage some of the biggest protests seen in decades.

Governments, many now including parties of the far right, are avoiding one solution – encouraging more immigration. This would provide a wider base of working people to support today's pensioners. So would a boost to family-friendly policies such as tax breaks and improved child-care facilities, since this would help get more women into work, unions on the Continent argue.

Unions across the channel are also arguing for EU governments to pursue policies that promote higher economic growth. Even if the EU's modest employment and growth targets were met, the European Commission estimates that this would reduce the anticipated extra spending on pensions by around a third. But growth remains sluggish in part thanks to tight and inflexible budgetary policies under the Euro currency's Growth and Stability Pact and a one-size-fits-none monetary policy set by the European Central Bank in Frankfurt. Unions also say taxes on businesses for activities that are not directed at creating jobs should also be raised to help finance pensions. Furthermore, they question the apocalyptic forecasts of a massive pensions black hole, saying that, for example, they fail to factor in productivity leaps that in the past have helped finance decent pensions and strong welfare states in Europe.

Faced with the unhappy prospect of paying more, working longer and receiving less when they retire, workers across the Continent have taken to the streets to stage some of the biggest protests seen in decades

WHAT THE FBU SAYS

THE Union has moved to kick start its pensions campaign after the General Election lull and is calling on Government to make clear its intentions after its promises of genuine negotiations in March.

Says Paul Woolstenholmes, national officer responsible for pensions: "The Union is reinvigorating the pensions campaign after the General Election. We are pressing the Government as to what their intentions are now and we will keep members informed of the campaign and the issues as we go forward."

Adds Matt Wrack, FBU general secretary: "We are the fourth wealthiest country in the world and part of that success story is high quality public services. The idea that a Government that wastes millions on private sector consultants and PFI cannot afford decent pensions for essential public sector workers is just nonsense.

"We will continue to fight for pensions justice for all our members and we will continue to work with other trade unions whose members are also affected by proposed public sector pension reforms."



PICTURES: ROD LEON



Regionalisation: Costs Leap

The future of emergency fire controls in England and Scotland was still in the balance as Firefighter went to press amid the ODPM's inadvertent admission that the costs of the controversial plans for emergency fire control rooms have leapt by nearly 32%.

THE future of emergency fire controls in England and Scotland was still in the balance as the Firefighter went to press. The union intensified political pressure while ODPM had confidentially pencilled in 19 July for a statement in Parliament, which was subsequently cancelled.

Making such a commitment would require them to sign up to the control project before the new Firelink national radio system – critical to the proposed regional controls – had been agreed. Firelink is said to have considerable technical, communications and costs issues, some of which may never be resolved and an announcement is delayed to November 2005.

There are strong indications that the original plan for 8 regional controls in England plus London may be varied. London has reportedly been excluded from the need to build a new control despite their current control being sited close to Canary Wharf, an obvious terrorist target.

That proximity would normally ensure it failed the new "resilience" tests for the new controls. It is one reason it was originally included in the full plans.

The Scottish proposals to reduce from 8 to either 1, 2, or 3 may also be varied although those proposals already leave more options than those for England. Wales maintains it will not join the project.

Union members lobbied MPs at the House of Commons on 6 July in protest at the plans. MPs from all political parties attended the lobby meeting itself.

General secretary Matt Wrack told MPs the fire service is one of the critical 999 services and relied on its control centres. "Any change must face an open, independent and transparent process of assessment to test whether the proposals are cost effective, feasible or desirable."

He warned that Firelink, which is critical to the plans for regional controls, has also run into very serious technical and communications issues which are still unresolved.

"The FBU has asked for an independent assessment of the control project, rather than a small group within the ODPM proposing it, planning it and judging its merits. We do, however, also believe there is enough evidence to ditch this project now.

"Despite claims that this is not a technology project, it is one of the largest and most technically difficult new technology and change projects ever attempted by Government. There is a very poor track record of delivering projects of this size and complexity which work, are on time and on budget.

"MPs have been warned that there are 70 Whitehall technology projects which are causing the same serious concerns. If this project follows this established pattern



LOBBY OF PARLIAMENT

AS part of the ongoing campaign against the regionalisation of controls, a lobby of MPs by FBU members and officials took place on the 6th July 2005. A pre-lobby meeting was held at Westminster in Committee Room 5, commencing at 13.00hrs. Members and officials from a number of regions in the UK attended and met their MPs to press home their demands to end this expensive, risky and potentially life-threatening project. The General Secretary addressed the pre-lobby meeting and MPs attended this meeting. More than 190 MPs who signed Early Day Motion 229, EDM 229: Risks Associated with Regional Emergency Fire Control, which calls for a full independent assessment of the final business case before this project proceeds, and an amendment calling for the project to be scrapped. A number of written parliamentary questions have subsequently been submitted to ministers on the issue of regional fire controls.

to £988m

then the consequences in a service which carries out many thousands of rescues every year – and relies on rapid real time information from controls to do so – would be catastrophic and very public.”

Andrew Dismore MP (Labour), who chairs the FBU Parliamentary group, said the concerns had been put directly to ministers the previous evening.

John McDonnell MP (Labour) secretary of the group, said the call for an independent review before change of this nature is forced on the fire service was “entirely reasonable, understandable and could probably be carried out fairly quickly”.

190 cross-party MPs have now signed Early Day Motion number 229 or its amendment calling for a proper



major technology and change projects. It went on to warn there was a “high risk” spiraling costs could lead to cuts in frontline fire services and push up council tax.

Says Geoff Ellis, national officer responsible for the Union’s campaign against regional controls, “the union had to supply MPs with the actual copies of the pages containing these comments because the ODPM bizarrely continue to deny the business case contains the warning. It is only one of a string of denials issued by the ODPM in which they have accused the union of misleading statements.”

The union released ODPM figures given to Gloucestershire FBU Secretary John Drake under the Freedom of Information Act. These showed that consultancy fees for the project had hit £11.5 million and were forecast to hit £31.3 million the ODPM put out a blunt denial.

Attacking the union’s statement, they confirmed that the bills had in fact already hit over £13 million and denied that they had reached £31.3 million (the union had accurately said that figure was a forecast which the ODPM confirmed as part of its denial).

Their denial also let slip that the estimate for the total cost of the project had moved from £754 million to £988 million, the highest figure ever mentioned by the Department. Again accusing the union of distorting figures, the ODPM came out with a comment which is worthy of going down in history: the two figures – £754m and £988m “were different ways of expressing the same costs”.

“The £988m which we quoted last week is the total forecast cost in cash terms of providing control services, including the full project costs, over its 14-year life span.” We’re glad Firefighter could clear up that confusion.

But it still isn’t the true cost of the project as the ODPM is fully aware. It excludes the huge costs of providing “resilience”, depreciation costs, writing off the costs of some newly upgraded controls and a whole host of others that are simply placed onto other budgets or ignored altogether.

ODPM: £754m and £988m are different ways of expressing the same costs

review of the plans or for it to be scrapped. Out of 554 EDMs only three have more signatures.

In January of this year the FBU leaked the Office of the Deputy Prime Minister’s confidential outline business case which revealed the project would cost £754 million. It is the first and only time such a document has been made public.

The business case stunningly revealed the project would cost £754 million and had a “high risk” of “total project failure” because of the Government’s poor track record on

Prevention is best

THE Union is issuing new guidance to officials to deal with the widespread problem of stress among employees of the UK fire and rescue service. Research carried out on behalf of the Union shows that stress is a significant issue for firefighters and officer members alike – and the continual process of change promoted across the the public service hasn't helped.

An independent survey into 'Stress in Officers in the UK Fire Service' undertaken during 2003-4 by the Robens Centre and due to be published by the FBU this autumn showed that close to 70% had suffered from stress during their careers with excessive workloads and lack of support from senior staff being the key reasons. Earlier research conducted in 2001 for the FBU also showed stress to affect many firefighters too.

The problem of stress is widespread in the public services. In a survey of local government workers conducted this year by Unison, the UK's largest union, 31% described their work as either highly stressful or stressful a lot of the time, with an additional 5% saying that stress had made them ill. Nearly one in four health workers say they suffer from stress, and 25% of nurses say they have seriously considered giving up nursing because the job

is too stressful.

Stress is no stranger to the private sector either. Indeed, four out of 10 Britons are spending sleepless nights worrying about their work or home life, according to another survey. The PruHealth Index found that increased pressure in the workplace and the home are causing growing numbers of adults to suffer anxiety and have problems sleeping. For 12 per cent of Britons – equivalent to 5.6 million people – sleepless and stress-filled nights were a regular occurrence. Frequent worrying was twice as common in women as men – 16 per cent compared to 8 per cent.

Says Paul Woolstenholmes, FBU national officer responsible for health and safety: "The fact is too many workers – FBU members included – are having their health put at risk because employers have not woken up to the terrible damage that stress causes."

"But as long as the legal system is geared against workers and in favour of employers, the only way the tackle the issue is through prevention. The Union is issuing new guidance to aid our officials to ensure fire and rescue authorities conduct proper risk assessments in line with the law. This is the best way we can protect our members today."

CAUSES OF STRESS

THERE are many possible demands placed on a worker that could cause stress at work:

Physical demands:

- Physicaleffort (explosive physically and mentally including Fire Control)
- Awkward/ restricted postures
- Working long hours / at night / doing rotating shifts
- Working in hostile environments
- Meeting unrealistic performance targets / having to keep up with machines / other people
- Intensive listening or speaking (eg Fire Control)
- Physical stressors can include having too little as well as too much work

Mental demands:

- Mental effort (eg concentration / memory, attention to detail / precision / multi-tasking)
- Exercising responsibility (eg judgement / decision-making)
- Management (eg of time / people / resources / relationships)

Emotional demands:

- Dealing with distressed / disturbed / sick / injured / bereaved / vulnerable people
- Handling hostility, conflict or trauma
- Working in emotionally-charged or distressing situations

These risk factors are closely linked to the job role within the fire and rescue service, work activities and workplace culture. External factors such as social attitudes are also important here. It's important to recognise the things that could cause stress, whatever the cause.

THE LAW

EMPLOYERS have a general duty of care towards their employees. They must "ensure, so far as is reasonably practicable, the health and safety and welfare of employees and other affected by their work" (Health & Safety at Work Act 1974). The Management of Health and Safety at Work Regulations 1999 requires that employers:

- Prevent and control risks arising from all hazardous activities
- Consult employees and their representatives on all matters affecting their health and safety at work
- Make effective arrangements for managing health and safety and appoint competent advisors
- Carry out suitable risk assessments
- Apply the general principals of prevention when assessing risks
- Identify "vulnerable groups"
- Record risk assessment findings (if there are 5 or more employees) and
- Monitor and review their effectiveness

The accompanying code of practice says that employers should

- Prevent risks to physical and mental health
- Address risks at source and apply the heirarchy of prevention
- Evaluate and tackle risks in order of priority

TYPES OF STRESS

THERE are three main sources of Stress at work

- Physical stressors
- Pyschosocial stressors
- Organisational stressors

Physical stressors include noise, heat vibration. Workers are exposed to them not only in their physical working environment but also sometimes electronically or mechanically.

Psychosocial stressors concern social factors and relationships, including behaviours, attitudes and culture. They can also involve things like economic and social or family status (or attitudes to them at work and in wider society). They affect not only what people do but also the way they think and feel and how they are perceived by others.

Organisational stressors are sources of stress that arise from the nature of the work organisation – for example, systems of work, working conditions, working time arrangements, organisational structures and resources, management and supervisions and so on.

THEN AND NOW

STRESS is not new. It has been with us since the start of man. In the caves the fight or flight syndrome was simply understood. Heart rate increases, adrenalin is pumping through the system and the brain has to make a decision... do I run (the body is now tuned up for running) or do you stay and fight.

Nowadays the stressors in the workplace are different: stress of too much work, lack of training and so on.

In the fire and rescue service, attending traumatic incidents are a major stressor. A crew commander with little experience turning up as the first appliance to a fire on the 15th floor of a high rise with persons reported knowing that the second and third appliance may be 10 minutes away...

'MY WHOLE LIFE CAME TUMBLING DOWN'

A member tells Firefighter
how work-related stress
wreaked havoc on his life

JOE was once a happily married family man with the security of living in his own home. Today, at 42 years old and 23 years in the fire service, he is divorced, his wife and children no longer live with him and, now back renting, is in financial difficulties. The reason? Stress – that much misunderstood condition that has and continues to wreck havoc on lives like Joe's.

Some three years Joe was seconded from his job as a station officer to another part of the fire service, called upon to make use of his expertise in community fire safety. But the secondment soon turned into a nightmare

as his workload piled up and the necessary support for this new role failed to materialise.

Says Joe:

"My workload was too heavy, I had unreasonable deadlines and insufficient human resources to delegate to.

"I was still working full time in my brigade while at the same time on secondment. I was the only specialist in Community Fire Safety at the time so they expected me to do this secondment. But they expected me to do all the other existing work too.

"Worse, because of staff shortages they should have tackled themselves they loaded onto to me additional work and responsibilities way outside my experience and didn't even give me additional time and training to properly assume those responsibilities.

"I was burning the midnight oil – working until 1 am to get the job done.

All of this soon took its toll on Joe's health and his personal life.

Says Joe: "You normally pay the household bills as a matter of course. I just couldn't face it. I would be going home at weekends but I wasn't able to provide support to my wife – I just wasn't able to switch off. My whole life came tumbling down."

"I developed a throat infection that antibiotics were not curing. My doctor told me I was suffering from work-related stress."

"I informed my line manager – but he lacked the support necessary to help me.

"I took a two-week holiday. It took nine days just to unwind. I had nightmares of me stuck in a bedroom study working late into the night

"When I came back from that holiday, my desk was piled high with things to do.

"So I sought help through the Occupational Health Unit for the emotional and psychological damage I was suffering."

But by that time, Joe says, it was too late.

"It was an out of body experience. My mind had locked up and shut down. It was the worst experience I'd ever had in the fire service – and in my life."

"My wife filed for divorce on grounds of unreasonable behaviour – in short my Jekyll and Hyde character. I lost my wife and my children and I don't have a two pennies to rub together."

"I blame my employers for my circumstance. They completely failed to support me.

"Sadly I didn't consult with colleagues or the Union when the stress symptoms began – too late.

"When they came back to me, the fire authority denied that that initial meeting with the line manager had ever taken place.

"I never recorded that meeting. I wish had and had gone along with someone else to bear witness

Does Joe have any advice for fellow members?

"My symptoms were real – an invisible injury is still an injury. If anyone else out there is suffering from stress, don't hide the fact. Bring it to the appropriate representative of the fire service. Don't bottle it up, it will just become far worse.

"If you are suffering, get help immediately from Occupational Health. Make your line manager aware of the problem as soon as possible and in such a way that the meeting is recorded, such as taking a witness with you. Keep a diary. And seek support through the FBU."

"No organisation should be above the law," adds Joe. "My employer failed to exercise its duty of care to me. My injury was foreseeable risk. Had they carried out a proper risk assessment, I would not be in the situation I am today."

■ *This FBU members' real name and other details of his employer and the work situation that led to the stress he suffered have been withheld for reasons of privacy*





DUNCAN PHILLIPS/REPORTDIGITAL.CO.UK

NEW DIMENSION

There are many lessons to be learned from the 7/7 bombs in London. The most obvious is that cutting the number of firefighters will do nothing to protect people from terrorism.

THE FIRST reports of the Lockerbie bomb, the worst bombing atrocity ever carried out in the UK outside wartime, described it as a garage fire. Strictly speaking it was, but it had been debris from the exploded aircraft which had set the garage alight.

It was no real surprise then that the initial reports on the morning of 7 July in London described it as a series of accidents on the tube. It took the Underground control room close to 20 minutes to realise the incidents were the bombs which have killed over 50 so far and injured hundreds.

The Underground control had however already alerted the emergency services before they knew the precise cause of the incidents. Battersea's Fire Rescue Unit was alerted at 8.59 and 20 seconds to attend Edgware Road tube station.

Sub-officer Dave Moore, with 30 years service in the London Brigade, had been at his change of shift (Red Watch) although the crew were Blue Watch. The rescue unit, USAR capable and laden with heavy lifting and cutting gear, chemical suits and monitoring equipment made it from Battersea in south west London through the rush hour traffic to Edgware Road at 9.11.

Anyone familiar with London would know that was some feat of driving. In the rush hour, almost impossible.

"The driver had been belting it," Dave told Firefighter. "But we kept hearing more and more calls on the radio and we knew it was a major incident before we arrived at Praed St, about 200 metres from the tube station.

"Edgware Road isn't a deepline underground station like some of the others. We were the first rescue unit at Edgware Road and saw smoke coming from several exits but we knew what we were doing as we have attended other incidents on the tube.

"The first we saw were walking wounded. Then I saw a



JANE MINGAY/AP/EMPICS

IS HERE

young Asian girl and at first I thought she had too much make-up on and looked like she was smoking.

"I then realised she was coughing up smoke and the dark marks around her eyes were caused by soot.

"The ambulance crews, underground staff and police were taking people out who obviously had burns. There was a stream of walking wounded, covered in soot.

"As soon as we went down we knew there had been an explosion. Our electronic personal dosimeters (which check for radiation) were not going off so we could rule out radiation.

"The thought of secondary devices went through my mind. I thought if they were evil enough to do this they could have planted secondaries.

"I didn't make a conscious decision, but my next thought was that I just have to get on and do the job. There were so many people injured, some of them badly.

"We carried out an initial survey. At Edgware Road there are four tracks, we checked the track current was off and put on short circuit bars as a safety measure.

"We had fire service emergency lighting, there was emergency lighting in the train carriages and we had our own torches. You have to be careful as you move along the track because there are lots of points on the under-

Emergency service workers at Tavistock Square (left) and outside Edgware Road Station (above)

ground and you have to watch your footing.

"The trains were about 50 metres up one of the tunnels and some of the carriages on one train were at an odd angle. We moved through four or five carriages of one train to the seat of blast.

"There was a hole in the roof and the floor about a metre and a half wide. The doors had been blown off the carriage. No one was trapped and we helped stretcher out the injured.

"We had BA and EDBA but we didn't need them. It was exhausting work and we kept going for an hour and a half but took turns at rest breaks.

"I stood down the crew and we managed our resources. A couple of the pumps that had been at Manchester Square would have come in handy though.

"The local shops were great. Marks and Spencer shut down and the staff could see we were exhausted and brought us water and sandwiches, although I wasn't too keen on the Goats cheese and coconut.

"We had a rest break at St Mark's church near Edgware Road and the vicar made us welcome. By this time we were truly exhausted and needed a break.

"I feel uncomfortable when the media try and make us out as heroes. We all did our best with the equipment we have which is what we always do. No more, no less than that."

Elsewhere there was a varied picture as London tried to cope first with three tube bombs then a bomb on a bus an hour later. There is no question the fire service – like the others – was very stretched by the attacks.

A biological attack would have been a very different matter. Although there has been training on biological detection meters, London firefighters have not been issued with them.

An attack other than one with conventional explosives and the outcome could have been very different. From the TV footage alone it could be seen that thousands of commuters, who could have been contaminated, were simply walking out and away.

There were reports that some of the decontamination equipment – although mobilised – was delayed on the gridlocked roads. It did not appear to have been a problem thrown up by the exercises at Bank Station, with only 60 casualties, and held on a Sunday afternoon.

Both exercises have been criticised by the FBU for how limited they were, the fact it was only one station with only one tube line (some have four) and that it took place on a Sunday afternoon. The 7 July showed up precisely how limited and unrealistic those exercises were.

But although they were very limited even they threw up the need for more personnel. That fell on then fire minister Nick Raynsford's deaf ears.

One firefighter explained to reporters: "We got called to smoke in the tunnel, which is a pretty standard call – we get a lot of that.

"It's usually a small trackside fire or the brakes overheating that sets the detectors off. We just sort of turned up expecting that.

"As we turned up behind another crew, they were throwing out hose. There were various people sitting down by the entrance to the tube station in various states of injury, and a lot of people milling around, blackened from soot. Some people had flash burns.

"At that point I thought, there is either a serious fire down there or there had been a train crash. We started discussing what to do.

"We were about to go into the tunnel. One of the walking wounded said 'There's no fire down there, mate.' He had obviously overheard me. He said 'there has been a huge explosion in the second carriage.' We shot down there with the crew.

"Hundreds of people were just walking, walking out in a column. Some had horrific injuries. Some were being carried by other passengers."

One lesson is almost certainly the lack of wisdom in closing the Manchester Square fire station and moving pumps and personnel out of central London

Unlike at Edgware Road, there were some people trapped in the wreckage and they needed to be freed. "There was no equipment, just first aid kits although we did have burns patches. The ambulances weren't getting through in the traffic.

"We stretchered people out on three-piece short extension ladders. People were dying in front of us. We were down there three or four hours, until the last live person was extricated."

But the real impact of the four relatively small conventional bombs placed at multiple sites was in high-



Dave Moore speaking at the London United memorial in Trafalgar Square

lighting the problems of dealing with a dirty bomb.

The firefighter who was at Aldgate explained: "The thing with decontamination is you have to contain everyone. They are not allowed to be exposed to anyone else.

"But the experience we had showed how difficult that would be. There is no way you could say 'Just wait there until the decontamination unit arrives.' There were just far too many people that needed desperate help.

"There were people that were obviously dying because of the state of their injuries – people with massive wounds, people with hands blown off that needed instant attention. You couldn't say 'I'm waiting for the traffic.' A lot of stuff wasn't getting through.

"You had hundreds people who have received some injury and an awful lot of people wanted to get out of that tunnel. We tried to contain them once they came out in the bus station for treatment.

"At the back of everyone's minds was 'we don't want them disappearing.' You couldn't say 'You aren't going to hospital' when there were people dying in front of us.

"Now that we have experienced an attack there are an awful lot of lessons to be learned."

One of those lessons is almost certainly the wisdom of the closure of Manchester Square fire station and moving pumps and personnel out of central London. London FBU called for an immediate halt to planned cuts in the central London fire service and for an immediate review of the IRMP.

The union said lessons needed to be learned from the fire service response to the multiple bomb blasts and asked for the fire authority to "press the pause button". The cuts include plans to axe 180 firefighter posts across London.

Acting Regional FBU Secretary Andy Dark said: "We were very seriously stretched by these awful attacks. But what we dealt with was nowhere near a worst case scenario, because it could have been many times worse.

"For months we have said we have major professional concerns about the removal of fire engines and firefighters from central London. Manchester Square Fire Station in Marylebone was closed and fire appliances from Central London were redeployed to the suburbs.

"The removal of fire appliances included those from

the fire stations at Bethnal Green, Euston, Westminster, Clerkenwell, Islington, Kensington, Knightsbridge and Dockhead. Alongside the closure of Manchester Square Fire Station these are in the immediate vicinity of the explosions that have occurred.

“The removal of two other engines from Acton and Greenwich, aside from the impact locally, will affect the availability of fire engines to backfill those stations which are attending major incidents in Central London.

“The threat has now become the reality. The fire authority needs to press the pause button on these cuts and changes and carry out a serious review to ensure we can provide the best professional response to any event in the future.”

Local Labour MP Frank Dobson raised the issue directly with Tony Blair during the Prime Minister’s statement to the House of Commons on 11 July. “The London fire authority has been planning for some time to withdraw some fire engines from three local fire stations—Euston, Clerkenwell and Islington—on the grounds that “the current location of appliances does not relate to today’s risks”. Thursday clearly demonstrated that they do relate directly to today’s risks. Will he join me in saying to the fire authority that there should be no sense of shame or embarrassment in learning from experience and reconsidering that proposal?”

Tony Blair replied: “I am aware of the issue to do with the local firefighting resources around King’s Cross and St. Pancras. I think that the best thing is to say that we

WORSE TO STOP THAN TO GO ON

FATHER Cawrse who was at St Mary’s church close to King’s Cross said: “I rushed to the scene where the emergency services were when I knew what had happened. The majority of people I came into contact with were members of the emergency services and in particular fire fighters.

“It was important not to be overbearing. I went around speaking to people, trying to comfort them. If they showed that they wanted to talk, I would listen. In circumstances like that it’s important just to listen, that is the key thing.”

“Some of the emergency services had seen quite harrowing things. What struck me was that a lot of the firefighters were very young, barely out of training. The firefighters were in deep shock, many had staring eyes and were totally exhausted, completely shattered, but they said it was worse to stop than to keep going.”

suggesting Manchester could be a target.

The fact is there are strategic targets of interest to bombers in almost every brigade. General Secretary Matt Wrack said: “We do need to take stock of where we are and where we are going in our response to such attacks. As devastating and as deadly as the four London bombs were, they were relatively small bombs using conventional explosives.

“There are far worst scenarios with bombs using conventional explosives and worst still with chemical, radiological, nuclear or biological weapons. Bad as it was in London, we could be stretched an awful lot more in other circumstances.

“The simple truth is that cutting fire engines and firefighters anywhere – never mind the centre of major cities which are obvious targets – will do nothing to protect people from terrorism. Too many corners are cut and too few resources are stretched.

“The national politicians may be unaware of the detail of the big picture of what is happening in the fire service: a shortage of frontline personnel, cuts in frontline personnel, cuts in some specialist equipment, inadequate training.

“The fire service is better prepared than it was two years ago but we are a long way off being best prepared. We need a serious



will obviously consider any points made, and I will get back to him.”

The wider issue has an impact way beyond London. What of our other major cities? What about other targets, of which there are plenty outside London and the south east?

Only last year Merseyside fire service refused a decontamination unit because it wanted to cut the number of firefighters. The entire centre of Birmingham – 20,000 people – was evacuated on the night of Saturday 9 July. Birmingham’s IRMP cuts 13 pumps between midnight and 8am.

In the last couple of years suspects have been arrested in Gloucester, Eastbourne, Luton, Manchester, Leeds and further afield. There have been alerts

Euston Blue Watch take part in the two minute silence

dialogue to ensure that changes and changes quickly.”

Pete Gallagher, West Midlands acting brigade secretary told Firefighter: “I have written to the fire authority telling them it is inappropriate to press ahead with the changes scheduled to start on 9 September. The West Midlands IRMP does not take into account the type of incident we had in London where there were multiple explosions and multiple sites where you needed the fire service.

“No one wants to worry people, but they do need some time to consider what happened in London and what can be learned. We need to know how many personnel and how much equipment we really need to deal with incidents of this kind, because no one believes we’ve seen the last of them.”

Despite an improved legal framework for fire safety, the public will not benefit unless the Government introduces effective auditing of fire authorities' enforcement activities and a system of sanctions should they fail to live up to their new responsibilities.

THE deadline of April 2006 is approaching for the introduction of the Regulatory Reform (Fire Safety) Order (RRO) and yet potentially life-threatening problems still loom with this new national fire safety framework.

The FBU has welcomed the RRO, the first major piece of fire safety legislation to emerge in thirty five years. It is based upon the FBU's proposals for a Fire Safety Bill and repeals and replaces in England and Wales the simple and effective, but administratively burdensome, Fire Precautions Act 1971 as well as the unfortunate and largely ineffective Fire Precautions (Workplace) Regulations 1997 (as amended).

In a long overdue development, the Order will put one statutory fire safety regime in place, similar in philosophy to that imposed by the Health and Safety at Work Act. 1974. It will be enforced primarily by the fire and rescue

the ground and they will likely point to three types of approach taken by those who have a responsibility for fire safety or general health and safety matters:

- there are those who will take their responsibilities seriously and will deal with them to the best of their ability at all times
- there are those who are concerned about safety matters, but are unsure of what to do so they will wait until a safety inspector arrives at their premises and then do something usually on the instruction of the inspector
- there are those who will do absolutely nothing at all unless threatened with legal action and then sometimes only after that action has taken place.

Sadly, the first group are in a minority and generally tend to be the larger national and multi national

companies who can afford to employ their own in-house safety departments or to buy in expertise. The second group form the vast majority and are normally small and medium size enterprises. Their approach does not mean that they are deliberately negligent of the law, but just that fire

safety is not their main business priority and they need expert help with it. They do not want to expend effort or money unnecessarily, a point of view which we can fully understand. The third group are, again, a small, but often very vocal minority who will use every means at their disposal to try to circumvent or flout the law, whatever that law is.

Thus the degree to which the RRO is enforced and the intensity of enforcement programming by fire and rescue authorities become critical to maintaining the current high levels of public and employee safety from a fire. Just how critical the enforcement process is became very clear as the RRO progressed through the committee stages of the Houses of Parliament.

Enforcement was often on the lips of members of the Regulatory Reform (Fire Safety) Order 2004 Committee in the House of Commons as they scrutinised the legislation and questioned those drafting it. Enforcement was also a key issue for those giving evidence to the committee, including Glyn Evans on behalf of the FBU, Rosemarie Everton, Professor of Fire Law, Department of Built Environment, University of Central Lancashire and Mr. Tony Taig of ITAC Ltd, a risk management adviser who had been advising the ODPM on developing an integrated risk management approach for the fire service.

The then Minister with responsibility for the Order, Phil Hope MP, appeared before the committee on the 29 June 2004. He was questioned on the need for a duty upon fire and rescue authorities to undertake enforcement of the Order; the need for them to develop enforcement programmes to do so; and, what happens if they didn't. Phil Hope MP replied:

- "...the draft Order does place a duty on the enforcing authority to enforce the Order and they must have regard

Government must act on enforcement

authorities. The key advance of the Order over the 1971 Act is that it allows fire and rescue authorities to target their enforcement activities against high-risk premises, rather than being driven by applications for fire certificates.

But a poor auditing framework raises the deeply worrying possibility that enforcement activities and resources will be reduced and removed at a time when they are most needed. Already in the transition period to the RRO, fire and rescue authorities have significantly reduced the number of fire certificates they issue and there is strong evidence of cuts to fire safety departments (see Firefighter May and June 2005 issues).

The new self-compliant statutory regime that the RRO brings has a tough act to follow. Despite its drawbacks, the 1971 Act was highly effective in dealing with workplace and hotel/guest house fire safety. For the RRO to be a success, it must maintain the same high levels of public confidence and public safety, a point that did not escape the parliamentary committee scrutinising the Order.

Under the new fire safety regime, there really is only one way of achieving this and that is through the enforcement activities of the fire and rescue authorities.

If the fire and rescue authorities fail in this duty then the safety of the public is in wholly in the hands of those companies and organisations upon whom, from April 2006, the primary responsibility will fall for ensuring the public and employees' safety in case of fire beyond the home. Yet could we be sure that all these newly empowered guardians of our safety would take their duties in complying with the law seriously – or even know how to?

Ask any fire safety officer with experience on



BRIAN GALLAGHER

to any guidance that the Secretary of State may issue on that subject”

● “The national framework will put in place a clear responsibility to get on with the job of ensuring that enforcement takes place. It is a combination of local integrated risk management plans and the national framework to ensure that this will result in the kind of enforcement that you are concerned about”

● “We have the Fire Inspectorate which has a role in promoting good practice. We are introducing comprehensive performance assessments into the system too in the same way that local government and local fire and rescue authorities will be assessed... That combination of the IRMPs, risk based management planning, the national framework, the contract and the performance framework, the CPA will provide the necessary managerial pressure upon the services to improve their performance where it is found that they need to do so.”

REASSURED? DON'T BE.

PHIL Hope correctly asserted that the draft Order places a duty on the fire and rescue authority to enforce the RRO and they must have regard to any guidance that the Secretary of State may issue on that subject. Article 26 of the RRO deals with this. And guidance on enforcement has been issued to fire and rescue authorities. A document comprising Fire Precautions Act 1971 Circular No 29, Fire Authority Integrated Risk Management Planning (IRMP) – Guidance Note 4 and Fire Service Circular 2/2004 was issued in January 2004.

This Circular provides guidance on developing a risk assessment based approach to managing a fire safety inspection programme. It is full of advice on how a risk based inspection programme may be created. However

GLYN EVANS gave evidence to the RRO Committee on behalf of the FBU as part of his role as a fire safety advisor to the Union. He was a fire safety officer for the UK fire service a great many years.

it shies away from recommending inspection frequencies to the fire authorities because these would predict resource levels (paragraph 4.14).

It also suggests that some premises in the lower risk categories may not be subject to regular inspection but could be monitored on a sampling basis. However, experience shows that will you have to go and find out what risk a premise really constitutes before you decide whether you can sample it later. As any fire safety officer will tell you, there is no substitute for on-site inspections.

The circular does, however, does warn: “In order to demonstrate that a fire authority is meeting the legislative responsibilities at every stage the processes by which the levels of risk and the resulting inspection frequency activity have been determined should be recorded, transparent and auditable.” (paragraph 4.15).

Fire and rescue authorities will indeed be audited as part of their Comprehensive Performance Assessment (CPA) by the Audit Commission. But against exactly what will their fire safety enforcement activities be measured? This is not clear – but of this, more later .

So what of Phil Hope’s answer to the RRO Committee on the importance to the enforcement issue of the the Fire and Rescue National Framework 2005/6? In that document there are just two paragraphs on fire safety and they are placed under the heading of the Regulatory Reform Order, which is somewhat concerning as it isn’t in force yet. This is what they say:

“Authorities must therefore have a fire safety inspection programme and this must form part of its IRMP, as set out in IRMP Guidance Note 4, which gives advice on risk-based enforcement.”

“Fire and Rescue authorities should – in drawing up their enforcement programmes – prioritise inspection of places that, in case of fire, pose a significant risk to life”.

Effectively, we have gone full circle and returned to the above mentioned circular, which offers guidance on creating a risk-based fire safety enforcement process but is silent on how often inspections should take place.

So what happens if a fire and rescue authority fails in its duty to enforce the Order? Phil Hope’s answer to the committee hinges upon the accountability of fire and rescue authorities for their safety enforcement programmes through the new auditing processes and targets put in place by the ODPM.

Unfortunately, there are no Public Service Agreement targets or Best Value Performance Indicators (BVPs) specifically aimed at measuring the effectiveness of fire and rescue services fire safety enforcement programmes. The nearest BVPI to the fire safety enforcement issue is BVPI 207 – The number of fires in non-domestic premises per 1,000 non-domestic premises. But what are the targets for this? Or is it simply a matter of not exceeding current levels of fires in such premises?

Despite the ODPM’s promises on fire safety enforcement, without real targets for fire authorities to meet or against which they can be audited, the temptation will be to make savings on staff and resources for enforcement to pay for other activities or balance the budgetary books. This could have serious repercussions for the fire safety of the public.

The RRO gives fire and rescue authorities a potentially very effective statutory vehicle to deal with the risk of fire in workplaces, hotels and guesthouses. Sadly, the Government may be in danger of fatally undermining it.

Dealing with dealers

I have bought a second hand car from a dealer which has had problems from the moment I took it home. The dealer will not talk to me. What are my legal rights and what can I do to either get another car or my money back?

WHEN you buy a second hand car, you have statutory rights as laid down in the Sale of Goods Act 1979 (as amended by Sale and Supply of Goods to Consumers Regulations 2002). This states that the car must be:

- Satisfactory quality
- Fit for purpose
- As described

However you must take into account that second hand will not be of the same quality as brand new. The courts have said that the buyer of a second-hand vehicle should expect defects to develop 'sooner or later'.

In order for this Act to apply, the complainant must show that the problems were present at the time of sale. An independent report might be needed to establish the condition of the vehicle when it was sold. If the report shows the car was un-roadworthy at the time of purchase, this could amount to a criminal offence and the police and trading standards should be notified.

The dealer may argue they are not liable on the grounds that:

- they can prove defects were specifically drawn to the client's attention
- Client examined the car – i.e. sold as seen. In this situation the client can argue they examined it as a lay person.

Under the statutory rights, a consumer has the right to ask for repair, replacement, partial or full refund on the car that was faulty or defective at the time of purchase. If a person complains within the first 6 months of buying the car the dealer has to prove the car was not faulty when it was sold. After 6 months the consumer has the burden of proving that it was.

If the dealer made a false statement to entice the consumer to enter into a contract to buy the car, this could amount to misrepresentation and the consumer will not be bound by the contract. They may be able to take legal action for compensation. They could also contact any relevant trading association/trading standards to

Each year the FBU handles thousands of legal problems on behalf of members. Here are just two of the issues that have cropped up.

see if they can investigate or help resolve the problem.

If the car was bought on a credit card or through a finance agreement, the transaction may be covered by S.75 Consumer Credit Act 1974 which entitles the consumer to hold the credit company jointly responsible with the dealer, provided that the amount paid by credit card is £100 or more but less than £30,000. The consumer is advised to inform the credit company about the possible breach.

Also it may be a good idea to check the terms of any warranty which may have come with the car that will set out any extra rights you may have. Ultimately you may need to take court action for which there is a 6 year time limit to do this in for breach of contract.

I would like to convert my attic myself but wondered if there are any legal considerations I should be aware of?

THERE are a number of things you should take in to account before starting work. First of all, attic conversions are subject to Building Regulations to ensure the structural strength of the floor, walls and roof and the inclusion of safety features, fire escapes and stairs. You will need to consult the Building Control Service provided by your local council or by an approved inspector. They will take responsibility for plan checking and inspection of your building work, and they will charge you for this service.

Secondly, if your conversion will affect a wall that you share with a neighbour, you will need to inform them of your plans before starting any work. This is what you are obliged to do under the Party Wall Act 1996. If you start work without gaining the permission of your neighbour, they could force you to stop work with a court injunction.

The third thing to get clear before you start is whether you need planning permission. If you want to alter the attic without enlarging it, usually planning permission will not be required. But if you want to include dormer windows, you will need planning permission if they face a highway or if they rise above the highest part of the existing roof. Also, if you live in a conservation area, national park etc, planning permission will always be needed for dormer windows.

25-YEAR BADGES



Brigade Vice Chair Mark Rattray, Trevor Allport, Clive Greathead and Andy Lymn of Red Watch, Nuneaton Fire Station, Warwickshire



Stephen Seaton from White Watch, Huntingdon fire station, Cambridgeshire, receives his 25 year badge from Kevin Napier, Branch Secretary



Martin Jones, Red Watch Coalville (right), receives his 25 year badge from FBU Branch official John Webster



Michael Townsend (right), Red Watch Coalville, receives his 25 year badge from FBU Branch official John Webster



Stu Wolfe, Red Watch Coalville (right), receives his 25 year badge from FBU Branch official John Webster



John Upton (left) receives his 25 year badge from Pete Wildman



Ray Chamberlain (left) receives his 25 year badge from Pete Wildman

Please send your photographic prints or digital picture files to: Firefighter, FBU, 68 Coombe Road, Kingston upon Thames, KT2 7AE or firefighter@fbu.org.uk (Please note that inkjet prints from digital pictures reproduce very poorly). Please include **FULL DETAILS** for every picture – full names of everyone who is in it; their station/watch etc; where they are in the picture (e.g.: left to right ...); their union posts/branch if relevant; and where and when it was taken.

HAVE YOUR SAY

Firefighter magazine welcomes letters from members. Letters should relate to articles in the magazine. Please include full postal address, telephone number and reference to relevant article. We may edit letters. Please send them to: firefighter@fbu.org.uk or Firefighter, FBU, 8 Coombe Road, Kingston upon Thames, KT2 7AE

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The line provides advice for personal injury, family law, wills, conveyancing, personal finance and consumer issues. For disciplinary and employment-related queries contact your local FBU representative.

For further help and advice on union services contact your regional office

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