

ALERTER



FIGHTING FOR YOU

FBU WINS NEW LEGAL VICTORY FOR
RETAINED FIREFIGHTER PENSIONS

COMBINING ROLES IS A RECKLESS ACT

Mobilising RDS pumps to incidents where the driver is also fulfilling the role as officer in charge (OIC) is a reckless and wholly unjustified practice

When a fire authority requires an FBU member to carry out two very distinct and important roles while travelling to an incident, we should all be concerned.

Such a requirement indicates that the authority's planning is not sufficient to ensure appliances are crewed properly and that health and safety implications have not been considered.

Both driver and OIC roles are essential to ensure that crews can attend and operate at incidents safely.

Combining these roles puts crew members under additional pressure in the early stages of an incident when conditions are often at their most hazardous.

A driver focuses on manoeuvring, navigating and siting the appliance, taking account of ever-changing road and traffic conditions. They must continually assess the situation and work within the vehicle's limitations, adhering to road traffic laws.

The role of the OIC is very different. They will be familiarising themselves with the risk involved at the incident and planning how it can be resolved as safely as possible. This may include accessing the mobile data terminal and receiving radio communications en route to the incident to gather vital information.

All of these considerations require a great deal of thought, focus and concentration in an environment that will be changing rapidly.

On arrival, the OIC must put all this planning into operation and ensure that the crew deals effectively with the incident.

Their first role should not be to concern themselves with getting into their fire kit, which health and safety considerations mean they can't wear while driving.

Imagine a scenario in which a driver/OIC arrives on the first pump at a house fire.

The crew will not have been able to access any risk information from the data terminal en route and may have missed vital radio communications from the control room.

They will not be prepared mentally for the human devastation likely to greet them at an emergency. On what planet can this possibly be viewed as a safe or best practice?

It is obvious that combining the two roles and asking one of our members to act as both OIC and driver en route to and at emergency incidents compromises both the safety of the crews and that of the public.

NEWS

Fire crews of three putting lives at risk

CREWING

Fire services in Lancashire and Cheshire have been condemned for mobilising RDS appliances to emergencies with only three firefighters on board.

The services claim that the "small incident units" (SIUs) will only be sent out to calls where there is no threat to life.

But the FBU says that it is common for fires to be misreported or to develop into major incidents to the point where just three firefighters are unable to tackle them.

Lancashire's pre-determined attendance allows for 23 different situations in which the SIUs could be mobilised. These include chimney fires, animal rescues, gaining entry, minor entrapment, lift rescues and small vehicle RTCs.

FBU officials recently discovered that between 1 January and 1 June last

year, appliances in Cheshire dropped to three riders on 300 occasions.

"This is a growing problem in Cheshire", said brigade secretary Andrew Fox-Hewitt. "As the service grapples with staff shortages, it is increasingly mobilising just three firefighters to incidents."

"We have 22 retained appliances in Cheshire. It is common for only four appliances to be available and another six down as small incident units, the rest being off the run."

The FBU took the unprecedented step of issuing a safety critical notice to Cheshire's chief fire officer calling for the practice to stop immediately and for the service to release risk assessment documentation associated with it.

Fox-Hewitt said: "It is simply impossible to establish a safe system of work with a crew of only three firefighters."

It is common for fires to be misreported or to develop into major incidents that a crew of three is unable to tackle



THOM HEYWOOD/FBU PHOTO COMPETITION 2017

NEWS

PENSIONS VICTORY

Fire authority must change how it calculates retained firefighters' pensions

p4

HEALTH & SAFETY

CONTAMINANTS

A danger to all firefighters – and what to do about them

p6

SOLIDARITY

TUNNEL TO TOWERS 5K

FBU members ready to run for charity in New York 9/11 memorial

p8



RODNEY DORRINGTON/FBU PHOTO COMPETITION 2017

Concern that move to rename RDS could impact terms and conditions

CONTRACTUAL JOB TITLE

For the past two years, the Chief Fire Officers Association has been discussing what name would be appropriate for promoting the retained duty system (RDS) to the general public.

The group decided on the name “on-call” and asked the Home Office for funding to produce promotional media, including national TV advertising.

The FBU supports raising awareness of the work that retained firefighters do in their communities. But the union is clear

that the official contractual title of a firefighter employee who is ‘on call’ or ‘part-time’ must remain ‘RDS firefighter’.

The conditions of service for RDS firefighters are set out in an agreement reached with the employers by the FBU through collective bargaining. Any changes to the formal title are subject to national negotiation.

The FBU is intent on protecting the rights of retained members and is concerned that a move to rename retained firefighters could have a negative impact on their terms and conditions.

DISTURBANCE FEES SHOULD STILL APPLY

All retained firefighters should be paid a £3.94 disturbance fee each time they attend an incident.

There is some confusion about this, but all fire authorities should still be paying the fee. As part of the 2003 pay settlement, retained firefighters were to receive an overall average pay increase of 13.74%.

It was agreed in an interim arrangement that the National Joint Council – a negotiating body made of fire service employers and union reps – would monitor fire authorities and determine how much the disturbance fee should be raised by, in order to achieve the average pay rise.

However, this work was never completed and the interim arrangement continues to be in place. All retained duty system personnel should receive this payment every time they attend an incident or redirection.



FBU wins new legal battle for retained firefighters

PENSIONS

The FBU has won a significant legal victory against a fire authority that was treating only a portion of retained firefighter pay as pensionable – potentially cheating members out of thousands of pounds in pension contributions.

Warwickshire Fire Authority only counted the annual retainer allowance paid to retained firefighters as pensionable.

It argued the other elements of pay that make up the bulk of a retained firefighter's salary – the disturbance fee, work activity and training payments – were intermittent and temporary and so did not qualify as pensionable.

Now a legal case taken by the FBU to the Pension Ombudsman, an independent organisation that investigates complaints about pension administration, has ruled that the payments are not temporary and ought to be pensionable. Warwickshire Fire Authority did not appeal the ruling.

This means that all serving RDS

firefighters working in Warwickshire will now have access to an improved pension and the authority will have to arrange how contribution arrears will be paid to all those affected over the years.

Although the legal case involved just one fire authority, the ruling will have ramifications for every retained firefighter who is in the Firefighters' Pension Scheme.

FBU national officer Sean Starbuck said: "If the authority had not been overturned on this, there could have been a huge detrimental impact on all retained firefighters with a pension.

"It is a clear example of how the FBU is the only organisation fighting to ensure that the rights of all retained

firefighters are protected."

Mario La Barbara, 48, was the test case in the ruling. He left the service in December 2015 with a pension that was significantly less than it should have been. The father of four said the victory is going to have a positive impact on his finances.

"It is going to be a relief for retained firefighters, both serving and retired, that the FBU has won this case.

"We've effectively been cheated out of thousands of pounds in our pensions. This ruling will put that right and gives us parity with our wholtime colleagues. The FBU fights for all firefighters. We should be flying the flag with this victory."

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Rural response times increase at double urban rate

RESPONSE TIMES

Response times to fires and other emergencies in rural areas are lengthening at double the rate of urban areas, according to the latest government statistics.

The issues surrounding longer response times and a recruitment crisis in the retained duty system (RDS) were featured in an edition of BBC TV's *Countryfile* earlier this year.

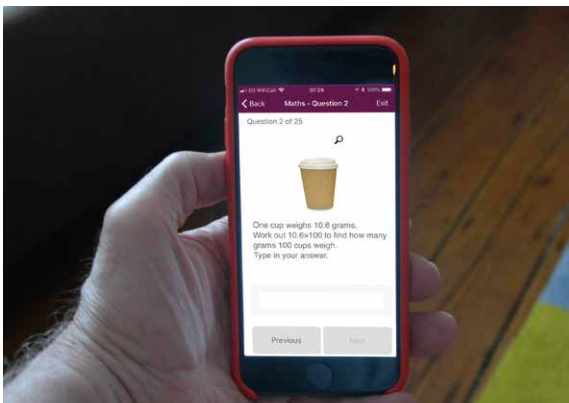
The show revealed that, over the last five years, average response times to fires in rural areas across England and Wales increased by 44 seconds, double the amount of urban areas.

In Wales, the increase was 58 seconds. In North Wales, where *Countryfile* was filming retained firefighters, rural fire response times had increased by two and a half minutes.

Pete Preston, the FBU's national secretary for RDS members, appeared on the programme.

NFU Mutual, the insurance company founded by the National Farmers' Union, linked increased response times to a 26% rise in the cost of farm fires to £44M in 2016.

Electrical faults and arson were the most common cause of fires, according to the insurer.



CHECK YOUR SKILLS WITH UNIONLEARN

UnionLearn, the learning and skills organisation of the TUC, has launched a new, free 10-minute multi-choice quiz that will help to establish if you might benefit from one of the many FBU distance learning courses.

The questions focus on IT, maths and English skills.

New learners will need to register to use the tool, but this is a short process.

When you are logged in, select the relevant learning theme, answer the multiple choice questions and find out your results.

You will then be directed to the courses that will best help to improve your skills.

The tool is available for desktops and laptops, tablets and smartphones.

■ Take the test at: skillcheck.unionlearn.org.uk

CONTAMI

A RISK TO ALL
FIREFIGHTERS



WAYNE ROE/FBU PHOTO COMPETITION

NANTS

It has long been known that skin exposure to soot can cause cancer. The first acknowledged occupational cancer was among Victorian chimney sweeps. Workers involved in spinning cotton on large machines in mills were the subject of another recognised occupational cancer, the result of exposure to mineral oil residues.

It should not surprise us then that firefighters are exposed to substances that can cause cancers.

In 2006 the University of Cincinnati analysed 32 cancer studies involving firefighters. Researchers identified testicular cancer rates of about double the rate in the general population, a 28% increase in rates of prostate cancer and significant increases in other cancers like non-Hodgkin lymphoma.

Their report said that firefighters are regularly exposed to soot, styrene, benzene, formaldehyde and other chemicals that are designated carcinogens, so it is essential that they do everything they can to avoid inhalation, ingestion and skin exposure to hazardous chemicals.

According to Cancer Research UK occupational exposure to harmful chemicals is responsible for 2% of cancer deaths.

Other studies found elevated concentrations of benzene, toluene and hydrogen cyanide on PPE after crews had tackled structural fires that only return to non-harmful levels after equipment is laundered.

But, in most cases, PPE is not adequately cleaned according to a study published this year by Professor Anna Stec of the University of Central Lancashire.

The FBU is working with experts, including Professor Stec, to approach the issue of firefighter cancers from two angles:

- Prevention of contracting cancers by avoiding unnecessary contamination
- Looking at the best way of achieving compensation for firefighters who

contract cancers.

“Presumptive legislation” is the ideal way of achieving compensation. Under such legislation, the burden of proof is on the employer to show that a condition was not caused by the firefighter’s work, rather than on the firefighter to prove that it was. If a firefighter covered by presumptive legislation contracts a disease or condition that is specified in the presumptive law, then that disease or condition is presumed to have come from their occupation.

Some states in the USA, Canada and Australia have presumptive laws but, to date, there are none in Europe. The FBU is aware of the barriers to achieving this goal but is undeterred and is exploring routes to achieve presumptive legislation.

FBU national officer Sean Starbuck leads on the issue for the union. He says: “We are ensuring firefighters have a better awareness of the risks in order to protect themselves from unnecessary contamination.

“We are working with experts to highlight the dangers of contamination and will be developing further advice so that firefighters can protect themselves from this hidden danger.

“This is a key priority for the union and firefighters can start today by making sure they avoid unnecessary contamination both during and after incidents.

Mark Nevill, FBU national retained committee member for the Eastern region, was diagnosed with cancer in 2014.

He says: “I am about clear now and have hopefully beaten it, but I don’t like the fact that there would seem to be a fair chance it wasn’t just bad luck.

“It could have been down to something I was exposed to while at work. I feel strongly that we should all be aware of the risks caused by contaminated fire kit and how we can minimise them.”



“Firefighter cancer is something that we all need to consider. The evidence we are uncovering is shocking. It is important that we make sure that everyone is made aware of the dangers.”

The union will release more advice to firefighters in the next few months about how to avoid contamination, run a pilot education course for officials and challenge some current workplace practices that can lead to contamination.

The message to firefighters is clear; the cleaner you are the safer you are.

There are some quick and easy ways to start putting this into practice:

- Get out of contaminated fire kit as soon as safe to do so.
- Make sure your service has, and that you follow, appropriate laundry procedures to get dirty kit properly cleaned. Do not overlook gloves and flash-hoods. These are often the most contaminated pieces of kit and, in the case of flash-hoods, are worn close to the skin near both your mouth and your airway.
- Keep a spare set of clean kit available at all times.
- If necessary, shower thoroughly to remove any traces of skin contamination.
- DO NOT store fire kit in the same locker/area as your clean fire kit, workwear or personal clothing.
- NEVER transport dirty fire kit in your own vehicle.

If your service does not provide access to appropriate spare kit, laundry facilities, kit bags and lockers then this is an issue that should be raised with your FBU Health and Safety Rep urgently.

■ For the full set of steps to follow, see the FBU flyer Contaminants: Protection against Cancer

at bit.ly/FBU-contaminants

■ Early diagnosis of cancer will improve the chances of a full recovery. For information on symptoms, see bit.ly/NHS-cancer-symptoms



UK firefighters join New York Twin Towers memorial run

Retained firefighters from Crook fire station in Crewe, Cheshire, are helping to raise money for The Fire Fighters Charity by taking part in the annual Stephen Siller Tunnel to Towers run that honours firefighters killed in the 9/11 terror attacks in New York.

Stephen Siller, a member of Brooklyn's Squad 1, had just finished his shift and was on his way to play golf with his brothers when he heard over his scanner that a plane had hit the North Tower of the World Trade Center.

He phoned his wife Sally and asked her to tell his brothers he would catch up with them later.

He returned to his station to get his gear then drove his truck to the entrance of the Brooklyn Battery Tunnel, but it had already been closed.

Determined to carry out his duty, he strapped 60 pounds of gear to his back, and ran through the tunnel to the Twin Towers, where he lost his life while saving others.

Stephen's brother Frank set up the first Tunnel to Towers 5K run that same year.

It now attracts more than

40,000 participants who will this year include a group of FBU members from County Durham and Darlington FRS.

They travel to New York each year to compete in the event and have made firm friends over the years.

These include Jennifer McNamara whose firefighter husband John died from cancer caused from the debris in the air after the tower collapsed. She launched the Johnny Mac foundation to make other first responders' wishes come true. The FBU group has visited St. John's East fire house where John was based.

"Running the race is unlike anything you've ever experienced," says one of the firefighters.

"IT IS AN AMAZING FEELING PASSING THE FINISH TO BEGIN THE CELEBRATION OF COMPLETING THE RUN WITH THE OTHER 40,000 PARTICIPANTS"

"You hear the crowds chanting USA! USA! as you go past. You'll never forget it. When you run out of the tunnel there are 343 banners depicting the faces of the firefighters who lost their lives on 9/11. It gives you goose bumps.

"As you head up the street and around the marina, you run past hundreds of different groups; cheerleaders performing, the FDNY (New York City Fire Department) bikers sat watching you, and live bands playing the Rocky theme tune to spur you on.

"It is an amazing feeling passing over the finish line to begin the celebration of completing the run with the other 40,000 participants at the street party."

The firefighter group is made up of Peter Chisholm, Glen McCloy, Shane Wright, Jamie Smith and Julie-Ann Gallon, along with John Coppare from East Sussex FRS.

They have raised thousands of pounds for The Fire Fighters Charity while honouring the fallen US firefighters.

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Change of address or next of kin

Advise your brigade organiser of any change of address and head office of changes to next of kin or nominations for benefits

FBU FREEPHONE LEGAL ADVICE LINE

England, Wales and N Ireland

0808 100 6061

Scotland

0800 089 1331

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.

T THOMPSONS
SOLICITORS