

FBU © 2nd February 2015

“THIS WILL STOKE UP FIRE DISPUTE” SAYS FBU LEADER

Matt Wrack, general secretary of the FBU firefighters union, says that the actions of the Department for Communities and Local Government (DCLG) fire minister Penny Mordaunt is one of the main causes of the growing anger among firefighters in the long running dispute over pensions.

“She gave firefighters a clear guarantee several times in Parliament last December. Many firefighters believed her, and so did MPs. It now seems she misled both the House of Commons and ourselves. The guarantees she gave to MPs are a figment of her political imagination. This dispute will become even more bitter as a result of the minister’s blatant mistruths.

“We are asking Members of Parliament to challenge her over her deliberate misleading of the House – or, better for us all, to insist that the minister actually delivers what she guaranteed in Parliament just over a month ago.”

The issue relates to concerns that the union has raised about what happens to firefighters who cannot maintain operational fitness standards as a result of getting older. All the evidence suggests that large numbers won’t be able to work safely beyond age 55 and face the sack or a huge reduction in their pension. Despite this a normal pension age of 60 has been imposed which firefighters say makes the scheme unworkable. The union wants anyone declared unfit after they reach 55 to be entitled to be redeployed or offered an unreduced pension.

THE GUARANTEE

In a Parliamentary debate on 15 December 2014, DCLG fire minister Mordaunt gave a guarantee that was welcomed by all sides of the House. She said:

“If someone fails a fitness test through no fault of their own and they do not qualify for ill health retirement, they will get a redeployed role or an unreduced pension. That will be put on a statutory footing in the national framework—a full, unreduced pension, if not an alternative role.”

This statement led Conservative MP Peter Bone to say:

“Having heard the words of the Minister, I think the whole House can now support the statutory instrument.”

That guarantee influenced the debate and the vote. Some MPs who were previously asking for the legislation to be annulled actually voted for it to be passed.

However the guarantee was never delivered and now fire service employers are saying that what the minister guaranteed to MPs simply cannot be implemented.

Mordaunt’s claim about the guaranteed pension was made several times during the same debate. In response to Richard Fuller MP, who had just praised firefighter’s ‘heroism on our behalf’, Mordaunt said, “If there is no operational role for someone to go into, they will get not just a pension but an unreduced pension.”

The Secretary of State Eric Pickles reiterated the same guarantee to a House of Commons DCLG committee the day after the debate explaining that firefighters in this situation would be redeployed or given a full pension. He also informed the committee that he thought firefighters had made a very reasonable point.

GUARANTEES EMERGE AS WORTHLESS

After the debate the FBU wrote to all fire authorities asking them if they would implement the Parliamentary guarantee. The responses are all similar to the one from Buckinghamshire and Milton Keynes Fire Authority dated 26 January, which was blunt. “Dear Mr Wrack,” it reads. “I am unable to provide you with the guarantee you seek.”

Two days later the London Fire Brigade wrote to the union with news that was even more disturbing. They said they would not honour the guarantee, and added that this was as a result of legal advice. Legal advice which the Authority had previously notified to Penny Mordaunt’s department.

GUARANTEE UNLAWFUL

Like all the others, the London authority was asked to respond to the direct question of “whether or not there was a guarantee that any firefighter aged 55 or over, not permanently unfit, not able to be redeployed but unable to continue in their role through no fault of their own, would be retired on an un-actuarially reduced pension.”

The Authority had, it said, taken legal advice.

“That advice has now been received and I would advise that it confirms the position previously notified to DCLG by the Authority, most recently on 09 December 2014, that if DCLG wished to offer such a guarantee then it would need to change the regulations to enable that to happen.”

In short, “the Authority is unable to give any guarantee”.

FBU leader Matt Wrack said that the government must urgently address the issue of the false guarantee of a pension:

“Firefighters have been utterly cheated. Their pensions have been stolen on the basis of false information given to the House of Commons. However, even now Penny Mordaunt could announce that she will change the law to deliver her promises, her guarantees. She has the power to do this. The Scottish government has already done it. In the FBU view, she is morally obliged to stick to her guarantee. David Cameron should instruct her to do so.

“Unless she does this the long running dispute will be fuelled, with more bitterness than before thanks to the government’s phoney guarantee. And the public will recognise that the government case in this dispute is built on falsehoods.”

“Finally the FBU urges Members of Parliament to urgently consider what steps they should take in light of the fact that a government minister appears to have deliberately misled the House of Commons on a matter that is vital to public safety and security.”