



# Buckinghamshire & Milton Keynes Fire Authority

<b>MEETING</b>	Executive Committee
<b>DATE OF MEETING</b>	15 March 2017
<b>OFFICER</b>	Lynne Swift, Director of People and Organisational Development
<b>LEAD MEMBER</b>	Councillor Roger Reed
<b>SUBJECT OF THE REPORT</b>	<b>Government Consultation : Re-engagement of Senior Fire Officers post-retirement</b>
<b>EXECUTIVE SUMMARY</b>	<p>On 21 February 2017 the Home Office released a consultation document on the re-engagement of senior fire officers following retirement. The Home Office is of the view that, "This practice has generated considerable public interest and has the potential to damage the trust between regular firefighters and senior officers."</p> <p>The document (see Appendix 1) sets out for consultation a change to the Fire and Rescue National Framework on the issue of senior fire officers (i.e. roles of Area Managers, or equivalent, and above) retiring from post and subsequently being re-employed in the same or very similar roles. The consultation proposes that an addendum to the National Framework is added to explicitly discourage this practice.</p> <p>The National Framework states that in demonstrating their accountability to communities for the service they provide, Fire and Rescue Authorities (FRAs) need to provide assurance to their communities and to Government, on financial, governance and operational matters and on national resilience capability. The National Framework also requires that FRAs must have arrangements in place to ensure that their decisions are open to scrutiny and to ensure that communities can access data and information on their performance. However currently there is nothing specific in the National Framework to discourage the practice outlined above. The proposed draft text for addendum is at page 5 of Appendix 1.</p> <p>This paper:</p> <ul style="list-style-type: none"> <li>• outlines the Authority's position on re-engagement, which in summary aligns to the proposals being made, and</li> <li>• proposes a draft response to the consultation</li> </ul>

	for consideration. The deadline for responding to the consultation is Tuesday 4 April 2017 at 11.45pm.
<b>ACTION</b>	Decision/information.
<b>RECOMMENDATIONS</b>	<p>It is recommended that:</p> <ol style="list-style-type: none"> <li>1. the Authority's position on re-engagement of senior officers be noted;</li> <li>2. the draft response (Appendix 2) to the consultation be noted; and</li> <li>3. the Chief Fire Officer be delegated authority to finalise and submit the response on behalf of the Authority in consultation with the Lead Member for Human Resources and Equality and Diversity.</li> </ol>
<b>RISK MANAGEMENT</b>	There are no risks to the delivery of the Authority's functions.
<b>FINANCIAL IMPLICATIONS</b>	None arising from the recommendations.
<b>LEGAL IMPLICATIONS</b>	None arising from the recommendations.
<b>CONSISTENCY WITH THE PRINCIPLES OF COLLABORATION</b>	<p>The position of other fire services on re-engagement clearly differs, hence the current Home Office consultation.</p> <p>It is considered that an Authority response to this consultation is appropriate.</p> <p>Members will be aware that at this time our Thames Valley partners have a separate Pay Policy Statement, however, an aligned approach would be appropriate in the future, particularly to support collaborative working, sharing of resources and working across boundaries. This will be raised with the other Thames Valley Fire and Rescue Services with a view to progressing early in the collaboration programme, to enable operational alignment. We will be recommending they adopt a Pay Policy Principles and Statement aligned to ours as a way forward.</p>
<b>HEALTH AND SAFETY</b>	There is no impact arising from this report.
<b>EQUALITY AND DIVERSITY</b>	There are no equality and diversity issues arising from this report.
<b>USE OF RESOURCES</b>	<p><b>Internal Controls:</b> Adherence to the Pay Policy Principles and Statement is controlled via strict establishment and pay change approval process controls.</p> <p><b>Communication with stakeholders:</b> Following annual approval of the Pay Policy Principles and</p>

	Statement, communication is via the normal policy publication and amendment process. Other Policies and Procedures are published and available to staff and managers.
<b>PROVENANCE SECTION &amp; BACKGROUND PAPERS</b>	<p><b>Background</b></p> <p>The Authority position on Re-engagement/Re-employment is clearly documented in several places.</p> <p>The Fire Authority is required to adopt and publish a Pay Policy Principles and Statement annually.</p> <p>A most recent revised Pay Policy Statement 2017/2018 was approved by the full Authority in February 2017. It states in respect of any officer who is a member of the Senior Management Board <i>“Re-employment/re-engagement will not normally occur following retirement, however there may be exceptional circumstances where specialist knowledge and expertise are required for a defined period of time in the event of which re -employment/re-engagement may be considered. In this circumstance rules on abatement, protected pension age and public sector exit caps and claw backs will be considered.”</i></p> <p>This principle has been a feature of the Authority’s Pay Policy Statement since it was first required to adopt one in 2012</p> <p><a href="#">Authority's Pay Policy Statement Archive</a></p> <p>The Authority guidance note on “ Pension abatement &amp; protected pension age” states <i>“Pension payments will be abated where a Scheme member is re-employed by a Fire and Rescue Authority and they are in receipt of pension and salary, and when combined, exceed their earnings prior to retirement.”</i> The process of abatement is discretionary in the 1992 and 2006 Fire Pension Schemes, but we adopted the position to always abate in the discretions agreed in July 2013 so our position is clear it would be applied.</p>
<b>APPENDICES</b>	<p>Appendix 1: Home Office Government Consultation. Re-engagement of Senior Fire Officers Post-Retirement.</p> <p><a href="https://www.gov.uk/government/consultations/re-employing-senior-fire-officers-after-their-retirement">https://www.gov.uk/government/consultations/re-employing-senior-fire-officers-after-their-retirement</a></p> <p>Appendix 2: proposed response to consultation.</p>
<b>TIME REQUIRED</b>	10 Minutes.
<b>REPORT ORIGINATOR AND CONTACT</b>	<p>Kerry McCafferty Head of HR &amp; OD</p> <p><a href="mailto:mccafferty@bucksfire.gov.uk">mccafferty@bucksfire.gov.uk</a></p> <p>01296 744621</p>