

**NATIONAL JOINT COUNCIL FOR
BRIGADE MANAGERS OF
FIRE AND RESCUE SERVICES**

**CONSTITUTION AND SCHEME
OF CONDITIONS OF SERVICE**

**FIFTH EDITION
2006**

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PREFACE TO THE FIFTH EDITION 2006

The primary role of the National Joint Council for Brigade Managers of Fire and Rescue Services (the NJC) is to reach agreement on a national framework of pay and conditions for Brigade Managers for local application throughout the Fire and Rescue Service in the UK.

This fifth edition of the Scheme of national terms and conditions of service for Brigade Managers of Fire and Rescue Services replaces in its entirety the provisions of all former conditions of service agreed by the NJC, the provisions of which no longer apply and are entirely superceded by this Agreement. This Agreement may be supplemented or superceded by local agreements and provisions, and does not of itself alter or amend any existing individual or collective agreement agreed with a local Fire and Rescue Authority.

In developing this Scheme the NJC reinforces its strong commitment to cooperation, to joint consultation and negotiation, and encourages Brigade Managers covered by this agreement to belong to the recognized trade union.

The primary aim of the NJC is to support and encourage the pursuit of excellence in the delivery of a fire and rescue service by a competent, safe, motivated and diverse workforce. Fundamental to the achievement of this aim is the leadership of local fire and rescue authorities and their Brigade Managers through the promotion and demonstration of the UK fire service core values as described in the National Framework document.

The NJC recognises the essential role of Brigade Managers in developing the Fire and Rescue Service of the future and the delivery of its responsibilities. The NJC believes that this is best achieved in partnership between Fire and Rescue Authorities and their Brigade Managers through the provision of an environment that encourages each Brigade Manager to maximise their potential and contribution.

* Brigade Managers describes those employees previously known as principal fire officers

SCHEME OF CONDITIONS OF SERVICE

Status

1. All officers covered by this agreement shall be working to the Brigade Manager role map as defined within the Integrated Personal Development System (IPDS) and reviewed by the NJC periodically, as amended from time to time. Fire and rescue authorities shall determine their organisational structure at senior levels within the scope of the brigade manager role map, paying due regard for deputising roles and will also determine job titles and job descriptions.
2. Officers who are in post on X date as a Chief Fire Officer, Deputy Chief Fire Officer or Assistant Chief Fire Officer will be deemed to have met the requirements of the national assessment process for the purposes of assimilation to or eligibility to apply for posts within the scope of the Brigade Manager rolemap.
3. After the X date, applicants for posts within the Brigade Manager role map will have completed the national assessment process to be deemed as meeting the requirements for eligibility for consideration for posts within the Brigade Manager role map, prior to appointment.
4. Selection arrangements are a matter for each fire and rescue authority.

Fairness and Dignity at Work

5. The NJC recognises and values the key leadership role that Brigade Managers will play in promoting, explaining, implementing and monitoring the Service's Fairness and Dignity at Work policy within their own authorities.
6. The NJC strongly encourages fire and rescue authorities to:
 - a. Develop equal opportunities and work/life balance in employment;
 - b. Ensure that equality is a core principle that underpins service delivery, training opportunities and employee relations;
 - c. Remove all discrimination; and
 - d. Take a positive approach to the development of a diverse workforce.
7. In support of these principles the NJC affirms that:
 - a. Employees should be afforded equal opportunities in employment irrespective of gender, race, national or ethnic origin, religion or belief, age, sexuality, marital status or disability (subject to any justifiable occupational requirements);
 - b. Fire and rescue authorities should ensure that discriminatory practices are identified and removed and non-discriminatory practices introduced in all areas of employment including recruitment, training, development and promotion; and
 - c. Lawful positive action initiatives should be taken to achieve and maintain a more representative workforce.

Additional employment

8. A Brigade Manager shall not take up any other additional appointment, trade or business, paid or unpaid, for profit or gain without the express consent of the authority.

Advice to political groups

9. A Brigade Manager may but shall not be required to advise any political group of the fire and rescue authority, either as to the work of the group or the work of the authority, and attend meetings of any political group. Where a Brigade Manager advises a political group on a particular matter, he or she should be available to advise other political groups on the same matter.

Salaries

10. The NJC will publish annually recommended minimum levels of salary applicable to chief fire officers/chief executives employed by local authority fire and rescue authorities.
11. There is a two-track approach for determining levels of pay for Brigade Manager roles. At national level, the NJC shall review annually the level of pay increase applicable to all those covered by this agreement. In doing so, the NJC will consider affordability, other relevant pay deals and the rate of inflation at the appropriate date. Any increase agreed by the NJC will be communicated to fire authorities by circular.
12. All other decisions about the level of pay and remuneration to be awarded to individual Brigade Manager roles will be taken by the local Fire and Rescue Authority, who will periodically review these salary levels.
13. Advice on implementation of a local salary structure is contained in guidance at Appendix A.

Part-time employees

14. The conditions of service of part-time employees will be the same as those of full-time employees (pro-rata where appropriate) unless otherwise stated.

Sick pay

15. A Brigade Manager on medically certifiable sick leave shall be entitled to full pay for the first six months in any one-year period. For the following six months the fire and rescue authority shall have the discretion to reduce pay to whatever level it considers appropriate subject to paying a minimum of half pay.
16. A Brigade Manager on medically certifiable sick leave as a result of an illness or injury arising out of authorised duty shall be entitled to full pay for one year. For the following six months the fire and rescue authority shall have the discretion to reduce pay to whatever level it considers appropriate subject to paying a minimum of half pay.
17. The period during which sick pay shall be paid and the rate of sick pay in respect of any period of absence shall be calculated by deducting from the manager's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

18. Fire and Rescue Authorities have the discretion to extend periods of sick pay in exceptional circumstances.
19. Absence in respect of normal sickness shall be recorded separately from absence in respect of illness or injury arising out of authorised duty. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating any entitlement under paragraphs 12 to 13.
20. In all other respects the sick pay arrangements for a Brigade Manager shall be no less favourable than those applying to an Area Manager

Leave

21. A Brigade Manager shall be entitled to annual and public holiday leave on a scale to be determined by the fire and rescue authority but in any event no less favourable than that granted to an Area Manager.

Special leave

22. Special leave, with or without pay, may be granted in special circumstances at the discretion of the fire and rescue authority.

Employment with other organisations

23. The NJC is mindful of the need for the Fire and Rescue Service to demonstrate probity in the way it functions and its' relationships with external organisations.
24. After leaving the employment of the relevant fire and rescue authority, Brigade Managers are encouraged to respect and uphold these high standards of probity if they are subsequently employed by an organisation connected to the fire and rescue authority. This will include not divulging any information to any third party that is confidential to the fire and rescue authority.

Indemnification of employees to undertake authorised tasks

25. The Local Authorities (Indemnities for Members and Officers) Order 2004, gives a specific power to authorities to grant indemnities to cover the potential liability of members and employees. Fire Authorities should ensure that appropriate indemnities are in place and that the indemnity continues to apply if Brigade Managers are required to undertake incident command roles in other authorities.

Pecuniary interest

26. If it comes to the knowledge of a Brigade Manager that a contract in which he or she has any pecuniary interest, whether direct or indirect (not being a contract to which he himself or she herself is a party), has been, or is proposed to be, entered into by the fire and rescue authority, he or she shall, as soon as practicable, give notice in writing to the fire authority of the fact that he or she is interested therein (this is also covered by Section 117 of the Local Government Act 1972).

Application of other terms and conditions

27. In relation to matters not covered herein, a Brigade Manager shall be entitled to terms and conditions of services no less favourable than those relevant terms and conditions applying to an Area Manager under the Scheme of Conditions of Service of the National Joint Council for Local Authority Fire and Rescue Services as set out in Appendix C, Where this latter scheme of conditions is altered then the previous existing conditions will be retained until changes are agreed by the NJC for Brigade Managers of Fire and Rescue Services. All Brigade Managers will undertake the hours necessary to undertake their duties within the requirements of the Working Time Regulations, as they apply to Managing Executives, in so doing Fire and Rescue Services will have regard to the on-call commitments of its Brigade Managers

Procedures

28. All fire and rescue authorities shall establish procedures governing discipline, performance, and attendance, which cover Brigade Managers and provide arrangements no less favourable than those for Area Managers. Where the Chief Fire Officer exercises the role of Head of Paid Service then consideration should be given to applying the procedure governing Local Authority Chief Executives. A copy of the procedure is available from the Joint Secretaries.
29. Where a Brigade Manager has a grievance arising out of their employment then each fire and rescue authority should ensure that it has arrangements in place to enable that grievance to be heard.
30. Principles relating to grievance, disciplinary and capability matters, which should be taken into account within local procedures, are contained in Appendix D.

Workplace performance and assessment

31. The performance of Brigade managers shall be formally assessed through a performance appraisal process. This involves the setting of both general and specific objectives for the year ahead and the review of performance in achieving previously set objectives. The focus of the process should be on reviewing performance and setting objectives, clarifying what the individual will be expected to achieve, and on identifying any continuing personal development needs to maintain a high level of performance.
32. Brigade Managers are also required to provide ongoing evidence of their competency against the role map. Where possible, the same examples can be used to provide evidence of competency and performance against agreed objectives
33. Joint advice on application of performance appraisal systems is contained in Appendix C.

Interpretation

34. Any questions concerning the interpretation of this scheme shall be referred to the National Joint Council for determination.