

SM/TL

Joy Flanagan  
01606 868810

27 November 2007

Email: [joy.flanagan@cheshirefire.gov.uk](mailto:joy.flanagan@cheshirefire.gov.uk)

Dave Williams  
FBU  
FSHQ

Dear Dave

**RE: MEETING TO DISCUSS DISPUTE RESOLUTION AGREEMENT AND CPD**

I agreed that I would formally record the situation at the end of the disappointing meeting on 16 November to set out the way forward with regard to CPD payments to staff. I have also had the opportunity of reading your letter of 21 November.

As far as we are concerned, we have a collective agreement that requires managers to attend CPD days on days that would otherwise be rota days. We have had that agreement for two years now, and it is binding – as binding as the Grey Book itself because it too was the result of collective bargaining including the intervention of the Joint Secretaries.

No further negotiation or consultation is required.

If people do not attend these CPD days then there is a range of sanctions available to the managers of the Fire & Rescue Service, including that of reflecting non-attendance through the CPD payment framework.

We have therefore included this within the CPD guidance for our managers. We will now consider the applications made by staff for their CPD payment.

We have also identified in the guidance, however, that it is possible for people to be able to demonstrate that they have acquired the relevant CPD by not attending the CPD days. However, it will be an extremely challenging task to do so. To be absolutely explicit, we do not intend to make it easy for people to avoid attending CPD days, nor do we intend to permit the payment of CPD to become a straightforward replacement of the old Long Service Increment. CPD payment must be earned, it is not a right.

- continued -

- Page 2 -

In light of the above, it is clear that we do not and will not recognise a failure to agree on this matter, nor do we consider that this stance is unreasonable in the context of paragraph 14 of part C of Section 6 of the Grey Book.

Your participation in the local consultation/negotiation machinery is not proving to be effective. Your all too frequent fall back position is to refer matters to the National Joint Secretaries. It also appears that the FBU Brigade Committee considers itself able to veto all "agreements" reached and, as such, has clearly not mandated its senior officials to negotiate on behalf of the local membership.

Accordingly, we feel that the previous rationale and reasoning behind supporting the funding of a fulltime seconded Branch Secretary no longer pertains, and we will therefore be taking a paper to the Fire Authority on 5 December recommending a review to the Trade Union protocol including Trade Union facilities.

We are likely to advocate following ACAS good practice, in terms of reasonable time off for Trade Union Officials, and it is for you to decide how you elect to use the time the Authority makes available to you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S McGuirk', with a stylized flourish at the end.

**Steve McGuirk**  
**Chief Fire Officer**