



**Department for  
Communities and  
Local Government**

Matt Wrack  
General Secretary  
The Fire Brigades Union  
Bradley House  
68 Coombe Road  
Kingston Upon Thames  
Surrey KT2 7AE

**Penny Mordaunt MP**  
*Parliamentary Under Secretary of State*

***Department for Communities and Local  
Government***

4<sup>th</sup> Floor, Fry Building  
2 Marsham Street  
London SW1P 4DF

E-Mail: [penny.mordaunt@communities.gsi.gov.uk](mailto:penny.mordaunt@communities.gsi.gov.uk)

[www.gov.uk/dclg](http://www.gov.uk/dclg)

24/02/2015

Dear Matt,

Thank you for your letter of 13 February. I made clear the Government's position on fitness in the debate in Parliament on 15 December and in my letter to you of 28 January. It is time you engaged constructively with the process now in train. The 2015 firefighters' pension scheme comes into force in less than six weeks.

We have been crystal clear that any firefighter over 55 years of age who loses fitness through no fault of their own should get support to regain fitness, redeployment or an unreduced pension. With fire and rescue authorities developing and adopting the right fitness and workforce management policies, based on the principles set out in the National Framework, I am confident that firefighters will be able to work to 60. But I recognise the need to have a safeguard in place for those who fear this might prove not to be the case.

During our lengthy discussions in the Autumn I explained to you why, having given it full consideration, a fitness objective could not be written into the pension scheme regulations. My Department's lawyers also explained this clearly to lawyers you had engaged.

For the avoidance of further doubt, it is not possible to include fitness provisions in the pension scheme regulation in England because this would require a single fitness policy agreed across all 46 English fire and rescue authorities. Fitness policies are a matter for each authority and the pension reforms do nothing to alter that. I am aware that, in Scotland, a regulation is proposed on this matter. That has been possible because there is a single fitness policy adopted by the single Scottish Fire and Rescue Service. I note that even under the Scottish proposal, the decision to award an unreduced pension is taken by the employer and that each case must be considered individually. The employer would be unable, as in England, to guarantee in advance an affirmative decision in every case, even if that was the employers' intention.

As you know, to aid the successful implementation of fitness policies in England I have taken a couple of further steps. I have committed Government to a review in three years' time to ensure that appropriate policies and procedures are in place in each fire and rescue authority. I and the Secretary of State have been clear that we would take whatever action was necessary to ensure the outcomes we expect are delivered if the review finds that might not be the case. I have also agreed that the Chief Fire and Rescue Adviser, Peter Holland, can chair a working group – with the employers and unions – to identify good practice that fire and rescue authorities can adopt.

I consider that this at least matches what is available in those countries in the United Kingdom which operate under the same legislation as in England. I therefore find your critical

position in relation to the safeguards in England both odd and inconsistent. It is of course vital that firefighters have certainty now that these measures will deliver what I expect them to. It is not reasonable to expect them to wait until the review is conducted in three years' time, or until 2022 which will be the first point at which firefighters will begin to experience a change in their currently expected retirement age. That reassurance must come from fire and rescue authorities as the employers who must put the right policies in place to meet the expectations of the National Framework. I am pleased to say that, following recent discussions between us, I am expecting the Local Government Association to lead on this and devise a process, with Union input and agreement, which would set out the policies and processes which authorities should adopt to successfully implement the National Framework principles and ensure firefighters get the support they need to work to 60 or, where they are unfit through no fault of their own, do not have a medical condition which would lead to ill health retirement, and cannot regain fitness with remedial support, get an alternative job or an unreduced pension. It should also develop an appeals mechanism for any firefighters who an authority decides do not qualify for redeployment or an unreduced pension. I would encourage you to engage in this process.

It is remarkable to me that you have once again asked your members to strike. It is unclear what your strike action is seeking to achieve. It will hit firefighters financially, and damage the service's reputation. It is completely counterproductive to protecting your members' interests.

I encourage you to call off this strike action, acknowledge that this is an approach that improves vastly on the pension scheme you accepted in 2006, and engage with the work to implement the National Framework principles. That will give firefighters the reassurance and protection they deserve and which you claim to seek.

A handwritten signature in dark ink, appearing to read 'Penny Mordaunt', written in a cursive style.

**PENNY MORDAUNT MP**