

KENT AND MEDWAY FIRE AND RESCUE AUTHORITY

HEARINGS PANEL

MINUTES of a meeting of a Hearings Panel of the Kent and Medway Fire and Rescue Authority held at Kent Fire and Rescue Service Headquarters on Monday, 21 June 2021.

PRESENT:- Mr N J D Chard, Mr D Daley, Mr P Harman and Mr V Maple

OFFICERS:- Mrs K Irvine, Assistant Director, HR and Learning (part of the meeting) and Clerk to the Authority, Mrs M Curry.

UNRESTRICTED ITEMS

1. Election of Chairman of the Panel

Mr Maple proposed Mr Chard, Mr Harman seconded.

RESOLVED that, Mr Chard be elected Chairman of the Panel for this hearing.

2. Declarations of Interest

Mr Harman declared that he was an ex-London Firefighter and ex-Kent Retained Firefighter so was in receipt of Fire Service Pensions.

3. Signing of Minutes

RESOLVED that the Chairman be authorised to sign the agreed Minutes of the Hearing.

4. Exclusion of Press and Public

RESOLVED that, under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A of the Act.

EXEMPT ITEM (Open Access to Minutes)

5. Pension Dispute – Stage 2 of the Internal Dispute Resolution Procedures (IDRP) (Item 5 - Report by Assistant Director HR and Learning)

- (1) The Panel considered information relating to a collective appeal raised by the FBU on behalf of Day Crewed employees against the decision taken at the Stage 1 process of the IDRP.
- (2) In her response to the Stage 1 IDRP complaint, the Assistant Director, HR and Learning, outlined the process that was undertaken by which the decision was made to not uphold the appeal at this stage.

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- (3) The Panel carefully examined all the information presented to it, including correspondence received from the Kent FBU Secretary registering an appeal under the Stage 2 IDRPs, the reasons for the appeal as well as supporting evidence. The Panel also considered the principles identified as a result of the Booth Vs Mid and West Wales Court case known as the 'Blackburne Principles' and how this was applied during the process undertaken at Stage 1 of the appeal.
- (4) The Panel then requested Assistant Director, HR and Learning to join the Hearing to answer some technical questions posed by Members.
- (5) Following the clarity the Panel received to their technical questions and having considered very carefully all the written evidence submitted to it, the Panel was content that there had already been a thorough review undertaken of all pay elements across the Authority following the outcome of the Booth Vs Mid and West Wales court case and that in relation to this appeal, full due diligence was undertaken at the Stage 1 process in order for a decision to be reached. Therefore the Panel unanimously RESOLVED that:-
 - (a) The collective appeal made in response to the decision taken at the Stage 1 IDRPs not be upheld.