

Managing your expectations

representation
legal advice
equality & diversity
grievance
medical appeal
disciplinary
harassment
pay and conditions
employment law

The Choice of RDS Employees



The RFU - a professional organisation whose sole purpose is to ensure the best working conditions for its members within the fire service

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About Us

The Retained Firefighters Union (RFU) was formed in 1976 and has gone from strength to strength ever since. We have one aim and that is to serve our members, manage their expectations, and provide national and local representation, general support and advice on any issue relating to their fire service duties including primary employment.



We also provide legal advice and representation on employment law and personal injury claims.

Primarily we only represent fire service personnel who have a Retained Duty System contract which ensures that we as a union have no conflicts of interests. In addition we have recently opened up our membership to USAR technicians irrespective of whether they undertake RDS duties.

While we reserve the right to undertake industrial action as a last resort, we refuse to use strike action as a means of progressing our arguments. Our members provide an emergency service in the same community in which they live and/or work which makes it very difficult to take strike action against those who hold them in high regard and are also their own friends, family and neighbours. Too often we witness comments from others that "we are on strike to save lives" which is a very confusing statement. Who looks after the vulnerable in the meantime..... The RFU.

The RFU is an independent trade union under the Trade Union & Labour Relations Act 1992. We have no political affiliation and therefore all monies from union subscriptions are ploughed back into maintaining a first class value for money service which protects our members 24hrs a day, 7 days a week, 365 days a year.

"I joined the fire service as a rookie in 1975 and it didn't take long for me to be amazed and impressed at what retained firefighters did for the community.

I saw displays of skill, commitment, hard work, common sense, comradeship and at times huge compassion when misfortunes occur.

When I became aware of the RFU I joined because the very people I was impressed by deserved to be looked after when things went wrong for them.

The reasons for joining are just as valid today as they were over 30 years ago, there has to be a non-conditional, non-confrontational support mechanism for RDS personnel which doesn't have to include withdrawal of labour.....The RFU"

John Barton General Secretary RFU

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Why Join the RFU?

If you have any problems at work it makes sense to have someone on your side. A Trade Union provides support and representation for its members on **all** work related issues.

Some workers join a trade union because they believe that a union can:

- agree better working conditions, such as more holidays or improved health and safety
- provide training for new skills
- give legal advice and support
- give general advice and support
- negotiate better pay
- provide representation at Pension appeals
- provide representation at Medical appeals
- give confidential advice service



Some believe that Trades Unionism is a “lifelong political struggle” involving the “Workers” against the “Bosses” and that it relies on militancy, threats and shows of strength to achieve its aims.

This perception can have a negative effect on potential members because they don't wish to be a part of a militant group; “All Unions are Bad News” it's not for them and they don't join.

For others, joining a union is a means of acquiring “insurance” for when something goes wrong with the opportunity to feed ideas and concerns into the organisation via a democratic process.

Others join and play an active part because they have the skills and the desire to see fair play and equitable treatment for their peers.

The RFU believes that in all cases there has to be a balance between these extremes. A lot can and has been achieved by working together in partnership.

Our working knowledge of RDS personnel is second to none and provides clear evidence that RDS personnel (if provided with accurate information) are not necessarily militant and given the choice they'd prefer to be left alone to get on with this extremely rewarding job.

In their view union membership is really there for the “rainy day” scenario where expert help is available if things go badly wrong.

We, the RFU have to be proactive on our members' behalf; a union is not now nor ever has been just simply a safety net. Unions are not just there for when something goes wrong!

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We understand the Fire Service environment



- Yes we want to see safer workplaces
- Yes we want our members to be well trained and rewarded
- Yes we want them to be able to access opportunities for further career development.

"It is a fact that in the best workplaces, employers and unions recognise the value of working together and the benefits for staff, management, local politicians and the communities we serve"

Simple Facts about your rights as an employee

- Union members have the right to be accompanied to a discipline or grievance hearing by a trade union representative (*although trade unions are not compelled to provide this*).
- All employees, regardless of whether they are union members or not, are entitled to be accompanied by a work colleague.
- Recognised unions also have rights to consultation where redundancies or a transfer of business are proposed.
- Fairness at work is a top priority for the RFU. That means ensuring that your rights at work are respected. Whether it's about protection from victimisation, tackling discrimination, improving pensions, raising health and safety standards or enforcing employment rights, the RFU provides top quality support and assistance.
- In law, you have a right to join a union and membership is confidential between the member and the union.

Membership provides specific information about your rights at work - to a safe and healthy work environment, to equal pay and to legal rights that protect your terms and conditions.

Not a member of the RFU yet?

Ask yourself the following questions

- Does your employer consult the workforce BEFORE changes are made to your working practices?
- Are you given the opportunity to have your say?
- Does anyone take any notice?
- Do you work in a healthy and safe environment?

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- Do you believe you are valued by your employer?

If you have answered NO to any of these then we will be able to help you and your colleagues.

Why should I choose the RFU?

The RFU is run for the retained by the retained, the majority of the staff at our head office are, or have been retained firefighters so there is no better understanding of how the retained system works and how retained personnel are best served than by the RFU.

Our Lay Officials are also serving personnel who can relate to the members who they serve. As you probably know 60% of appliances are crewed by Retained covering 90% of the UK land mass. The RFU is slowly succeeding in educating the general public that retained firefighters exist and are likely to be crewing appliances at their local fire station!

RFU Structure

We are the only union who fully understand what it is to be a Retained firefighter in the UK, the distinctive pitfalls that this unique job can produce and have been encountered by our members. All our officials, whether they are Full-time, Regional or Local; are currently or have been an employee on the Retained Duty System – and we have been doing so for over 30 years!!

Like you, RFU officials are on-call 24/7 ready to deal with your issues as and when they arise.

National Executive Committee (NEC)

The National Executive Committee is where policy is produced and agreed democratically, the NEC meets up to 4 times a year (*including the Annual Conference*) and is the arena for determining strategy through debate to ensure the organisation is always one step ahead.

National Officials inc. Executive Officers

Regional Officials

Local Committee Structure

Brigade Chair
Brigade Secretary
Health and Safety Rep
NEC Rep
Membership Secretary
Committee Members

All officials are appointed annually by the membership:

For details on your local officials and their contact details call RFU HQ on 01953 455005

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Be warned – not all unions are the same!!

We pride ourselves on being a modern, moderate, forward-thinking union

“Part of the solution rather than the problem”

While there are other unions within the Fire Service we are not all the same, the RFU has a 'No-Strike' constitution. Fire, Road Traffic Accidents, Flooding etc do not recognise strike action and therefore neither do we.

It is unthinkable to ever withdraw our labour and place our friends and neighbours at risk. 'Going on Strike to save lives' is a very confusing message, we hope you'd agree.

There are more professional ways to overcome major issues within the service, we prefer to use the power of argument rather than the argument of power, if we believe our case is strong there are many avenues to pursue that have proven to be more successful than strike action.

We will use:

- Industrial Action, i.e. working to rule
- Lobbying of the public, MPs and Local Councillors
- The media

Any issue always begins and ends at the negotiating table which is where we come into our own when fighting our cause.

Other unions will not represent its members depending on the situation they find themselves in, issues such as being accused of bullying and harassment, driving through red lights and co-responders schemes are excluded from representation and support.

With the RFU, there are no hidden exclusions, we believe in being open and transparent in the services we offer our members.

It is important to remember that if you have a problem, the problem itself is bad enough, you don't need your case being used as a political weapon for other agendas elsewhere.

What are the workplace benefits?

Our aim is to get you the best advice and support on any matter you may need related to your job.

It is a proven fact that well organised, unionised workplaces have better terms and conditions than non-union workplaces. There is:

- Less sexual or racial harassment

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- Less bullying in the workplace
- Better health and safety performance
- More skills and training provision
- Better trained representatives and effective procedures

Support and representation

You have the legal right to be accompanied by a trade union representative if you have a workplace grievance or if you are facing disciplinary action. The RFU provides that support.

Legal support

You will get free legal support on any employment or work related issue including Personal Injury Claims.

Campaigning

Support for your station through campaigns and political lobbying at local and national level.

Free legal advice helpline

(Non-employment issues such as debt claims, neighbour disputes, defective goods or services, matrimonial disputes).

Overview of membership

We offer representation and advice at work. Perhaps you face work problems that you need to resolve, or have a grievance to bring against your employer. Our Service Representatives, RFU Full Time Officers and Legal Team are at your disposal to give you the support and advice that you need.

RFU members have legal protection in cases of unfair dismissal, discrimination and harassment. We will take up your legal case at no cost to you, and if we win, you win! You will receive the full amount of your claim – the RFU takes no percentage.

Need to be convinced? Read the testimonials in this booklet which show our commitment to the needs of our members and how we DELIVER.

This isn't just a hollow promise that WE WILL; we have the evidence that WE DO and HAVE DONE and it's provided by satisfied RFU members.

Only a union with the financial and legal back-up of the RFU can really provide the representation and influence in the workplace that you need.

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Can I join if my employer doesn't recognise the RFU?

Yes! You have the legal right to join the union of your choice and for that union to be able to represent you in grievance and disciplinary hearings, whether or not the employer recognises that particular trade union.

Exploding the Myths

Recognition

The RFU is consulted at national level by the National Employers, this means that all conditions of service changes will be discussed with the RFU prior to any potential implementation.

However, changes to working conditions made at national level are becoming fewer, in line with the government's expectations that decision making and ownership of the fire service is to be decided locally, more and more pay schemes are being formulated in this way.

As the RFU is recognised for collective bargaining by most brigades we will be negotiating your future pay and conditions.

Representation

Your employer (Fire Service) does not have to 'recognise' your union in order for the union to provide you with representation on a host of work-related issues.

Death Benefit Scheme

The RFU provides a **FREE** Death Benefit Scheme whereby should you die whether it is on or off duty, anywhere in the world* your family will receive £20,000 tax free**, giving your loved ones some financial piece of mind.

Mutual Aid Fund (MAF)

The Mutual Aid Fund is a registered charity and was established many years ago when the RFU was first formed. It is managed by a board of Trustees who are elected bi-annually and who approve grants upon request.

There are occasions when members experience hardship which falls outside of the Grey Book provision, the MAF is there for such occasions.

It relies on donations and fundraising plus support from the membership fees you pay. We are grateful for the donations to it and very often we receive donations from members we have supported. As a member we'd ask you to keep the MAF in mind when you fundraise.

* Some exclusions apply see terms and conditions

** Subject to the presentation to the union of a coroners report

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Co-Responder Schemes

We have supported the introduction of Co-Responder schemes throughout the UK and represent our members when performing this vital duty. Not all unions are able to give the same assurances, so be aware and read their small print!!

EFAD

The responsibilities on appliance drivers are enormous, driving what is in effect an LGV through heavy traffic to an incident is demanding and hazardous. EFAD drivers are well trained, however anyone who has driven the appliance will tell you that all the responsibility rests on the shoulders of the driver. The driving standards of the general public are to be frank, less than perfect and accidents/collisions occur.

From our case studies we know that all too often the driver can be left feeling neglected by the service following an accident. It is vitally important for you to be aware that the RFU recognises the shortfalls in support for drivers of appliances.

We DO NOT HESITATE to provide legal support for you if you have an accident. We do not endorse dangerous driving of appliances but we do protect and represent, we are not judgemental, you will not be on your own!!



RFU and Howes Percival Solicitors Working in Partnership

"Howes Percival has enjoyed a close working relationship with the RFU for many years. During this time, we have gained an in-depth knowledge of the unique difficulties which may be faced by Retained Firefighters. This has enabled us to understand the special way of life of Retained Firefighters and to have become highly experienced in dealing with Fire Service matters.

Our aim always is to assist Union members to achieve the best outcome, whether in relation to claims arising from accidents whilst on duty, employment issues or otherwise.

We are proud to offer an efficient and professional service conducted in a friendly and approachable manner."

Andrew Barnes – Managing Partner, Howes Percival

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Testimonials

The following examples are just a glimpse of the support the RFU has provided to members over the past 12 months. We have deliberately made the testimonies anonymous to comply with confidentiality clauses.

Member RF14035

"During my routine 3 yearly fire brigade medical (July 05) the Doctor found I had a heart murmur.

Over the next few months I underwent relevant tests, followed by heart surgery in June 06 to replace the faulty valve. The operation was successful, and I made a full recovery returning to my full-time job 3 months later. I initially received a letter from the Brigade agreeing my return to operational duties. I subsequently received a 2nd letter from the Brigade in which they were recommending ill-health retirement, which would have meant I left the brigade with nothing.

I believed I was no longer ill and wanted to return to something that had been a big part of my life for 17 years. I rang RFU HQ and was put into contact with one of their full-time officials. He was very supportive of my situation and was more than willing to support and advise me through the situation. The RFU explained the rights I had under the Disability Discrimination Act (DDA) and that the Brigade needed to look at making reasonable adjustments, to meet the change in my circumstances.

From what I understand, this was a first for the Brigade and they were unsure how to address this situation. The RFU worked hard, obtaining a lot of information from various sources to use in my support - the difficulty was engaging with the brigade's HR department.

My RFU contact was very persistent with e mails, 'phone calls and letters that finally resulted in a successful meeting with the brigade in November 06. At this meeting apologies were made from the Brigade for the originally letter requesting ill health retirement and the length of time it had taken to address my circumstance

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Some of the plans made for my return to work included.

- *Risk Assessments*
- *Specialist PPE*
- *Regular meetings to assess my progress*

In March 07 I returned to operational duties, (90%) this is with the support of the RFU, Occupational Health, HR and of course my colleagues.

The RFU also supported me when I applied for compensation for loss of earning whilst the situation was debated.

Without the support, advice and determination of the RFU, I would either be out of the Brigade or still battling to return to work.

The RFU kept me focused during those difficult times.

I would always recommend joining the RFU, you just never know when you may need them."

Member RF12007

Our member was accused of demonstrating resentment towards a colleague in the form of 'harassment and victimisation'. As a result of this he underwent a disciplinary investigation and subsequent hearing where he was demoted and received a first written warning. Further incidents were alleged and our member had a subsequent hearing when he was dismissed for reason of misconduct. It was only at this stage that we as a union were contacted; we became involved and appealed against this decision.

Pending the outcome of the investigation, our member was at this time suffering from ill health and unable to appear at the subsequent appeal hearing in the time allocated and the brigade decided that they would no longer consider the appeal.

At this stage an Employment Tribunal Claim was made and following a response from the Brigade's solicitors, a full and final settlement was made and accepted and our member was reinstated at an agreed date.

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Our member was absolutely delighted with everything that had been achieved on his behalf and felt that had he not been a member of the RFU he would have been out of a job with his reputation in tatters. His continuation of service and pension rights were also protected.

NOTE: If you are a member and the subject of disciplinary action you should inform the RFU immediately - early dialogue where we can provide you with support and advice can help to resolve a situation before it escalates into a less manageable state of affairs.

Member RF12223

"I am just writing to you personally to thank you for everything that the RFU have done for me and my family, after my accident on the 9 July 2004. From the first day that I contacted the union, you have been impeccable in the way you have conducted the case. There was never any barrier too big or small that the RFU couldn't overcome. Nothing was ever a problem and I couldn't have asked for better representation from a Union Rep, who sometimes travelled hundreds of miles in round trips for meetings.

I would like to say a big thank you to those people who were directly involved in helping me especially Howes Percival, the lawyers, who have been great in everything from advice and helping by just giving moral support when myself and the wife needed it as well as financial compensation without which we couldn't have paid the mortgage etc.

Special thanks to the part-time RFU official who worked tirelessly to get my pension for me over three years, and who has become a very good friend, who always found time to speak to us at any time and expertly won a case that had barrier after barrier put up by the Brigade. My wife and I say a very big thank you to all who helped us."

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Member RF16669

Our member was responding to his alerter when he was involved in an accident on his push bike, as the result of a collision with a dog running loose, which resulted in him having a suspected dislocated shoulder.

Surgery to his shoulder was not a complete success and further surgery was contemplated. His employment in his full time work looked bleak and he was receiving extended sick pay from the brigade. Two years further on and our member was retired out through ill health from his full time work which obviously resulted in great financial hardship for him and his family.

Our member was found to be unfit to continue his duties as an operational firefighter and was given notice that he would be retired from the Fire Service on the grounds of ill health.

Our member was entitled to an Injury Award and an ill health retirement pension.

He has given permission for the following letter to be printed as he was so delighted with all the help and encouragement he received from both staff at HQ and our County Contact.

"Just a short letter to let you know that over the past two and a half years you have been such a great help to my family and myself. I would advise any retained fire fighters who are joining the Fire and Rescue Service that it would be to their advantage to join the RFU and if it wasn't for the likes of the RFU and Howes Percival, my family and I wouldn't have had the support and information you have given us. Once again a Big Big thank you to all that have helped us from the RFU over the last couple of years."

Member RF20541

"After my accident the RFU were extremely supportive and quick to put me in touch with a solicitor. They made me aware of my rights and kept in regular contact in the following months." This member received burns to their knee whilst on an exercise.

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Member RF12088

The enclosed is a typical letter received from a member following a successful conclusion to their injury claim.

"During nearly 24 years RDS service and RFU membership it has been my misfortune to suffer injury twice, the second injury prematurely ending my Fire Service career.

On both occasions I have received not only first class legal representation and unstinting tailored personal advice, but the support needed to face the discouraging obstacles encountered in the pursuit of just claims.

Satisfactory conclusions to my benefit were reached on each occasion, I firmly believe that this would not have been the outcome had I been unrepresented."

Member RF20713

"I had been a member of the FBU for over 20 years when I asked for their support as my brigade looked to take discipline action against me – to my surprise they refused to do so.

Fortunately I was also a member of the RFU and rang their Head Office expecting a similar rebuff. Not only did they give me the information I was after but they took on my case and prevented me from being dismissed. Since then I have had a couple of issues with the ACO within my brigade and the RFU have resolved them in my favour. If it wasn't for the RFU I would have been out of a job."

Member RF14968

"I was a Retained firefighter for 15 years running the Retained section for the last 10 yrs. I was injured whilst cutting someone from a car in February 2004. After 21 months of recovery and trying to get back to operational duties, out of the blue I was asked to see the CFO. I was told I was going to be dismissed unless I made a full recovery within 6 weeks; I failed to do this and was dismissed for "incapacity". I was offered - no compensation, no pension, no other position within the Brigade, (even though I had a proven track record of training 15 probationers), just a thanks for your time and a hand shake.

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I kept the RFU involved from the start and they kept a back seat right up to the point where the Brigade made the decision to dismiss me. I knew I was never going to be fully fit to be operational again, and accepted the decision to leave, but not on "incapacity". An official from the RFU was then involved in my case, he was great with support that was second to none and after an appeal and further specialist appointments, the decision was changed from dismissal on the grounds of incapacity to ill health. A Brigade pension was then paid from the date of leaving. The RFU's appointed Solicitors, Howes Percival were hot on the case and after 22 months of legal debates they negotiated a settlement which was amicable to both me and the Brigade.

Although I am not in the Brigade now and not able to do as many things that I used to, had it not been for the involvement of RFU I would have left the Brigade with nothing and I thank all those involved from the RFU for their help and support."

Members RF20695 and RF21063

Two members attended an incident and were accused of stealing property whilst at the scene.

Curiously it was never established that any property had been stolen, the evidence against them was both subjective and extremely circumstantial. Aspects of the way in which the allegations were reported to the service also left a lot to be desired.

The RFU takes representation of its members very seriously and undertook a thorough investigation into evidence against them to the extent that it even interviewed the owner of the premises where the "alleged" theft had taken place. The owner's testimony did not support the case against them. It then emerged that a series of anonymous phone calls had been made to the premises following the incident which cast doubt on the case, the plot thickened.

Building a case for the defence takes time and careful thought and the disciplinary hearings were prolonged affairs, it took some time to challenge witnesses, and achieving justice is not always easy. The case against them was not proven and they returned to duty with clean records and continue to serve their community.

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It comes as quite a shock to be accused of theft, conviction not only brings with it dismissal from the service but places ones primary employment at risk as well. Both members were respected within the community and a lengthy suspension which excludes individuals from the station together with wagging tongues is not a pleasant experience to have to deal with especially as it also has a knock on effect for the whole family.

Member RF12014

“On completion of a drill night at my station I left the building and proceeded to my car which was parked using the designated space within the station grounds. During this journey I lost my footing where the concrete driveway met the shingle path causing my foot to buckle under the strain and my knee to twist.

The injury caused me to take sick leave not just from my fire service role but also my primary employment; eventually I was able to return to modified/light duties within the fire service and after surgery my primary employment. However after 3 years of physiotherapy, it was clear that my injury was not going to improve enough to return to operational duties. The RFU cared for me throughout this time exploring the possibilities of negligence, private medical treatment and pension rights keeping me regularly up-to-date with developments. I couldn't ask for more from an organisation.

Eventually I was awarded an Ill-health Fire Service Pension ensuring my family is financially secure for the rest of our lives. I cannot thank the RFU enough.”

Member RF12175

“Whilst responding to a fire call on my bicycle I was knocked down by a car resulting in a broken shoulder. Naturally the injury took me off the run within my operational role but I was extremely fortunate that my primary employer made adjustments for me to continue within my main employment.

Over the following 18 months I visited Penrith in Cumbria twice (via the Fire Service Benevolent Fund), attended numerous appointments with doctors, consultants and specialists through the brigade and my GP with only little improvement on my medical

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condition. As there was contradicting evidence as to whether my disability was permanent, the brigade started proceedings to dismiss me on the grounds of capability. The RFU, who had been involved since the beginning of the accident stepped in which resulted in the brigade allowing more time for recuperation which after an additional 18 months proved that my disability was in fact permanent.

Not only did the RFU's intervention provide me with an ill-health Pension but the union also progressed a successful 'Personal Injury' claim against the driver of the car resulting in a satisfactory financial settlement. There is no doubt in my mind that without the RFU my life would have taken a turn for the worse financially. I cannot thank them enough."

Member RF21514

Our member sustained an injury to his hand at an incident and as is so often the case did not recover fully and therefore eventually left the service with an ill-health pension and a lump sum compensation payment in respect of the injury.

Further complications arose around his length of service which was a factor in determining the level of pension he received. The complications were due to organisational restructuring which saw him at one point attached to two stations! These complications were eventually overcome and the issue resolved to our members satisfaction.

These 'real' examples gives just a taste of the unfortunate situations an operational employee can find themselves confronted with through no fault of their own.

Don't leave it too late; being a member of the RFU secures not only your future but your family's as well.

in partnership with



RFU - We deal with the small print - you do the job!

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