

# **FIRE AND RESCUE SERVICES ACT 2004**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 4: Employment**

##### **Negotiating bodies**

##### ***Section 32 Negotiating bodies***

57. **Section 32** provides the Secretary of State with reserve powers to establish negotiating machinery for the Fire and Rescue Service. The powers allow the Secretary of State to determine the number, composition and chair of the negotiating bodies following consultation.
58. Subsection (2) requires that a statutory body includes employers and employee representative bodies and an independent chairman. No member or employee of a fire and rescue authority, employee representative body, civil service or a Minister may serve as the chairman.
59. Should any negotiating body be set up under these powers, subsections (4) and (5) would prevent the body being undermined by negotiations being held in another forum. Subsections (5) to (8) however would allow the statutory body to make arrangements for certain conditions of service to be negotiated locally (either in their entirety or within nationally agreed parameters).

##### ***Section 33: Guidance***

60. **Section 33** allows the Secretary of State to issue guidance to negotiating bodies. Any negotiating body, whether established voluntarily or under section 32, would be required to have regard to the guidance issued to them.