

PARLIAMENTARY DEBATES

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OFFICIAL REPORT

Third Delegated Legislation Committee

DRAFT STRIKES (MINIMUM SERVICE LEVELS:
FIRE AND RESCUE SERVICES) (ENGLAND)
REGULATIONS 2024

Tuesday 12 March 2024

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Saturday 16 March 2024

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The Committee consisted of the following Members:

Chair: YVONNE FOVARGUE

† Bell, Aaron (*Newcastle-under-Lyme*) (Con)
† Elphicke, Mrs Natalie (*Dover*) (Con)
† Eustice, George (*Camborne and Redruth*) (Con)
† Fletcher, Colleen (*Coventry North East*) (Lab)
† Green, Damian (*Ashford*) (Con)
† Hussain, Imran (*Bradford East*) (Lab)
Javid, Sir Sajid (*Bromsgrove*) (Con)
† Lynch, Holly (*Halifax*) (Lab)
† McDonnell, John (*Hayes and Harlington*) (Lab)
† Mann, Scott (*Lord Commissioner of His Majesty's Treasury*)

† Morris, James (*Halesowen and Rowley Regis*) (Con)
† Morrissey, Joy (*Lord Commissioner of His Majesty's Treasury*)
† Norris, Alex (*Nottingham North*) (Lab/Co-op)
† Philp, Chris (*Minister for Crime, Policing and Fire*)
† Spellar, John (*Warley*) (Lab)
† Sunderland, James (*Bracknell*) (Con)
† Western, Andrew (*Stretford and Urmston*) (Lab)

Stella-Maria Gabriel, *Committee Clerk*

† **attended the Committee**

Third Delegated Legislation Committee

Tuesday 12 March 2024

[Yvonne Fovargue *in the Chair*]

Draft Strikes (Minimum Service Levels: Fire and Rescue Services) (England) Regulations 2024

2.30 pm

The Minister for Crime, Policing and Fire (Chris Philp): I beg to move,

That the Committee has considered the draft Strikes (Minimum Service Levels: Fire and Rescue Services) (England) Regulations 2024.

It is a pleasure to serve under your chairmanship, Ms Fovargue, for what I think is the first time but which I certainly hope is not the last. The regulations were laid before Parliament on 8 February following the publication of the Department's response to its extensive previous consultation on implementing minimum service levels for fire and rescue services. The services provided by fire and rescue authorities are critical to the safety of the public and the protection of property and the environment. It is therefore crucial that the public remain able to access fire and rescue services when they need them, because without that there is a threat to life. The overarching aim of the regulations is to help ensure that happens even on strike days, proportionately balancing the right to strike with the right of the public to be protected, in this case from fire.

Using powers introduced by the Strikes (Minimum Service Levels) Act 2023, the regulations will allow fire and rescue authorities to issue work notices to ensure there is sufficient cover to answer all emergency calls and respond to fire-related emergencies as if strike action were not taking place. The minimum service level for fire and rescue services includes three core aspects: control rooms, emergency incident response and fire safety services. Broadly speaking, the responses to the Government's consultation, including those from the majority of fire and rescue services, were in favour of a nationally set minimum service level but with a degree of local flexibility. That is reflected in the provisions set out in the regulations.

First, for control rooms, the minimum service levels make sure emergency calls are answered and assessed for resources to be dispatched to the emergency incident to the extent necessary to ensure the public are protected as they would be on a non-strike day.

Andrew Western (Stretford and Urmston) (Lab): I declare that I am the son of a retired firefighter who is in receipt of a fire pension. Is the Minister aware that it has long been custom and practice during a fire strike for firefighters on the picket line who become aware of a threat to life or other such serious incidents to leave the picket to immediately attend and protect life? Does that not, therefore, make all this legislation unnecessary?

Chris Philp: I do not think that is how it happens. If there is a major or critical incident declared, it is possible firefighters might return to work. That might happen quite fast if they are on a picket line, but it might take longer if they are at home. The threshold for that is quite significant, and it may not necessarily be the case that a regular small-scale house fire, which none the less might destroy someone's home and which might put life at threat—certainly, it might simply destroy someone's home—would automatically be covered. It might in some circumstances, but there is no guarantee.

I am sure the hon. Gentleman would agree that even if life is not threatened, the destruction of someone's property or someone's home is a serious matter and it would be proper for us to protect that in the regulations. I am sure if it were the hon. Gentleman's home being burned down, even if there were no threat to life, he would want that to be taken seriously and he would want that fire put out.

Andrew Western: I gently say to the Minister that in his response he suggests that part of the problem with firefighters being on strike and not responding to threat-to-life incidents is that they may be at home. Can he confirm how many fire stations currently operate under the retained model, at least overnight, where firefighters have to travel in from their homes, and the impact that that has on response times already?

Chris Philp: The hon. Gentleman is referring to fire stations typically in sparsely populated rural areas, whereas in urban areas firefighters tend to be on regular salaries. The purpose of the regulations is to make sure we do not have to rely on good-will decisions with quite a high threshold and no guarantee that firefighters on strike, who would normally be at the fire station and particularly in busy urban stations, would necessarily be there. If the house of anyone here or of any of their constituents were on fire and it was a strike day, they would want to know that their house would not burn down. We are trying with the regulations to strike a reasonable balance between the right of firefighters to go on strike and the right of the public not to suffer serious damage and threat to life. By the way, many other European countries, such as Portugal, Greece, Germany, the Netherlands and others, do strike that balance in a variety of different sectors—I am not talking just about fire—and have legislation that is fully compatible with the European convention on human rights and strikes precisely that reasonable, proportionate balance: that is what we are seeking to do here.

Just to return to the points that I was making, I have talked a little bit about control rooms, and I was just explaining, before taking the intervention, that decisions on the number of staff required to fulfil those control room functions will be for individual fire and rescue authorities to take on a bespoke, case by case basis. The reason for that is that the way that different fire and rescue authorities and fire and rescue services organise their control rooms differs, and it is quite difficult to have a single national level that would be appropriate for all of them.

When it comes to the emergency response element, we decided to set the minimum service level on a national basis across England—because these regulations apply to England; we will consider Wales and Scotland

subsequently. It will be set at 73% of appliances. Just to be precise, when I say “appliances”, I mean fire engines and other fire and rescue service vehicles, so that is 73% of the level of those that would be available if the strike action were not taking place. Individual fire and rescue authorities will be able to determine the number of staff required to safely crew and oversee those appliances.

The decision to set this aspect of the minimum service level at 73% was based on detailed modelling, which is summarised in our consultation response. The modelling calculates the proportion of days over the past five years on which demand would have exceeded the number of appliances required to meet an MSL. The model identified 73% as the threshold at which every fire and rescue service would have had enough appliances to meet emergency demand—I stress “emergency demand”—on more than 97% of the days in that five-year period. In the interests of public safety, we therefore consider 73% to be the most appropriate point at which to set this aspect of the minimum service level.

Many fire and rescue services also host national resilience assets, which form an important part of any response to major and significant incidents, such as a major building collapse or wildfire. I consider it of the utmost importance that fire and rescue services can maintain those capabilities and keep the public safe. That is why the minimum service level for the national resilience assets is set so that they are also capable of being deployed, as if the strikes were not taking place, in response to emergency demand.

John Spellar (Warley) (Lab): In this very detailed study that the Minister is talking about, how many incidents did they identify where this had actually been a problem?

Chris Philp: Well, it is set out in the consultation response. But, if the right hon. Gentleman is asking about how many strikes there have been—[HON. MEMBERS: “No.”] Well, perhaps the right hon. Gentleman should restate his question; I was not quite following it.

John Spellar: In the course of industrial action, how many incidents have there been where there had been a serious impact as a result of the strike?

Chris Philp: The right hon. Gentleman will be aware that, in the past—about 10 years ago and, again, about 10 years before that—very considerable military assets were deployed in order to provide cover when there was a large-scale fire strike.

Mrs Natalie Elphicke (Dover) (Con): Will the Minister give way?

Chris Philp: I will in just a moment. It is worth saying that the assets that are possessed by the military today are not the same; their number of firefighting appliances is lower than it was 10 or 20 years ago. So, whereas—

John Spellar: Will the Minister give way?

Chris Philp: I will happily give way again in a minute, if the right hon. Gentleman wants, after I have given way to my hon. Friend the Member for Dover, but the point is that the military assets available 10 or 20 years ago, such as the green goddess fire engines, for example, are not available today.

Mrs Elphicke: I am grateful to the Minister for giving way on this important point. I would like to put on record my thanks, which I feel we all share, for the tremendous work done by the fire and rescue services. In relation to the specific point raised, it may be helpful to the Minister to note that actually three elderly people were reported to have died in the first national firefighters strike—the one that the Minister is referring to—and indeed, more recently, the failure to respond to a call-out in the middle of a strike led to a serious incident that very nearly led to loss of life in Essex. That might be helpful to the Minister, to expand on why it is so important that these measures are put in place to save lives, as well as to protect property, and how we have seen such instances.

Chris Philp: I thank my hon. Friend for a characteristically excellent intervention. First, I do, of course, echo and share the tribute that she paid to the brave firefighters up and down the country, who put themselves in the line of danger every day to keep the rest of us safe. I think the whole Committee, on both sides, would echo that sentiment.

The examples that my hon. Friend gave about loss of life during previous fire strikes eloquently and powerfully answer the intervention made by the right hon. Member for Warley. They illustrate that, even when we had far more extensive military firefighting assets available—which we do not any more—none the less, life was still lost. What we are talking about here is ensuring that life and property—because both are important—are protected, even when a strike takes place.

The Committee knows this, but, just for clarity, we are not proposing, of course, to ban strikes. That is not what is being proposed here. We are simply setting out, in this area, as in others, a minimum level of cover that must be provided, even during a strike, to make sure that the public are kept safe and to avoid the tragic fatalities that my hon. Friend the Member for Dover just set out to the Committee a moment ago.

John Spellar: Can I just point out that there is a great difference between “during” and “as a consequence of”? In other words, there is a difference between a death during a strike and as a consequence of that action.

Chris Philp: Well, it may be that my hon. Friend the Member for Dover can set out further particulars of the incidents that she referred to, but it would seem to me to be deeply concerning when a reduction in strike cover occurs and fatalities follow; that is something that should properly concern all of us. When it comes to something as serious as fire, where life and property are at risk, I think it is proper that Parliament ensures that we have done everything we can to make sure that the public are kept safe, even during strike action. Indeed, it would be a dereliction of duty were we not to do so.

Just to complete the point that I was making a moment ago about the 73% level and the assets relating to national resilience, as with other provisions in the regulations, fire and rescue authorities will consult with trade unions and determine the number of staff required to meet the minimum service level should strike action occur. Of course, I hope that the Fire Brigades Union and other unions engage constructively with that process when the time comes.

[Chris Philp]

The third and final element of the minimum service level is to provide cover for urgent fire safety issues. The regulations set out that fire and rescue services will be expected to have staff available to rectify any emerging issues that pose an imminent risk to life and would normally require a same-day response. That might be, for example, where a significant fire safety issue is uncovered in a block of residential flats that necessitates same-day attention.

Individual fire and rescue authorities will be able to determine individually how much cover will be required for that purpose. We think that that is likely to be minimal because we accept that it is reasonable that routine fire safety work, routine inspections and routine visits do not happen if there is a strike. Those are not essential activities; they are not essential for public safety—apart from in the emergency situation that I just described—so we accept and understand that those activities would not happen on the day of a strike.

Andrew Western: Could I just ask the Minister to clarify then why, under regulation 6(3), it states that,

“(a) giving of advice about fire safety, including in particular—
(i) how to prevent fires”

would be considered as something in scope? If we are talking about fire prevention, in that case, we are certainly not talking about a building currently in an emergency.

Chris Philp: Just to be clear, when it comes to fire safety advice, it is in scope, but only to the extent that there is a concern that there is an imminent or potentially imminent risk to life. If, for example, there was a serious fire safety issue that was suddenly uncovered in a block of flats, as I mentioned in the example, and it was considered that that risk needed to be addressed immediately—no fire but a risk that needed to be quickly addressed—that should be covered even on a strike day. However, we accept that routine fire inspections would not occur on a strike day, because they are not urgent or essential on that day, but can wait for another time, after the strike is over.

As I have set out, the minimum service level in the regulations is designed to balance the right of workers to take strike action with the right of the public to have life and property protected. We believe that this is a proportionate step to ensure the protection of public safety on strike days. It follows the practice in other European countries, not just in the fire sector but in a number of other sectors. On that basis, I commend the regulations to the Committee.

2.46 pm

Alex Norris (Nottingham North) (Lab/Co-op): It is a pleasure to serve with you in the Chair, Ms Fovargue. I am proud to declare at the outset that I am a lifelong trade unionist and a member of a number of unions, including the GMB and the Union of Shop, Distributive and Allied Workers.

Let me start by offering our thanks to our brave firefighters up and down the country. They do dangerous work, they do crucial work, and they help us in our darkest moments, tackling fires, but also the impact of climate change—now more than ever, flooding—as well

as doing rescue work, when people are stuck in their cars, and much, much more. There are so many of life’s challenges to which the answer is to call our brave fire and rescue services.

As with any legislation, it is important to contrast the comfort and security in which we sit and do our important work today with, in this case, the dangerous situations that firefighters will be facing right now, whether they are on a motorway or tackling a blaze. We are talking about their terms and conditions and the nature of their work while we sit here, so we ought to have due regard for the different dangers we face at work.

The regulations are the end product of the Government’s failed approach to industrial relations. Under this Government, we have seen a wave of strike action—the most significant in decades. Yet at every stage, rather than seeking to work with our hard-working public sector staff, the Government have refused to get round the negotiating table, thrown in last-minute distractions or failed to show the leadership required to settle these disputes. The Government have failed on the economy and failed on public services, and they are failing on industrial relations.

The Strikes (Minimum Service Levels) Act 2023 was billed as a silver bullet to solve all these problems; but there lies the rub. The regulations are not about solving the issues faced by millions of British workers, whether it is those who go into burning buildings, those who keep us safe at night or those who keep the health service functioning, as they did during the pandemic. The regulations are about solving the Government’s problem, such that they do not have to negotiate, because this is a Government more interested in dealing with their own issues than in the daily struggle of the British people. What image does that send to the public? The Government have gone, in a very short period, from clapping public sector workers to threatening to sack them.

The powers in the 2023 Act that allow the Government to bring forward these regulations are a sticking-plaster solution and a distraction from the real issue. The impact of these regulations will be a significant winnowing of the basic rights of tens of thousands of people who work in the most dangerous of environments; and today we are upstairs, out of plain sight. This is a poor set of affairs, designed not to tackle the problem but to solve the Government’s problem.

But the Government cannot legislate their way out of 14 years of failure. That is why Labour opposes attacks on working people’s freedoms. It is why we would repeal the 2023 Act and why we oppose the regulations before us today. No one wants to see the public disrupted by industrial action, least of all the staff themselves—I did not hear that mentioned in the Minister’s contribution. Those staff do not wish to be on strike; they want to be at work, protecting the public.

Also, we all want minimum service standards in our public services, but it is the Government, not our hard-working staff, who have failed us in that regard. That is clear in every aspect of British life. I know that the Minister seeks constructive solutions, but I say that because the failure here is not in the intricacies of trade union legislation: it is in 14 years of failure on the economy, which have left working people facing an economic emergency. It is in a Government who have ground down the resilience of household finances over

a decade so that millions are now struggling to make ends meet, and it is the Government who have stretched public services to breaking point with a recruitment and retention crisis across the public sector. We know that is blindingly obvious to the public, but it seems the Government cannot see it. Instead, they choose today to attack the rights of working people, undermine their terms and conditions and devalue their contribution to the country. The regulations will have a practical impact, but they will not achieve what the Government seek.

Chris Philp: The hon. Gentleman says that there is a recruitment and retention crisis, yet we have record numbers of police officers—149,566 last March, as I may have mentioned previously. We also have record numbers of doctors and nurses; indeed, today the NHS has about 60,000 more staff than it did a year ago. We have record police, doctors and nurses. That is hardly a recruitment and retention crisis, is it?

Alex Norris: I am grateful for that intervention, because therein lies the difference between the Government's position and our position. We think that public sector services are distressed and morale is really poor in the police; I would be staggered if the Minister did not really know that. He knows the attrition rate, particularly among young officers. He knows the pressures in the health service. He knows the struggle that we have to hire social care staff.

Chris Philp: We are getting a bit off topic, so I do not want to stretch your patience, Ms Fovargue, but the hon. Gentleman mentioned the attrition rate, which is about 6% overall for the police. Half of that is to do with when people reach the 30-year retirement level. Only 3%, roughly, is early exit prior to the retirement date, which, in comparison with most sectors, is extremely low.

Alex Norris: The Minister and I are bound basically in one long-running, important conversation. The Minister's proposition is that the public have never had it so good on policing and community safety. My position is that—

The Chair: Order. We need to stick within the scope of the regulations.

Alex Norris: I apologise, Ms Fovargue. I will get back to my argument.

The practical impact of this statutory instrument will be to poison relations between management and staff at a time when we need constructive working relationships. Indeed, as my hon. Friend the Member for Stretford and Urmston said, constructive working relationships have existed between fire and rescue services and trade unions for many years.

The FBU has always negotiated major incident agreements with employers before national strikes. That relationship works. The Strikes (Minimum Services Levels) Act 2023 was a response to an unprecedented—certainly in my adult memory—wave of industrial action. However, that has not happened in fire, because the collective bargaining process has worked. At a time when strikes are commonplace, that has been the one place where there have not been strikes. There has not been a strike

on pay in fire and rescue services for 20 years. Why are the Government meddling with a set of arrangements that work well?

I will return to the regulations themselves. I appreciate the Minister's detail on how the requirement for 73% of appliances to be deployable on a non-strike day, as formulated by the Government, was reached. He must understand, though, that there is deep concern about that proportion. Is there a commitment that it will be kept under review? The calculations as he explained them are one way of doing it, but they are in no way the definitive one.

Similarly, the Minister said that we are in a weaker position than before. I must say, I thought it was brave of him to say that the Government have so ridden down our armed forces that now they can no longer help us in contingency and emergency. That is a significant point, because we know that there have been times, particularly in the summer and around wildfires, where in parts of the country our fire and rescue services were right on the brink. In that situation, normally we would expect to fall back on support from the armed forces. Is the Minister now saying that, due to a lack of investment, that will not be available to us? That is a significant point indeed.

The Minister discussed the appliances in scope with regard to the 73%, but I did not hear whether that is a raw calculation per unit, such that any vehicle is considered the same and 73% of them must be on the road, or whether that is weighted in any way with regard to what the different vehicles and units can do. I suspect that the answer to that will be, "That is to be decided locally." That is part of the problem for the Minister. He said at the outset that the consultation found that the majority of fire and rescue services wanted clarity. That does not surprise me—that is not an uncommon consultation response—but the problem is that the Government have failed on their own terms in that regard, because we have heard the Minister say on multiple occasions that this statutory instrument sets the environment, but what that means must be agreed locally.

For example, it is reasonable to say that the Government ought to take a view on the level of control room service they consider to be of the same standard as on a non-strike day, if they are going to legislate for that, but instead we are told that that will be decided locally. That is a failure on the Government's own terms. To follow that through to its logical conclusion, is the Minister saying that any given fire and rescue service could say that they believe the acceptable level in their control room locally is 100% of what the level would have been on a non-strike day? The Minister says that this is not meant to be a ban on striking, but in that case it would be, and that would be decided not in this place but in local arrangements. That would have catastrophic impacts on relationships locally.

More than three quarters of the staff who work in control rooms are women. The equality impact assessment quickly brushes over that point, saying that that is not a material consideration; I am surprised and would like to hear from the Minister why he believes that.

On local negotiation and agreement, will the Minister confirm not only that there will not be an obligation—certainly not in law, because I do not believe this is on the face of the regulations—for fire and rescue services to issue work notices, but that nor will there be an

[Alex Norris]

attempt, certainly while he is in his role, to compel fire and rescue services to issue work notices, and that we would expect them to work locally first, in ways that have already shown to positive, rather than using what is clearly a blunt tool?

To conclude, we have a Government who are incapable of providing even the most minimal level of service to the public. They have wrecked the economy and hammered public services. They now want to compound those woes by taking basic rights at work away from a group of people who do the most dangerous job going—people who have shown time and again that they will negotiate constructively and in good faith. This legislation is their reward for that. It is dismal

It comes back to the basic debate between the Minister and me. The Government are asking the British people to take a side: are they with the Government and their analysis of the world, or do they stand with our firefighters, our doctors and our nurses? I know which side I am on, so I will vote against the regulations and I encourage all colleagues to do the same.

2.57 pm

John McDonnell (Hayes and Harlington) (Lab): I am a member of the Fire Brigades Union parliamentary group, and have been since its inception. I have been involved in every major fire dispute in the last 20 or 30 years, including the two national strikes that have been emphasised. For the life of me, I cannot understand the justification for the minimum service legislation and for this delegated legislation in particular, because in those disputes we have always established agreements whereby firefighters have come off picket lines—and they have—whenever necessary to save life and yes, actually, to save houses as well in many instances.

I have never previously heard about this issue of the loss of life, because every time that was used in the media, each one of those incidents was contested and proven to be inaccurate, even in coroners' reports. As my right hon. Friend the Member for Warley said, it is an issue of mistaking correlation for causation in many instances, which confuses people.

This is the first time I have heard the argument about the lack of military resources used as justification for this particular piece of the legislation. It is the first time that argument has been used. I am amazed: if the Government are saying that the reason why they have brought forward this legislation is because they have not invested in our military, that is a problem for the Government that we may have to solve when we go into government.

Let me pick up a couple of particular points, to follow on from my hon. Friend the Member for Nottingham North. It is clear from paragraph 6.8 of the explanatory memorandum that there is a strike ban on call staff. It is fairly obvious that if the call staff are to be required to operate as they would if a strike were not taking place, that means, in effect, that they will not be able to strike. If we turn over the page, we see that exactly the same provisions are there with regard to the resilience staff. They will need to operate and provide the service "as if a strike were not taking place."

Both those provisions are a ban on the right to strike, despite the assurances that Ministers have consistently given us.

I looked at the assessment of the financial costings and the risks themselves. On page 29 of the impact assessment, on the risks, it says:

"The monetised benefits...assume that strike hours will be prevented as a result of this policy. Any displacement of strike hours (for example, through action short of strike, or an increase in the volume of strikes) will reduce the"

savings from

"this policy, and have not been monetised."

That is exactly the point made by my hon. Friend the Member for Nottingham North. There need to be wiser heads in Government to approach this issue.

Before they introduce legislation, a Government should consider what they are doing in terms of the industrial relations climate generally. I refer back even to the early 1970s and the Industrial Relations Act 1971 under the Heath Government, because when Conservative Governments have introduced industrial relations legislation that in any way impedes the right of trade unions to exercise their civil liberty to withdraw their labour, it has always resulted in an almost catastrophic demoralisation of the workforce, which has then undermined the industrial relations climate in particular sectors—and in that instance nationally—and just produced more industrial action. What will happen in respect of this legislation is that other forms of action will be taken, short of strike action, and in the long run that will undermine the delivery of professional services, if we are not careful. I therefore caution the Government to be careful what they wish for on things like this.

In respect of the costings, the Government need to take into account the decisions taken at recent TUC congresses and the TUC general council, because it is quite clear that if there is any action against any individual trade union or any individual trade unionists under this legislation, the whole trade union movement will react, and I do not think it will react in a way the Government will want. I believe this legislation will provoke more strikes and more industrial action and, unfortunately, in the long run have the consequence of undermining the services that we are desperately trying to protect.

3.2 pm

Chris Philp: I will respond briefly to one or two of the points made. On the question from the shadow Minister, the hon. Member for Nottingham North, about the armed services, in the past huge numbers of very old green goddess fire engines were available. Although they reached the end of their life, there are obviously still significant capabilities within the armed services that could be deployed against, for example, wildfires, but the extent to which the armed services have adequate capability to replace an entire national fire service is obviously a different question entirely.

The level at which control room service levels will be set will be determined individually, depending on local need, but if a local fire and rescue authority sought to set a 100% requirement, as somebody hypothesised, without good justification and without good reason, that is not a power that the legislation provides for.

We have heard a little about the recent pay settlements; I do not want to go into this too much because it is not really the topic of this debate, but the shadow Minister mentioned them. Last year, the average public sector pay settlement ran at around about 6.5% to 7%—both police and fire got 7%—and that was in line with, or perhaps even slightly better than, the private sector equivalent, so the suggestion that public sector workers are being unfairly treated by this Government does not bear scrutiny.

One or two Members mentioned voluntary return-to-work agreements. First, I should stress that they are just that—voluntary—so it is difficult to rely firmly on them. In 2022, when voluntary agreements were discussed and put in place in advance of the potential industrial action in early 2023, which thankfully did not materialise, those agreements covered only major incidents, which were defined as incidents affecting large numbers of people or requiring large-scale resource deployment by the fire and rescue service and at least one other emergency service. I stress that they covered major, large-scale incidents. Such incidents are, thankfully, relatively rare, and it is unlikely that that definition would be met if there was a house fire.

That brings me to my final point. The shadow Minister asked the Committee rhetorically whose side it is on. We are on the side of balance—of balancing the right to strike on the one hand with, on the other hand, the right of our constituents not to have their house burned down and have no one turn up. I challenge anyone on the Committee: what would they say to a constituent if, on a strike day, their house was on fire—it is not a major incident as defined; I just read out the definition—and no one came? I say there is no good answer to that

question. The responsible thing for us to do as legislators is to legislate to strike that balance, and to allow strike action—there is of course a right to strike, as the right hon. Member for Hayes and Harlington said—as far as is possible without jeopardising public safety or allowing threats to life or to property. That is the balance that we seek to strike in the regulations, which is why I urge the Committee to vote for them.

Question put.

The Committee divided: Ayes 9, Noes 7.

Division No. 1]

AYES

Bell, Aaron
Elphicke, Mrs Natalie
Eustice, rh George
Green, rh Damian
Mann, Scott

Morris, James
Morrisey, Joy
Philp, rh Chris
Sunderland, James

NOES

Fletcher, Colleen
Hussain, Imran
Lynch, Holly
McDonnell, rh John

Norris, Alex
Spellar, rh John
Western, Andrew

Question accordingly agreed to.

Resolved,

That the Committee has considered the draft Strikes (Minimum Service Levels: Fire and Rescue Services) (England) Regulations 2024.

3.7 pm

Committee rose.

