

REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD182

Title: Competent pay awards for Station Commanders and Group Commanders

Executive summary:

This report seeks the approval of the Deputy Mayor for Fire and Resilience for the London Fire Commissioner (LFC) to commit to revenue expenditure of £174,000 in 2022-23, £468,000 in 2023-24, £179,000 in 2024-25, £172,000 in 2025-26, £172,000 in 2026-27, and £173,000 from 2027-28 onwards for the costs associated with decommissioning electronic Personal Development Records (ePDRs) for operational staff ranked Station Commander (SC) and Group Commander (GC).

Historic development models within London Fire Brigade (LFB) have relied heavily on ePDRs to provide evidence of staff development within a role, once promoted. These are no longer considered fit for purpose. The LFC seeks to decommission ePDRs for the ranks of Firefighter Development, Leading Firefighter (LFF), Sub Officer (Sub O), Station Officer (SO), SC and GC, although there are only financial implications for the ranks of SC and GC.

The specific costs to be met are a result of the proposal to bring forward the award of competent pay to SCs and GCs on promotion, in line with other ranks. Current practice is that newly promoted SCs and GCs receive development pay, at a lower rate, until the completion of an ePDR. With the decommissioning of ePDRs and the introduction of a new Organisational Learning Model for LFB, it is proposed to bring SC and GC pay into line with LFFs, Sub Os and SOs, with regard to practice for the award of competent pay.

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the LFC to seek the prior approval of the Deputy Mayor before “[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...”.

Decision:

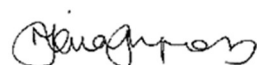
That the Deputy Mayor for Fire and Resilience authorises the London Fire Commissioner to commit revenue expenditure of £174,000 in 2022-23, £468,000 in 2023-24, £179,000 in 2024-25, £172,000 in 2025-26, £172,000 in 2026-27, and £173,000 from 2027-28 onwards, to award competent pay to operational staff at the rank of Station Commander and Group Commander on promotion, following the decommissioning of electronic Personal Development Records.

Deputy Mayor for Fire and Resilience

I confirm that I do not have any disclosable pecuniary interests in the proposed decision.

The above request has my approval.

Signature:



Date:

03/04/2023

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE DEPUTY MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. Report LFC-0756y to the London Fire Commissioner (LFC) explains that further to the recent inspection report carried out by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, and the Grenfell Tower Inquiry Phase 1 report, London Fire Brigade's (LFB's) Learning and Professional Development department has developed a suite of accredited incident command acquisition courses that align to national standards at Levels 1 and 2. These are supported by the Organisational Learning Model (OLM), which allows staff to develop before promotion and acquisition.
- 1.2. Electronic Personal Development Records (ePDRs) are a legacy-learning and development tool, used before the introduction of nationally aligned acquisition courses. A number of ePDRs are still live. Whilst historically these have been the mainstay of LFB's development programmes, they now predate the Learning and Professional Development department's current vision for development of operational staff, and their continued use comes with risk. By being used concurrently with the nationally aligned acquisition courses, they increasingly confuse staff and can impact negatively on the development journey. Furthermore, staff increasingly find it difficult to reconcile the demands of an ePDR to produce further evidence of their learning when the acquisition course they completed to a national standard has assured them of their competence. Additionally, use of ePDRs relies on staff who have themselves had limited or no training on how to complete training processes to an agreed standard. When it comes to standardised learning, ePDRs offer little assurance to the organisation. These risks are observed to varying degrees in all operational staff groups.
- 1.3. The organisation's learning and professional development model has changed significantly with the introduction of, for example, nationally aligned recognised qualifications (Skills for Justice); acquisition incident command levels 1 and 2 training; Development and Maintenance of Operational Professionalism; and revalidation of skills.
- 1.4. Notwithstanding the fact that ePDRs are not fit for purpose, and that it is recommended that the system be switched off, it is also worth noting that work is under way to, in effect, replace ePDRs with a more robust and fit-for-purpose tool. There currently is no cost saving associated with the removal of ePDRs for officer ranks from Leading Firefighter (LFF) to Group Commander (GC), as LFB still uses the same system for some other roles. As outlined in LFB's Organisational Learning and Professional Development Strategy 2022-24, the implementation of the OLM will see the introduction of an appraisal for all staff that includes an ongoing assessment against a role-specific learning specification. Learning specifications have been created for all operational staff, and appraisals against those learning specifications are planned in April 2023. Even though ePDRs were removed for ranks from LFF to GC on 26 January 2023, there will still be a competency framework in place within a short period of time (via the learning specifications). The request for competent pay for all Station Commanders (SCs) and GCs following the removal of ePDRs is to bring them in line with the other ranks below those already receiving competent rates of pay following promotion. The intention is for competent pay to be backdated to 1 January 2023, in keeping with the date ePDRs were removed, subject to the Deputy Mayor giving approval for the LFC to incur the consequent revenue expenditure.
- 1.5. Longer-term, the strategy will deliver an annual organisation-wide learning needs analysis (gleaned from appraisals against learning specifications) underpinned by a robust training assurance and training evaluation framework.

2. Objectives and expected outcomes

- 2.1. Analysis of the time spent by officers working on ePDRs, as compared to the time commitment that is anticipated once the new appraisal scheme is in place, points towards a significant productivity saving.

It is estimated that each firefighter ePDR takes up to 200 hours of input time, for both the individual and their line manager, with a figure of 100 hours for SCs and GCs (and their line managers). By contrast, the new appraisal system is envisaged to require a time commitment of less than 20 hours per year for individuals, and approximately 12 hours per line manager per year. The time saved from removing ePDRs for ranks from LFF to GC will be used to carry out the replacement appraisals, training and community-safety activities. Therefore, the saving will be one of time, rather than money.

- 2.2. In order to decommission ePDRs across operational staff groups, they have been broken down into three operational staff groups across two key areas:
 - Firefighter Development (FFD)
 - LFF/Sub Officer (Sub O)/Station Officer (SO)
 - SC/GC.
- 2.3. The situation with FFD staff is still being consulted upon with the Fire Brigades Union (FBU), hence it is not covered in this report. The position with FFD staff will be covered in a separate report at a later date.
- 2.4. There are no financial implications for the LFF/Sub O/SO group as they currently receive competent rate of pay when promoted. There is no development rate of pay across this staff group. Therefore, the LFC proposes that ePDRs for this group are removed immediately.

Station and Group Commanders

- 2.5. Due to the cost implications, approval is required from the Deputy Mayor for Fire and Resilience to commit expenditure to remove ePDRs for SCs and GCs. Newly promoted SCs and GCs will be paid a competent rate whilst on development. There is now a minimum period of nine months where SCs and GCs must remain on development; and a minimum period of 12 months when they must be competent in their role before they are eligible for promotion. Currently, average ePDR completion time is 16 months for SCs and 15 months for GCs. This report proposes that the concept of development pay is removed for these ranks in line with the rest of the operational workforce, aside from FFD staff. This would ensure that staff remuneration at all levels above FFD will be dependent on responsibility, not development status.
- 2.6. The table below shows the estimated financial impact of SCs and GCs immediately accessing competent pay upon promotion. Details of how the figures have been arrived at can be found in Appendix 1.

Table 1: Assumptions and costings

	Impact cost by FY £					
Rank	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
SC	114,186	327,513	127,759	127,759	127,759	128,021
GC	59,750	140,402	51,413	44,690	44,690	44,788
Total	173,935	467,916	179,172	172,449	172,449	172,809

- 2.7. The workings to calculate the financial impact of removing ePDRs are set out in Appendix 1 of report LFC-0756.

3. Equality comments

- 3.1. The LFC and the Deputy Mayor for Fire and Resilience are required to have due regard to the Public Sector Equality Duty (section 149 of the Equality Act 2010) when taking decisions. This in broad terms involves understanding the potential impact of policy and decisions on different people, taking this into account and then evidencing how decisions were reached.

- 3.2. It is important to note that consideration of the Public Sector Equality Duty is not a one-off task. The duty must be fulfilled before taking a decision, at the time of taking a decision, and after the decision has been taken.
- 3.3. The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (but only in respect of the requirements to have due regard to the need to eliminate discrimination), race (ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, and sexual orientation.
- 3.4. The Public Sector Equality Duty requires decision-takers in the exercise of all their functions, to have due regard to the need to:
- eliminate discrimination, harassment and victimisation and other prohibited conduct
 - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it
 - foster good relations between people who share a relevant protected characteristic and persons who do not share it.
- 3.5. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.6. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 3.7. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- tackle prejudice.
 - promote understanding.
- 3.8. The Equality Impact Assessment (EIA) has been completed. It found that the proposals would have positive or neutral impacts for most protected characteristics. However, there would be an adverse impact in relation to race, sex and sexual orientation. This is because there is a disproportionate number of staff in the SC/GC group who do not have these protected characteristics. Furthermore, there are disproportionately higher numbers of staff with these protected characteristics in the FFD group. This latter fact reflects the increasing diversity within the workforce, which is, in and of itself, a positive change.

4. Other considerations

Workforce comments

- 4.1. Report LFC-0756y was shared with representative bodies for comments, followed by a meeting where the removal of ePDRs was discussed with the FBU to clarify comments made. The FBU sought

clarification as to why keeping the ePDRs was considered a risk to the organisation. It was explained that there is no current or historic training package being delivered to aid the completion of the ePDR; and that an ePDR user guide on our intranet system is the only guidance available to all. This has resulted in varying degrees of understanding and ePDR completion, and a lack of a clear standards being established, which is a clear risk to the organisation.

- 4.2. The FBU made positive comments on the proposed implementation of the competency pay rate for SCs and GCs following successful promotion, just as with the other officer ranks. However, the FBU wanted confirmation that SCs and GCs cannot be deemed competent in their roles automatically following promotion, as there must be a period of assessment. The FBU has agreed a minimum period of nine months before SCs and GCs can be deemed competent, then a further 12 months of competence in their role before they can apply for promotion.
- 4.3. Further detail was shared with the FBU to show that the assessment will be in the form of acquisition Level 2 courses, revalidation, monitoring officers and the Operational Review team (ORT) conducting assurance at the incident ground, incident command logs and command reviews/hot debriefs. At any point the monitoring officer or ORT can take over the incident if they feel the need to; and any development or learning points can be recorded on the Incident Monitoring Process system and dealt with via a Professional Development Plan. It was also confirmed that the review for competency will take place in the form of an appraisal meeting.

Sustainability comments

- 4.4. There are no sustainability implications arising from this proposal.

Procurement comments

- 4.5. There are no commercial implications arising from this proposal.

Conflicts of interest

- 4.6. There are no conflicts of interest to declare from those involved in the drafting or clearance of this decision.

5. Financial comments

- 5.1. This report recommends the decommissioning of ePDRs for LFFs, Sub Os, SOs, FFDs, SCs and GCs. The financial impact of this change would be £174,000 for 2022-23, £468,000 for 2023-24 and £179,000 in future years. The £174,000 cost in 2022-23 will be funded from the Budget Flexibility Reserve, which has a forecast balance of £17,781,000 as at the end of 2022-23, before this proposed draw. Expenditure for 2022-23 relates to the backdating of competent rates of pay to 1 January 2023, subject to the Deputy Mayor giving approval. The investment required from 2023-24 onwards has been included as part of the LFC's 2023-24 Budget as an ongoing requirement and therefore built into the base budget.
- 5.2. There are no direct financial implications for the GLA.

6. Legal comments

- 6.1. Under section 9 of the Policing and Crime Act 2017, the LFC is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the LFC specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
 - By direction dated 1 April 2018 ([MD2260](#)), the Mayor set out those matters, for which the LFC would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the Deputy Mayor).

- Paragraph (b) of Part 2 of the said direction requires the LFC to seek the prior approval of the Deputy Mayor before “[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...”. The decision to decommission ePDRs for SCs and GCs will therefore require approval from the Deputy Mayor.
- 6.2. The report makes recommendations for the decommissioning of ePDRs for the staff groups referred to in the report, and for ePDRs to be replaced by a new learning and professional development model that aligns with national qualifications and standards.
 - 6.3. Sections 7 to 9 of the Fire and Rescue Services Act 2004 (2004 Act) provide that the LFC, as the relevant fire and rescue authority, shall secure the provision of training for personnel. Section 5A(1) of the 2004 Act enables the LFC to do anything he considers appropriate for purposes incidental or indirectly incidental to his functional purposes.
 - 6.4. The recommendations are therefore within the general powers of the LFC. Decommissioning ePDRs that are no longer fit for purpose, and replacing this tool with a model that aligns with national standards, will ensure LFB remains efficient and effective, as required by section 327A of the Greater London Authority Act 1999.
 - 6.5. These comments have been adopted from those provided by the LFC’s General Counsel Department in report LFC-0756 to the LFC.

Appendices and supporting papers:

LFC-0756y Decommissioning of electronic Personal Development Records (ePDRs)

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will be published either within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer

Shuma Begum has drafted this report with input from the LFC and in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service

Niran Mothada has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Fire and Resilience for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

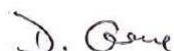
A summary of this decision was reviewed by the Corporate Investment Board on 3 April 2023.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

17/04/2024