

## REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD217

### Title: Top Management Group 2022-23 and 2023-24 Pay Settlement

#### Executive summary:

This report requests the approval of the Deputy Mayor for Fire and Resilience to authorise the London Fire Commissioner to commit revenue expenditure of £485,546, for the purpose of implementing the 2022-23 and 2023-24 pay settlement for London Fire Brigade's Top Management Group staff that has been reached with the trade union (Prospect).

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the London Fire Commissioner 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:

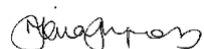
That the Deputy Mayor for Fire and Resilience authorises the London Fire Commissioner to commit revenue expenditure of £485,546, for the purpose of implementing the 2022-23 and 2023-24 pay settlement for Top Management Group staff that has been reached with the trade union (Prospect).

#### 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:

28/11/2023

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

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1 Report LFC-23-098y to the London Fire Commissioner (LFC) explains that the annual settlement date for London Fire Brigade's (LFB's) Top Management Group (TMG) cost-of-living increase is 1 April. It also states that the effective date of performance-related pay (PRP) (progression through the salary band) and the non-consolidated payment (PRP for staff at the top of the band) is 1 April.
- 1.2 The annual settlement date changed to 1 April from 1 January, with effect from April 2022, to align with the Fire and Rescue Staff (FRS) (non-operational staff) pay settlement date. This provides the opportunity for greater consistency; and reduces potential delays for negotiations across the different staffing groups within the collective bargaining arrangements, to improve efficiency. It also enabled the trade union to make a cost-of-living pay increase claim from 1 April 2022. This is set out in the LFC's decision report, TMG 2022 Pay Settlement and SPI (LFC-0768x).
- 1.3 The January 2022 pay settlement was a cost-of-living increase of 1.5 per cent. The April 2022 PRP and non-consolidated payment was 2.5 per cent. This is also set out in the abovementioned report (LFC-0768x).
- 1.4 For the April 2022-23 and 2023-24 pay settlements, negotiations continued from 24 February 2023 onwards. A formal offer was made by LFB to the trade union on 16 March 2023. Both parties met on 12 September 2023, and the trade union accepted the offer on 19 September 2023. The offer accepted by the trade union (based on current salary) is as follows:
  - from 1 April 2022: a 2 per cent cost-of-living increase to TMG staff, up to the grade of Assistant Director
  - from 1 April 2023:
    - a 5 per cent cost-of-living increase to TMG staff, up to the grade of Assistant Director
    - a 1 per cent PRP/non-consolidated payment to eligible TMG staff.
- 1.5 LFB's TMG pay offer totals 12 per cent (when added to the 1.5 per cent cost-of-living increase from January 2022, and the 2.5 per cent PRP/non-consolidated payment increase from April 2022) over two years. This is consistent with the pay settlement reached for FRS staff and operational staff within the National Joint Council for the same period. The Directors' cost-of-living increase, agreed separately, was 3 per cent for both April 2022 and April 2023.
- 1.6 The trade union accepting the offer is subject to LFB's commitment to reviewing TMG pay progression. QCG consultants have already begun this review, which is due to be completed, for LFB's consideration, by the end of the year.

#### **2. Objectives and expected outcomes**

- 2.1 The LFC decision, 'Final 2022-23 Budget' (LFC-0679), forecasts a 2 per cent pay award increase for staff. The LFC decision, 'Final 2023-24 Budget' (LFC-23-029), forecasts a 5 per cent increase for all staff. The settlement is for a 2 per cent cost-of-living increase for 2022-23; and a 5 per cent cost-of-living increase, plus a 1 per cent PRP/non-consolidated payment increase, for 2023-24.
- 2.2 The overall cost of the 2022-23 total pay settlement, including the 2 per cent cost-of-living increase, is £108,073 based on current staff salaries. This is broken down in table 1, below:

Table 1 – Breakdown of 2022/23 pay settlement including cost-of-living increase

<b>Staff</b>	<b>2 per cent cost-of-living increase</b>
Operational TMG staff	£60,972
Non-operational TMG staff	£47,101

- 2.3 The overall cost of the 2023-24 total pay settlement, including the 5 per cent cost-of-living increase and the 1 per cent PRP/non-consolidated payment, is £377,473, based on current staff salaries plus staff eligibility for the PRP/non-consolidated payment. This is broken down in table 2, below:

Table 2 – Breakdown of overall cost of 2023/24 pay settlement

<b>Staff</b>	<b>5 per cent cost-of-living increase</b>	<b>1 per cent PRP/non-consolidated payment increase</b>
Operational TMG staff	£164,505	£28,611
Non-operational TMG staff	£158,101	£26,256

### 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 pay increase will be applied to all TMG staff, including those with protected characteristics, so they will be neither disadvantaged nor treated less favourably. There is a positive impact for all TMG staff, in that a pay increase is generally accepted to be beneficial.

#### **4. Other considerations**

##### Workforce comments

- 4.1 It is anticipated that there will be a positive impact on the TMG workforce because a pay increase is generally accepted to be beneficial. The 2022-23 and 2023-24 pay settlement has been accepted by the trade union.

##### Conflicts of interest

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

#### **5. Financial comments**

- 5.1 The report recommends that the 2022-23 TMG pay settlement is agreed with a cost-of-living increase of 2 per cent, at a cost of £108,073. The 2022-23 Budget Report included funding of 2 per cent for the cost-of-living increase.
- 5.2 The report also recommends that the 2023-24 TMG pay settlement is agreed with a cost-of-living increase of 5 per cent, at a cost of £322,606; and a PRP/non-consolidated payment increase of 1 per cent, at a cost of up to £54,867. This creates a total cost of up to £377,473. The 2023-24 Budget Report included funding of 5 per cent for the cost-of-living increase. The PRP/non-consolidated payment increase is funded by staff turnover within the TMG group, as staff leave at the higher end of pay scales and join at a lower point on the scale.

#### **6. Legal comments**

- 6.1 This report seeks approval to implement the TMG pay settlement figures for 2022-23 and 2023-24, following agreement reached with representative bodies.
- 6.2 The statutory basis for the actions proposed in this report is provided by the Fire and Rescue Services Act 2004 (the Act), under which the LFC must secure the provision of personnel. Under the Act, the LFC may also do anything that he considers incidental or indirectly incidental to his core functions. Accordingly, the recommendations fall within the LFC's general power.

- 6.3 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, 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).
- 6.4 Paragraph (b) of Part 2 of that 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 commitment of revenue expenditure referred to in this report therefore requires approval from the Deputy Mayor.
- 6.5 These comments have been adopted from those provided by the LFC’s General Counsel Department in report LFC-23-098 to the LFC.

### **Appendices and supporting papers:**

Appendix 1 – Report LFC-23-098y – Top Management Group 2022-23 and 2023-24 Pay Settlement

## 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

Richard Berry 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 27 November 2023.

✓

### INTERIM CHIEF FINANCE OFFICER:

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

**Signature:**



**Date:**

27/11/2023