

## REQUEST FOR DEPUTY MAYOR FOR FIRE & RESILIENCE DECISION – DMFD123

### Title: LFB Pay Settlements 2021/22

#### Executive summary:

This report seeks the approval of the Deputy Mayor for Fire and Resilience for the London Fire Commissioner to:

- implement the National Joint Council for Local Authority Fire and Rescue Services pay settlement for 2021-22 for London Fire Brigade (LFB) Grey Book staff (operational staff ranging from firefighters to group commanders); that is, a 1.5 per cent pay increase across the board, effective from 1 July 2021
- implement this pay increase for LFB Control staff effective from 1 July 2021, subject to trade union agreement
- implement an up to 1.5 per cent pay increase for LFB FRS staff (non-operational), effective from 1 April 2021, once agreement has been reached with the trade unions.

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:

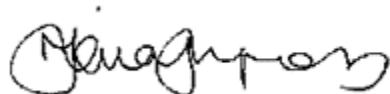
That the Deputy Mayor for Fire and Resilience authorises the London Fire Commissioner to implement up to 1.5 per cent pay settlements for London Fire Brigade staff in Operational, Control and FRS (non-operational) occupational groups with the recognised trade unions covering 2021-22, which are within the 2021-22 budgetary provision for these settlements.

#### 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:

3 September 2021

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

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

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

1.1 Report LFC-0556 to the London Fire Commissioner (LFC) sets out the background for the request to approve the implementation of pay settlements for London Fire Brigade (LFB) staff in Operational, Control and FRS (non-operational) occupational groups with the recognised trade unions covering 2021-22.

1.2 The current position with regards to 2021-22 pay settlements for LFB staff, excluding the Top Management Group, is as follows:

##### (a) Firefighters to Group Commanders

1.3 Pay for these staff is negotiated nationally within the National Joint Council for Local Authority Fire & Rescue Services (NJC). The national terms and conditions for these staff is known as the 'Grey Book'. On 28 June 2021, it was announced that the NJC had agreed a pay increase of 1.5 per cent for Grey Book staff with effect from 1 July 2021 (circular NJC/4/21). LFB Grey Book staff are contractually entitled to receive this pay increase.

##### (b) Control staff

1.4 The terms and conditions of LFB Control staff are negotiated locally. However, by convention dating back to 2005, the LFB Control staff pay settlement has followed the NJC pay settlement. This is to maintain pay comparability with Control staff nationally who come under the Grey Book/NJC. The LFB Control pay settlement is also effective from 1 July 2021. This will need to be agreed with the trade unions that collectively represent Control staff (GMB, Fire Brigades Union (FBU), UNISON) but this agreement is fully expected.

##### (c) FRS staff

1.5 The terms and conditions of LFB FRS staff are also negotiated locally; any changes to the FRS pay settlement would have effect from 1 April 2021. The trade unions that collectively represent FRS staff (GMB and UNISON) submitted a two-year pay claim to the London Fire Commissioner on 6 April 2021; the headline claim was for a 6 per cent pay increase in both years.

1.6 FRS staff are not Grey Book staff, but following the offer of a 1.5 per cent pay increase to Grey Book staff by the National Employers, LFC made the same offer of a 1.5 per cent pay increase for FRS staff to the trade unions. This followed discussions with the LFC and the GLA. FRS trade unions have rejected this offer and LFC is considering next steps.

1.7 Subject to the Deputy Mayor agreeing this report, the LFC will give delegated authority to the Assistant Director for People Services to agree a pay increase of up to 1.5 per cent, and to implement this once agreed with trade unions. If no agreement is reached with the trade unions for an up to 1.5 per cent pay increase, the Assistant Director for People Services will make further recommendations to the LFC, which may require a further approval from the Deputy Mayor to be agreed.

## 2. Objectives and expected outcomes

### Budgetary impact

- 2.1 The objectives of the recommendations are to meet a contractual commitment in respect of pay for LFB Grey Book staff; to apply the long-standing pay convention to Control staff; and to enable the offer to FRS staff to be implemented once this is agreed.
- 2.2 The LFB has budgeted for 2 per cent pay increases for all occupational groups. The budgetary provision and actual cost of the above pay settlements is as follows:

Occupational group	Pay settlement date	Budgetary provision for 2% pay increase		Cost of 1.5% pay settlement	
		Part year £k	Full year £k	Part year £k	Full year £k
Operational (Grey Book)	1 July 2021	3,982	5,309	2,986	3,982
FRS	1 April 2021	900	900	675	675
Control	1 July 2021	70	94	53	70
<b>Total</b>		4,952	6,303	3,714	4,727

- 2.3 It will be seen from the above table that the total cost of implementing these pay settlements both in a part year and a full year exceeds £150,000.

### *Alternative options considered and consultation*

- 2.4 No alternative options have been considered. The NJC pay settlement is a contractual entitlement for LFB Grey Book staff. There is a long-standing convention for the NJC pay settlement to also apply to LFB Control staff; a pay offer of 1.5 per cent has already been made to the trade unions representing FRS staff. LFB officers including the Director of People and Assistant Director for People Services are currently considering options in light of the rejection of the 1.5 per cent offer by FRS staff.

## 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 (s149 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; and promote understanding.
- 3.8 An Equality Impact Assessment (EIA) has been undertaken in preparing this report; this is at appendix 1 of the appended report LFC-0556. In summary, the EIA states that there are positive impacts across all protected characteristics, in the sense that a pay increase is generally accepted to be beneficial; the impact is neutral in the sense that there is no differential impact across all protected characteristics, as the proposal is for a 1.5 per cent pay increase for all LFB staff/occupational groups (excluding the Top Management Group, who are covered under separate pay arrangements).

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

##### Workforce comments

- 4.1 This report concerns pay settlements for the LFB workforce, excluding the Top Management Group. The Grey Book pay settlement has been agreed by the FBU at national level. The Control and FRS pay settlements will need to be agreed with the LFB trade unions that represent these staff.

##### Sustainability implications

- 4.2 There are no direct procurement or sustainability implications arising from the recommendations within this report.

## **5. Financial comments**

- 5.1 The implications of a 1.5 per cent pay award are set out in paragraph 2.2, highlighting a saving of £1.576 million to the LFB when implementing a 1.5 per cent pay award to FRS Staff, Operational Grey Book staff and Control Staff (excluding Top Management Group level) compared to the budgetary provision of 2 per cent. The total cost for the pay increase in 2021-22 if the 1.5 per cent increase is adopted for all three groups of staff will be £3.714 million, this reflects that for operational and control staff the pay increase has a part year effect. The ongoing cost of this pay increase for a full year would be £4.727 million, based on the existing staff profile. The 2021-22 budget provided for a pay increase of up to 2 per cent, therefore the pay offer proposed is affordable within the overall budget.
- 5.2 The Chancellor announced a public sector pay freeze for 2021-22 in the Spending Review 2021, in November 2021. However, central government can only mandate a freeze for certain parts of the public sector. Local authorities, including the fire service, are not in scope and the Government's equality impact assessment on the public sector pay 2021-22 stated 'local authorities may choose to implement the same policy, in line with their powers, budgeting position and wider priorities'.
- 5.3 There are no other 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 Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
- 6.2 By direction dated 1 April 2018, the Mayor set out those matters, for which the Commissioner would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience. Paragraph (b) of Part 2 of the said direction requires the 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...". The Deputy Mayor's approval is accordingly required for the LFC to incur the expenditure set out in the recommendation to this report.
- 6.3 The statutory basis for the actions proposed in this report is provided by the Fire and Rescue Services Act 2004, under which the Commissioner must secure the provision of personnel. The Commissioner may also do anything that they consider incidental or indirectly incidental to his core functions.

## **Appendices and supporting papers:**

Appendix 1 - Report LFC-0556 – LFB Pay Settlements 2021/22

**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 either be published 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**

If YES, for what reason:

Until what date: (a date is required if deferring)

**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.

✓

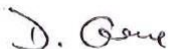
**Corporate Investment Board**

This decision was agreed by the Corporate Investment Board on 31 August 2021.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**



**Date**

3 September 2021