



LONDON FIRE BRIGADE

Report title

LFB Pay settlements 2020/21

Report to

Corporate Services DB
Commissioners Board
Deputy Mayor's Fire & Resilience Board

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Report by

Assistant Director, People Services

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Summary

This report recommends that the Assistant Director People Services is given delegated authority to reach and implement pay settlements with the recognised trade unions covering 2020/21 which are within the 2020/21 budgetary provision for these settlements.

The London Fire Commissioner Governance Direction 2018 requires the London Fire Commissioner to seek prior approval of the Deputy Mayor for Fire and Resilience before a commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices. The cost of reaching pay settlements within the 2020/21 budgetary provision will exceed £150,000 as described in paragraph 1, 'Background'.

Recommended decision

That the London Fire Commissioner gives delegated authority to the Assistant Director People Services to reach and implement pay settlements with the recognised trade unions covering 2020/21, which are within the 2020/21 budgetary provision for these settlements, based on an assumption of a staff pay rise of 2%.

Background

- For 2020/21, the London Fire Commissioner (LFC) has budgeted for 2% pay increases across all occupational groups. The total budgetary provision for this is £4,978k in 2020/21, broken down as follows:

Occupational group	Pay settlement date	Budgetary provision for 2% pay increase	
		Part year £k	Full year £m
Operational	1 July 2020	3,982	5,309
FRS	1 April 2020	900	900

Control	1 July 2020	70	94
Top Management Group	1 January 2021	26	105
Total		4,978	6,408

Note: FRS, Control and TMG pay settlements are negotiated locally; the operational (Grey Book) pay settlement is negotiated nationally.

2. It will be seen that the budgetary provision for the operational and FRS pay increases exceeds £150k. This means that for these occupational groups, and in the absence of any delegated authority, if a pay settlement is reached in line with the budgeted provision, this will need to be approved by the LFC having sought the prior approval of the Deputy Mayor. This could lead to a delay of several weeks in implementing such a pay settlement once a collective agreement is reached with the trade unions.
3. For this reason, it is recommended that the LFC, having sought the prior approval of the Deputy Mayor for Fire and Resilience, gives delegated authority to the Assistant Director People Services to reach and implement pay settlements with the recognised trade unions that are within the budgeted provision.
4. Any draft agreement that would exceed these budgetary provisions will need a further approval by the LFC through the normal governance arrangements..

Finance comments

5. This report proposes that delegated authority is agreed to implement pay settlements for staff where they are within the agreed budgetary provision. The report notes that based on a 2% award for all staff, there is a budgetary provision of £4,978k in 2020/21 for the part year impact, increasing to £6,408k from 2021/22. These amounts are reflected in the 2020/21 Budget Report (LFC-0324).

Workforce comments

6. All local pay settlements which are reached (FRS, Control, TMG) will be subject to negotiated agreement with the relevant recognised trade unions. The operational (Grey Book) pay settlement is negotiated nationally.

Legal comments

7. Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") 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.
8. 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 London Fire Commissioner to incur the expenditure set out in the recommendation to this report.

9. 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 and may take any action they consider appropriate to do this.

Sustainability implications

10. Whilst this report in and of itself does not have any direct sustainability implications, reaching and implementing pay settlements for our workforce supports continued fair employment.

Equalities implications

11. The London Fire Commissioner and decision-takers are required to have due regard to the Public Sector Equality Duty (s149 of the Equality Act 2010) when exercising our functions and taking decisions.
12. 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.
13. 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.
14. The Public Sector Equality Duty requires us, in the exercise of all our functions (i.e. everything we do), to have due regard to the need to:
 - (a) Eliminate discrimination, harassment and victimisation and other prohibited conduct.
 - (b) Advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it.
 - (c) Foster good relations between people who share a relevant protected characteristic and persons who do not share it.
15. 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:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic;
 - (b) 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;
 - (c) 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.
16. 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.
17. 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:
 - (a) tackle prejudice, and

(b) promote understanding.

18. A specific Equality Impact Assessment in relation to this report and its recommendations has not been undertaken as this report does not amend previous decisions made regarding budgetary provision for pay settlements, a provision which is 2% equally across all occupational groups. This report only proposes to amend and expedite the implementation process for settlements reached which are in line with this provision. If it is subsequently proposed to reach pay settlements which are outside the budgetary provision, this would be subject to a new Equality Impact Assessment process, as such settlements would need to be separately approved through the LFC governance arrangements.