



LONDON FIRE BRIGADE

LFC-23-098y

Top Management Group 2022/23 and 2023/24 Pay Settlement

Report to:

Investment and Finance Board
Commissioner's Board
Deputy Mayor's Fire and Resilience Board
London Fire Commissioner

Date:

28 September 2023
18 October 2023
31 October 2023

Report by:

Andrew Cross – Head of Policy, Pay and Reward

Report classification:

For decision

For publication

I agree the recommended decision below.

Andy Roe

London Fire Commissioner

This decision was remotely
Date signed on 08 December 2023

PART ONE

Non-confidential facts and advice to the decision-maker

Executive Summary

This report seeks agreement for the London Fire Commissioner and the Deputy Mayor to implement the 2022/23 and 2023/24 pay settlement for Top Management Group staff which has been reached with the trade union (Prospect).

Recommended decisions

For the London Fire Commissioner

That the LFC delegates authority to the Director for Corporate Services to commit the revenue expenditure of £485,546 and take all necessary actions for the implementation of the 2022/23 and 2023/24 pay settlement for TMG staff as set out in this report.

1 Introduction and background

- 1.1 The annual settlement date for the Top Management Group (TMG) cost of living increase is 1 April and the effective date of the 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) pay settlement date. This provides the opportunity for greater consistency and reduce potential delays for negotiations across the different staffing groups within the collective bargaining arrangements to improve efficiency. This also provided the opportunity for the trade union to make a cost of living pay increase claim from 1 April 2022. This is set out in the approved LFC "TMG 2022 Pay Settlement and SPI" report (LFC-0768x).
- 1.3 The previous January 2022 pay settlement was a cost of living increase of 1.5 per cent and the April 2022 PRP and non-consolidated payment was 2.5 per cent. This is also set out in the approved LFC "TMG 2022 Pay Settlement and SPI" report (LFC-0768x).
- 1.4 For the April 2022/23 and 2023/24 pay settlements, discussions and negotiations have continued since 24 February 2023 and a formal offer was made by the Brigade to the trade union on 16 March 2023. Following a meeting with the trade union on 12 September 2023, the trade union subsequently 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 cost of living increase to TMG staff up to the grade of Assistant Director of 2 per cent.

From 1 April 2023

- A cost of living increase to TMG staff up to the grade of Assistant Director of 5 per cent.
- A PRP/non-consolidated payment of 1 per cent to those eligible TMG staff.

1.5 The Brigade's TMG pay offer totals 12 per cent ([when added to the January 2022 1.5% cost of living and April 2022 2.5% PRP/non-consolidated payment increases previously agreed](#)) over two years consistent with the pay settlement reached for FRS staff and operational staff within the NJC for the same period. [The Directors cost of living increase was 3% for both April 2022 and 2023.](#)

1.6 The trade union accepting the offer is subject to the Brigade's commitment to reviewing TMG pay progression. This review has already begun being undertaken by QCG consultants due to be completed by the end of the year for the Brigade's consideration.

2 TMG 2022/3 and 2023/24 Pay Settlement

2.1 The LFC 'Final 2022/23 Budget' report (LFC-0679) that was approved forecasts a 2 per cent pay award increase for staff. The LFC 'Final 2023/24 Budget' report (LFC-23-029) that was approved 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 is broken down in the table below:

	Cost of living 2% increase
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 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 the table below:

	Cost of living 5% increase	PRP/non-consolidated payment 1% increase
Operational TMG Staff	£164,505	£28,611
Non-operational TMG Staff	£158,101	£26,256

3 Objectives and expected outcomes

3.1 The objective of the recommendations within this report and therefore the expected outcomes are to implement the 2022/23 and 2023/24 TMG pay settlement which has been reached with the trade union.

4 Equality comments

- 4.1** 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.
- 4.2** 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.
- 4.3** 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.
- 4.4** 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.
- 4.5** 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.
- 4.6** 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.
- 4.7** 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.
- 4.8** The pay increase will be applied to all TMG staff including those with protected characteristic so they will not be disadvantaged nor treated less favourable. There is a positive impact for all TMG staff in that a pay increase is generally accepted to be beneficial.

5 Other considerations

Workforce comments

- 5.1 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.

Sustainability comments

- 5.2 There are no direct sustainability implications arising from the recommendations within this report.

Procurement comments

- 5.3 There are no direct procurement implications arising from the recommendations within this report.

Communications comments

- 5.4 A communications message will be sent to the TMG staff notifying them directly of the pay settlement and other pay arrangements. The TMG pay scales guidance and Policy No. 821 Pay Policy Statement will be updated and uploaded onto Hotwire for all staff to view.

6 Financial comments

- 6.1 The report recommends that the 2022/23 Top Management Group 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.
- 6.2 The report also recommends that the 2023/24 Top Management Group 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 for 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.

7 Legal comments

- 7.1 This report seeks approval to implement the TMG pay settlement figures for 2022/23 and 2023/24, following agreement reached with representative bodies.
- 7.2 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 Commissioner must secure the provision of personnel. Under the Act the Commissioner may also do anything that they consider incidental or indirectly incidental to his core functions. Accordingly, the recommendations fall within the Commissioners general power.
- 7.3 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. 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 (the "Deputy Mayor").

- 7.4** 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 commitment of revenue expenditure referred to in this report therefore requires approval from the Deputy Mayor.
- 7.5** 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 Commissioner must secure the provision of personnel. Under the Act the Commissioner may also do anything that they consider incidental or indirectly incidental to his core functions. Accordingly, the recommendations fall within the Commissioners general powers.

List of appendices

Appendix	Title	Open or confidential*
	None	

Part two confidentiality

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

Is there a Part Two form: NO