



LONDON FIRE BRIGADE

Report title

LFB Pay Settlements 2021/22

Report to

Commissioner's Board
London Fire Commissioner

Date

14 July 2021

Report by

Subject Matter Expert, Industrial & Employee Relations,
People Services

Report number

LFC-0556

Protective marking: **NOT PROTECTIVELY MARKED**

Publication status: Published in full

I agree the recommended decision below.

Andy Roe
London Fire Commissioner

Date This decision was remotely
signed on 03 September 2021

Executive Summary

This report seeks agreement for (i) the LFC to implement the National Joint Council for Local Authority Fire & Rescue Services (NJC) pay settlement for 2021/22 for LFB Grey Book staff (firefighters to group commanders), i.e. a 1.5 per cent pay increase across the board, effective from 01 July 2021; (ii) the LFC to implement this pay increase for Control staff effective from 1 July 2021, subject to trade union agreement (by convention the LFB Control pay settlement follows the NJC pay settlement); and (iii) the Assistant Director for People Services to be given delegated authority to reach agreement with the trade unions on an equivalent 1.5 per cent pay settlement for LFB FRS staff, effective from 1 April 2021, and to implement this once agreed.

Recommended decisions

1. That the London Fire Commissioner implements the National Joint Council for Local Authority Fire & Rescue Services pay settlement for 2021/22 for LFB Grey Book staff (firefighters to group commanders), i.e. a 1.5 per cent pay increase across the board, effective from 01 July 2021.

2. That the London Fire Commissioner implements a 1.5 per cent pay increase, effective from 1 July 2021, for LFB Control staff, subject to this being agreed with the trade unions.
3. That the London Fire Commissioner gives delegated authority to the Assistant Director for People Services to reach agreement with the trade unions on a pay settlement of 1.5 per cent for FRS staff, effective from 1 April 2021, and to implement this once agreed.

Introduction and Background

1. 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

2. 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 therefore contractually entitled to receive this pay increase.

(b) Control staff

3. 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. Technically this will need to be agreed with the trade unions who collectively represent Control staff (GMB, FBU, UNISON) but this agreement is fully expected.

(c) FRS staff

4. The terms and conditions of LFB FRS staff are also negotiated locally; the FRS pay settlement date is 1 April 2021. The trade unions who collectively represent FRS staff (GMB and UNISON) submitted a two-year pay claim on 6 April 2021: the headline claim was for a 6 per cent pay increase in both years.
5. Following the national employers offer to Grey Book staff of a 1.5 per cent pay increase within the NJC, and following discussions with the London Fire Commissioner and City Hall, officers offered a one-year 1.5 per cent pay increase for FRS staff to the trade unions on 10 June 2021. This offer is currently being considered by the FRS trade unions.
6. It is recommended that the Assistant Director for People Services is given delegated authority to reach agreement on this pay offer following negotiations with the trade unions, and to implement this once agreed. If the trade unions reject this offer, it is accepted that any further pay offer will require LFC and potentially Deputy Mayor prior approval through the appropriate governance process.

Budgetary impact

7. 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		Budgetary provision for 2% pay increase	Cost of 1.5% pay settlement
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	Pay settlement date	Part year £k	Full year £k	Part year £k	Full year £k
Operational (Grey Book)	1 July 2021	4,610	4,588	3458	3723
FRS	1 April 2021	506	900	675	675
Control	1 July 2021	93	93	76	76
Total		5,209	5,581	4,209	4,474

8. 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

9. 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; and a pay offer of 1.5 per cent has already been made to the trade unions representing FRS staff. If the 1.5 per cent offer to the FRS trade unions is not agreed, officers will discuss options at that stage.

Objectives and Expected Outcomes

10. The objective of the recommendations is 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.

Impacts

Equality Impact

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:
- 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.

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. An Equality Impact Assessment (EIA) has been undertaken in preparing this report, and this is at appendix 1. 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).

Procurement and Sustainability

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

Strategic Drivers

20. The strategic driver is to meet contractual commitments. The recommendations also support our people and therefore align with the strategic pillar within the Transformation Delivery Plan, 'The best people and the best place to work'.

Workforce Impact

21. 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 who represent these staff.

Finance comments

22. The implications of 1.5% pay award are set out in paragraph 7, highlighting a saving of £1.1m to the LFB of implementing a 1.5% pay award to FRS Staff, Operational Grey Book staff and Control Staff (excluding TMG level). It should be noted that the Chancellor did announce a public sector pay freeze. The Government doesn't control pay awards for all parts of the public sector, however it clearly sets an expectation. It is understood that the

Government will take a negative view of any parts of the public sector ignoring the pay freeze, and with the suggestion that this could see funding reduced by the value of any pay award.

Legal comments

23. 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.
24. 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.
25. 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.

List of Appendices

Appendix	Title	Protective Marking
1.	Equalities Impact Assessment	None



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Appendix 1

Equality Impact Assessment (EIA) Form

The **purpose** of an EIA is to give **as much information as possible** about potential equality impacts, to demonstrate we meet our **legal duties** under the Equality Act 2010.

Please read the EIA Guidance [on Hotwire](#) before completing this form.

1. What is the name of the policy, project, decision or activity?
<i>Report to Commissioner's Board, 14/07/2021: LFB Pay Settlements 2021/22</i>

Overall Equality Impact of this policy, project, decision or activity (**see instructions at end of EIA to complete**):

High		Medium		Low	✓
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2. Contact details	
Name of EIA author	Dominic Johnson
Department and Team	People Services; HR Advice & Employee Relations
Date of EIA	06/07/2021

3. Aim and Purpose	
What is the aim and purpose of the policy, project, decision or activity?	The purpose of the report is to give authority to implement the 2021/22 NJC pay settlement covering LFB Grey Book staff (1.5% pay increase across the board); to apply this settlement to LFB Control staff subject to TU agreement; and to give the AD PS delegated authority to reach an equivalent settlement for FRS staff with the trade unions, and to implement this once agreed.
Who is affected by this work (all staff, specific department, wider communities?)	All LFB staff apart from the Top Management Group

4. Equality considerations: the EIA must be based on evidence and information.	
What consultation has taken place to support you to predict the equality impacts of this work?	This EIA will be signed off by the Strategic Inclusion Manager



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5. Assessing Equality Impacts

Use this section to record the impact this policy, project, decision or activity might have on people who have characteristics which are protected by the Equality Act.

Protected Characteristic	Impact: positive, neutral or adverse	Reason for the impact	What information have you used to come to this conclusion?
<i>Example: Age</i>	<i>Adverse</i>	<i>Moving this service online will adversely affect older people, who are least likely to have access to a computer or smart phone and may not be able to use the new service.</i>	<i>GLA Datastore: X% of the London community are aged 70 or over. GLA data shows that only 10% of those over the age of 70 have regular access to a computer or smart phone.</i>
Age (younger, older or particular age group)	Positive/ Neutral	The impact is positive 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 in terms of this protected characteristic as the proposal is for a 1.5% pay increase across all LFB staff/occupational groups (apart from the TMG).	As at 30/04/2021 the median age for all occupational groups (Operational, FRS, Control) was in the 40-49 year age bracket, with this at the lower end for Operational, and at the higher end for FRS and Control. The percentage breakdowns were as follows (they are not expected to have changed to any appreciable degree in the intervening period): Operational: Under 40 – 43.6%; 40-49 – 37.6%; Over 50 – 18.8% FRS: Under 40 – 33.0%; 40-49 – 22.8%; Over 50 – 44.2% Control: Under 40 – 33.0%; 40-49 – 25.2%; Over 50 – 41.8%

			N.B. The above data includes the Top Management Group, however as they are less than 1% of the Brigade's workforce this will have negligible impact on this data as it relates to the staff within the scope of this report.																								
Disability (physical, sensory, mental health, learning disability, long term illness, hidden)	Positive/ Neutral	As above	Excluding the Top Management Group, the percentage of LFB staff with a disability as at 30/06/2021 is as follows: Operational – 6.3% FRS – 12.9% Control – 9.6% Total – 7.4% (425 out of 5737)																								
Gender reassignment (someone proposing to/undergoing/ undergone a transition from one gender to another)	Positive/ Neutral	As above	No LFB staffing data has been sought on this protected characteristic																								
Marriage / Civil Partnership (married as well as same-sex couples)	Positive/ Neutral	As above	No LFB staffing data has been sought on this protected characteristic																								
Pregnancy and Maternity	Positive/ Neutral	As above	No LFB staffing data has been sought on this protected characteristic																								
Race (including nationality, colour, national and/or ethnic origins)	Positive/ Neutral	As above	Excluding the Top Management Group, the percentage of LFB staff who are white; black, Asian and other ethnic minorities; and not known/prefer not to say; as at 30/06/2021 is as follows: <table border="1" data-bbox="1496 1088 2065 1369"> <thead> <tr> <th></th> <th>White</th> <th>Black, Asian, and other ethnic minorities</th> <th>Not known/prefer not to say</th> </tr> </thead> <tbody> <tr> <td>Op.</td> <td>83.5%</td> <td>14.4%</td> <td>2.0%</td> </tr> <tr> <td>FRS</td> <td>67.1%</td> <td>29.6%</td> <td>3.3%</td> </tr> <tr> <td>Control</td> <td>84.6%</td> <td>13.5%</td> <td>2.0%</td> </tr> <tr> <td>Total %</td> <td>81.0%</td> <td>16.8%</td> <td>2.2%</td> </tr> <tr> <td>Total (nos.)</td> <td>4642</td> <td>965</td> <td>127</td> </tr> </tbody> </table>		White	Black, Asian, and other ethnic minorities	Not known/prefer not to say	Op.	83.5%	14.4%	2.0%	FRS	67.1%	29.6%	3.3%	Control	84.6%	13.5%	2.0%	Total %	81.0%	16.8%	2.2%	Total (nos.)	4642	965	127
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<p>Religion or Belief (people of any religion, or no religion, or people who follow a particular belief) (not political)</p>	<p>Positive/ Neutral</p>	<p>As above</p>	<p>As at 07/07/2021, the percentage breakdown of religion/belief amongst all LFB staff is follows:</p> <table border="1" data-bbox="1700 304 2027 754"> <thead> <tr> <th>Category</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Buddhist</td> <td>1.23%</td> </tr> <tr> <td>Christian</td> <td>36.06%</td> </tr> <tr> <td>Hindu</td> <td>0.73%</td> </tr> <tr> <td>Jewish</td> <td>0.29%</td> </tr> <tr> <td>Muslim</td> <td>1.87%</td> </tr> <tr> <td>No Religion</td> <td>35.80%</td> </tr> <tr> <td>Not Provided</td> <td>19.35%</td> </tr> <tr> <td>Other</td> <td>3.51%</td> </tr> <tr> <td>Prefer not to say</td> <td>0.73%</td> </tr> <tr> <td>Sikh</td> <td>0.43%</td> </tr> </tbody> </table> <p>NB: The above data includes the Top Management Group, however as they are less than 1% of the Brigade's workforce this will have negligible impact on this data as it relates to the staff within the scope of this report.</p>	Category	%	Buddhist	1.23%	Christian	36.06%	Hindu	0.73%	Jewish	0.29%	Muslim	1.87%	No Religion	35.80%	Not Provided	19.35%	Other	3.51%	Prefer not to say	0.73%	Sikh	0.43%
Category	%																								
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Sikh	0.43%																								
<p>Sex (men and women)</p>	<p>Positive/ Neutral</p>	<p>As above</p>	<p>Excluding the Top Management Group, the percentage of LFB staff who are female/male as at 30/06/2021 is as follows:</p> <table border="1" data-bbox="1494 1126 1933 1321"> <thead> <tr> <th></th> <th>Female</th> <th>Male</th> </tr> </thead> <tbody> <tr> <td>Op.</td> <td>9.0%</td> <td>91.0%</td> </tr> <tr> <td>FRS</td> <td>51.9%</td> <td>48.1%</td> </tr> <tr> <td>Control</td> <td>77.9%</td> <td>22.1%</td> </tr> <tr> <td>Total %</td> <td>17.0%</td> <td>83.0%</td> </tr> <tr> <td>Total nos.</td> <td>978</td> <td>4759</td> </tr> </tbody> </table>		Female	Male	Op.	9.0%	91.0%	FRS	51.9%	48.1%	Control	77.9%	22.1%	Total %	17.0%	83.0%	Total nos.	978	4759				
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Total %	17.0%	83.0%																							
Total nos.	978	4759																							



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Sexual Orientation (straight, bi, gay and lesbian people)	Positive/ Neutral	As above	<p>As at 30/06/2021, the percentage of LFB staff who identify as Lesbian, Gay or Bisexual is as follows: Operational – 5.61% FRS – 5.55% Control – 5.61% Total – 5.60% (324 out of 5788)</p> <p>NB: The above data includes the Top Management Group, however as they are less than 1% of the Brigade's workforce this will have negligible impact on this data as it relates to the staff within the scope of this report.</p>
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6. Impacts outside the Equality Act 2010	
What other groups might be affected by this policy, project, decision or activity?	
Consider the impact on: carers, non-binary people, people with learning difficulties, neurodiverse people, people with dyslexia, autism, care leavers, ex-offenders, people living in areas of disadvantage, homeless people, people on low income / in poverty.	
There is no differential impact in terms of these groups. As noted above, a pay increase is generally accepted to be beneficial and therefore this impact will apply to LFB staff within the above groups.	

7. Legal duties under the Public Sector Equality Duty (s149 Equality Act 2010)	
How does this work help LFB to:	
Eliminate discrimination?	The proposal is for an identical 1.5% pay increase across all staff groups (except the Top Management Group who have separate pay arrangements). Therefore there is no discriminatory impact based on occupational group.
Advance equality of opportunity between different groups?	See above. A common 1.5% pay settlement should be seen as fair across the staff groups.
Foster good relations between different groups?	See above.

8. Mitigating and justifying impacts		
Where an adverse impact has been identified, what steps are being taken to mitigate it? If you're unable to mitigate it, is it justified ?		
Characteristic with potential adverse impact (e.g. age, disability)	Action being taken to mitigate or justify	Lead person responsible for action
N/a		

Now complete the RAG rating at the top of page 1:

High: as a result of this EIA there is evidence of significant adverse impact. This activity should be stopped until further work is done to mitigate the impact.

Medium: as a result of this EIA there is potential adverse impact against one or more groups. The risk of impact may be removed or reduced by implementing the actions identified in box 8 above.

Low: as a result of this EIA there are no adverse impacts predicted. No further actions are recommended at this stage.