



LONDON FIRE BRIGADE

Report title

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## Marauding Terrorist Attack (MTA) Collective Agreement

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Report to

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

Date

01/12/2021

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Report by

Assistant Commissioner, Operational Resilience and  
Control

Report number

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I agree the recommended decision below.

**Andy Roe**

London Fire Commissioner Date

This decision was signed remotely  
on the 7 February 2022

### Summary

This report provides details of the negotiation and consultation taking place between the London Fire Commissioner (LFC) and the Fire Brigades Union (FBU) to reach a Joint Collective Agreement to respond to a Marauding Terrorist Attack (MTA) type incident. Details regarding the Joint Collective Agreement are attached in Appendix A to this report. The negotiations and consultations are ongoing, and this update provides the background to an agreement in principle, which has been reached with the FBU allowing both sides to continue with the negotiations in order to reach a satisfactory conclusion.

### Recommendations

For the London Fire Commissioner

1. That the London Fire Commissioner agrees that negotiations continue based on the proposals outlined in the report, particularly in relation to the concept of operations and skills-based payment as outlined in paragraph 29.

## Background

1. The LFB responds to acts of terrorism as part of its statutory duty noted in the Fire and Rescue Services Act 2004. The UK terrorism threat level<sup>1</sup> is currently "Severe" meaning an attack is highly likely. Terrorists have used a range of attack methodologies with a notable step change in terrorist activity since 2017. The response required by the emergency services is multi-agency, underpinned by the Joint Emergency Services Interoperability Programme<sup>2</sup> (JESIP) and more directly by the Marauding Terrorist Attack Joint Operating Principles<sup>3</sup> (MTA JOPs), which provides guidance on the roles and responsibilities for the Fire and Rescue Service (FRS), Police Services and Ambulance Service.
2. This report sets out the current position regarding the LFC negotiation and consultation with the FBU to deliver the training and equipment to support frontline delivery via a 'tiered' operating model.

## Negotiation and Consultation

3. Discussions have been taking place with the FBU since July 2020 and are focussed on delivering three levels of response across the Brigade with a phased training schedule tailored to achieve this. The Brigade are currently in negotiation and consultation with the FBU to reach a Joint Collective Agreement to deliver a MTA capability for London. The Joint Collective Agreement concerns MTA and the role of the Brigade. It applies to all staff from Firefighter (FF) to Group Commander (GC) within the LFB covered by the National Joint Council (NJC) for Local Authority Fire and Rescue Services Scheme of Conditions of Service Sixth Edition 2004 (updated 2009).
4. The discussions between the LFC and FBU officials at both a local and national level have been constructive and held in good faith. There is acknowledgement from both parties that the current position requires redress.
5. The LFC and the FBU accept that the response to an MTA incident is often complex, fast paced and with significant variation in the type of attack methodology deployed. For example, the challenge posed to the emergency services by an individual with a knife is significantly different to that posed by a group of well trained, well equipped, and highly motivated terrorists. To reflect this complexity, a new concept of operations is being proposed, which is based on a 'tiered' response – operating at three levels. The Joint Collective Agreement only pertains to Levels 1 and 2. Level 3 is currently out of scope for the purposes of reaching agreement.
6. The discussions have focussed on the consultation and negotiation for those matters which have a significant impact on the groups of employees represented by the Brigade and the FBU which relate to any of the following matters:
  1. Terms and Conditions of employment, including their reference to pay.

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<sup>1</sup> The UK threat level is assessed and set by the [Joint Terrorism Analysis Centre \(JTAC\)](#)

<sup>2</sup> The JESIP [Joint Doctrine: the interoperability framework](#) sets out a standard approach to multi-agency working

<sup>3</sup> The Joint Operating Principles (JOPs) are protectively marked available from the Home Office, Office for Security & Counter Terrorism (OSCT).

2. Allocation of work or the duties of employment between employees or groups of employees.
3. All policies and procedures related to conditions of employment.
4. Facilities for accredited representatives of Trade Unions.

## **Training**

7. There are three distinct areas that must be delivered during acquisition training for all responders.
  1. Police operations and tactics at an MTA incident.
  2. Casualty management.
  3. Fire, rescue, and hazard management.
8. The three areas are underpinned by the national MTA JOPs supported by individual service policies, procedures, and guidance. Delivery in London is a collaboration between the LFB, Metropolitan Police Service (MPS) and London Ambulance Service (LAS). LFB personnel will however always remain under the command and control of fire and rescue service commanders. Associated skills are already required as part of a FF daily operational response. The training required takes those skills and tailors them for the tactics required to operate in an MTA environment. The operational tactics FFs – GCs will need to deliver are:
  1. Cover and movement (Police).
  2. Treat, and leave, treat and recover (Ambulance).
  3. Offensive or defensive firefighting, hazard management and rescue operations (Fire Service).
9. FFs to GCs will be required to complete the Action Counters Terrorism (ACT) awareness package available on Big Learning. This package is supported by Counter Terrorism Policing for both the private and public sector focusing on safety at CT incidents.
10. In addition, FFs – GCs will be required to complete lecture-based training modules to cover Brigade policies that outline the requirements to respond to an MTA type incident. This will be delivered via mandatory training within the Brigade's Development and Maintenance of Operational Professionalism programme (DaMOP).
11. A one-day mandatory course will also need to be completed which covers the three key areas and associated tactics. Completion of both elements will enable FFs to GCs to respond to MTA incidents. To compliment the initial training all FFs to GCs will attend an MTA exercise within 12 months of acquisition training, where they will demonstrate all the skills and tactics required as part of the ongoing DaMOP process.
12. All FFs are already qualified to deliver Immediate Emergency Care (IEC) and carry equipment to support the treatment of casualties and associated injuries sustained from this type of incident. All FFs to GCs will receive Level 1 training. This will be the foundation acquisition training that will also enable FFs to GCs to deliver a Level 2 response in the future.
13. All ranks from FF to GC will be appropriately trained, equipped and supported to undertake any agreed activities, as a result of a Joint Collective Agreement, and will be paid a skills-based payment.

14. All FFs to GCs will be trained to operate as Level 1 and Level 2 responders. All FFs to GCs will be trained to operate as part of the multi-agency response to an MTA incident as outlined in the document – Responding to a Marauding Terrorist Attack: Joint Operating Principles for the Emergency Services – Edition 2. All training and specialist equipment including Personal Protective Equipment (PPE) will routinely be updated and refreshed in line with normal policy requirements and operational practices within LFB.

## **Policy**

15. MTA JOPs are the multi-agency principles that guide the operational response. The JOPs will be used to inform an updated policy note 882 - Responding to an MTA and supported by a new "Stay Safe Training" programme. In addition, PN 259 - Terrorist Related Incidents will also be updated.

## **Response to Terrorist Activity – Mass Casualty Rescue (MCR) and Marauding Terrorist Attack (MTA)**

16. The threat posed by both international and domestic terrorism remains a reality for those who live, work, or travel through London. The Brigade have a responsibility to provide an appropriate response to terrorist activity, including MTA incidents.
17. The Joint Collective Agreement will ensure the contractual requirement for appropriately trained and equipped FFs - GCs to work in accordance with the Joint Operating Principles (JOPs) for the Emergency Services (Edition 2 December 2020), the Joint Emergency Service Interoperability Principles (JESIP) and National Operational Guidance (NOG) as a part of a multi-agency response to a terrorist incident, including an MTA.

The Brigade will respond to a known incident, which has one or more of the following attack methodologies:

1. Bladed weapon
  2. Vehicle as a weapon
  3. Fire as a weapon
  4. Improvised Explosive Device (IED) / Grenades
  5. Firearms
  6. Siege
  7. Chemicals
18. The Brigade undertakes to maintain current cover for all uniformed LFB personnel who attend an incident, which is later determined as a terrorist related event. For the avoidance of doubt, this means entitlement to
    - a) The respective statutory pension scheme of which they are a member.
    - b) The FFs Compensation Scheme Order 2006 (as amended from time to time).
  19. Furthermore, The Grey Book – Section 7 outlines contractual entitlements payable, in the event of death or permanent disablement of an employee arising from violent or criminal assault, including explosive devices, suffered by the employee in the course, or as a consequence of his or her deployment. For death the amount is the equivalent of five years' gross remuneration. For disablement, percentages are payable in accordance with a scale, for example total permanent disablement is 100%.

20. In agreeing these attack methodologies, it is jointly acknowledged that they are likely to continue to evolve over the coming years, and therefore there is an ongoing requirement to keep the methodologies under review and make any adjustments of the incident types to which the Brigade would respond based on the outcomes of that review.

## Response levels

21. **Level 1 – Mass Casualty Rescue (MCR).** Every frontline appliance will carry an MCR capability. This will include but is not exclusive of advanced trauma care equipment and fast evacuation stretchers. MCR includes responding to all incidents requiring the rescue and treatment of multiple casualties. This can include response to major incident types such as transportation accidents as well as low grade MTA incidents. This level of response is 'business as usual' activity and all FFs will receive appropriate training.
22. **Level 2 – Specialist Response.** This level provides a similar capability to Level 1 but with the addition of ballistic protection to support the multi-agency response to a 'known' firearms attack or one involving more sophisticated weaponry. Along with Level 1, this level will also provide a firefighting capability as outlined in the Joint Operating Principles (JOPs). All FFs in the Brigade up to and including the rank of GC will be trained to operate at this level.
23. **Level 3 – High Threat Environment.** Specialist teams able to provide an internal firefighting capability within a high threat environment. In London this level of response is provided by the Specialist Entry and Recovery Teams (SERT). Level 3 is not within scope of the Joint Collective Agreement.

## Training Delivery

24. The training will be delivered by the High Threat Response & Training team from Operational Resilience and Control and National Interagency Liaison Officers (NILOs). These officers have the subject matter expertise in MTA. They currently deliver training to armed police officers, ambulance services, military, and other partners in London and across the UK.
25. The training will be delivered from devised session plans that will detail the activity and associated policy with clearly defined learning objectives. This will ensure consistency in the content for delivery across the Brigade.

## Training Schedule

26. FFs – GCs are scheduled to complete the ACT safety awareness training. FFs – GCs will receive mandatory training in priority order. For example, when all staff at a fire station reach 80% confidence levels the attribute will be placed on the run, but training will continue to strive for 100% confidence levels for all FFs – GCs utilising the available training evolutions.
27. The acquisition training requirement will be extensive to upskill all staff from FF - GC, but a robust development plan will be created. This will be co-ordinated by Operational Resilience and Control (OR&C) and delivered by an internal LFB training team who currently deliver multi-agency training in terrorist environments. Whilst not essential, the preference would be for the MPS and LAS to support the internal training delivery team with officers on short term (6-month secondments). This would increase training capacity and support the multi-agency elements of training delivery.
28. The delivery plan will schedule training for all FFs – GCs in London Boroughs, prioritising those in central London located within or surrounding the Government Security Zone (GSZ) and other

high-risk sites or locations. It will provide targeted training sessions and bring all the borough resources together via borough training days or pre-planned training sessions. When complete, these resources will be available to provide an MTA response. Within one month of starting the delivery of the programmed training, resources will be equipped and trained to respond. Further boroughs will be trained and become available in two/three-week intervals expanding the response until the training plan is complete. With the potential support from partners, delivery could be complete in twenty-four months across the 33 Boroughs for all FFs - GCs to be trained up to level 2. This will be pending any COVID training restrictions. Continuous Professional Development (CPD) will be delivered by embedding the MTA response into periodic training which sets minimum training requirements each day for FFs - GCs.

## Implementation Cost

29. Negotiations with the FBU have been ongoing via local and national structures. Now there is an opportunity to reach a Joint Collective Agreement to deliver a frontline MTA response in London. Below are the costs for a two percent skills-based payment that would be pensionable for the ranks between FF and GC and support the Level 2 response.

### Impact of 2% skills-based payment for FFs to GCs

Rank/Grade	Establishment (Number of Officers)	2% Increase (£)	Total 2% Cost (£)
Group Commander	67	2,004	134,268
Station Commander	155	1,777	275,435
Station Officer	291	1,305	379,755
Sub Officer	506	1,227	620,862
Leading Firefighter	589	1,161	683,829
Firefighter	3,157	1,052	3,321,164
	<b>4,765</b>		<b>5,415,313</b>

### Level 1 costings:

30. The table below details the cost of equipment required to deliver an initial response to terrorist incidents from all frontline pumping appliances, 14 Fire Rescue Units (FRU's), one river boat and 11 aerial appliances.

Item	Cost
Skeds 168 at £478 per appliance	£80,304
<b>Total</b>	<b>£80,304</b>

### Level 2 Costings:

31. This table details the costings associated with the delivery of a specialist response to terrorist incidents from technical centres and the river boat. This will be from fourteen land-based stations and one river station.

Item	Cost
Personal Protective Equipment BPPE* Vest & Helmet	£302,232 (£514 per unit for 588 sets)
Coveralls & Gloves (personal issue)	£257,856 (£268.60 per person 960 sets)
Goggles (personal issue)	£36,729.60 (£38.26 per person 960 sets)
Headset with boom mic	£445,833.60 (£464.41 per position 960 sets)
<b>Total</b>	<b>£1,042,651.20</b>

\*All ballistic protection is covered by a 10-year warranty. see financial comments in section 5 below.

### Level 3 Costings:

32. Level 3 details the provision of a smoke-filled environments (SFE) capability and the smoke-filled environments training team who train the Police and Military. They will be equipped with ballistic protection, specially adapted firefighting PPE, Positive Pressure Ventilation (PPV) and Cold Cutting Technology. There is no additional cost for this PPE as the resources and associated equipment are available via the current interim response that will be re-allocated.

### Project team costs:

33. This table covers the project team cost which covers one fire rescue staff (FRS) E and one station officer (STNO) as project support. The project manager will be funded from the Operational Resilience (OR) departmental budget.

Grade/Rank	Cost
FRS E as project support	£54,906
STNO as project support	£64,663
<b>Total</b>	<b>£119,569</b>

### Opportunity and Risk:

34. The threat profile in London is unique to the United Kingdom. London is a global city and the seat of government for the UK. The likelihood of an attack is both significant and foreseeable. The vast majority of active investigations into potential terrorist related activity is focused on the capital.
35. Experience since 2017 in particular has demonstrated the need for an effective capability across the frontline and not just reliant on specialist teams - who will often arrive sometime after the initial event. We also know that frontline responders will very likely be mobilised to an incident that does not initially appear to be terrorist related – e.g. AFA or RTC. Given this experience and knowledge, LFB needs to significantly improve and increase the training and awareness to all FFs - GCs, especially in relation to MTA.
36. Given the experiences since 2017, the health and safety imperative to train and prepare FFs – GCs for what is a foreseeable risk is clear. The current contractual challenge from the FBU does not change the operational reality – LFB FFs – GCs have and will respond to MTAs and need to be prepared accordingly.
37. Furthermore, the challenge posed by the built environment, particularly within London means the threat posed by 'fire as a weapon' cannot be underestimated. When fire is used, often in addition to other attack methodologies, the need for fire and rescue involvement within the broader multi-agency response is crucial. The Bataclan attack in Paris in 2015 is perhaps the closest comparable example of the potential threat to London posed by this incident type.
38. There are also clear organisational and reputational risks associated with the current position. The findings and evidence from the Manchester Arena Inquiry (MAI) will deliver a sweeping set of recommendations on how to improve the multi-agency response to both an MTA and other major/terrorist related incidents. The proposals outlined in this report will help ensure LFB is able to meet those recommendations as and when they are published (expected December 2021).

39. In addition, the Mayor of London has appointed Lord Toby Harris to complete a new and wide-ranging independent report into what could be done to improve London's preparedness for a major terrorist incident. The report will also consider relevant recommendations from previous reports such as the Lord Harris Review (2017), Inquest reports from 2017 and the HMICFRS CT Prevent inspection. The Joint Collective Agreement outlined in this report will significantly improve the LFB's ability to respond to a wide range of terrorist related incidents and subsequently improve the safety of London and Londoners.

## National

40. The LFC is the NFCC Lead for Counter Terrorism and chairs the Counter Terrorism Strategic Board (CTSB) – providing oversight and advice to the NFCC Operations Coordinating Committee (OCC). In addition, the current AC for Operational Resilience and Control (OR&C) is the NFCC Capability Lead for MTA, and the DAC for OR&C is the national NILO coordinator. This Joint Collective Agreement helps cement the LFB's crucial role in leading the national sector in relation to the response to terrorist related incidents.

41. It is also the intention that the agreement outlined in Appendix A is a precursor to both a national agreement with the FBU and a new concept of operations that reflects current trends and risks. It will also ensure the LFB is prepared for and able to implement key recommendations that will arise from the Manchester Arena Inquiry (MAI).

42. It should be noted that there is now little opportunity for any additional funding to be secured from the Home Office outside of any agreed budget from the New Dimensions II Programme. Discussions with civil servants have highlighted the significant challenge presented by this year's planned spending review and the prioritisation of spending in other areas such as the NHS and social care. Consequently, additional funding for fire and rescue services to support MTA response is extremely unlikely. However, the Home Office are pleased to note the content of the Joint Collective Agreement and the fact it addresses a long-standing issue between the employers and employees within the sector.

## Finance comments

43. The report identifies the following financial costs:

	21/22	22/23	Funding Type	Funding Source
	£	£		
2% Skills-based payment for all FF's and GC's		5,415,313	Ongoing	LFC Budget Submission to May
Level 1 equipment costs	80,304		One-off	In-year underspends
Level 2 equipment costs	1,042,651		One-off	In-year underspends
Project Team	17,081	102,488	One-off	In-year underspends
	<b>1,140,036</b>	<b>5,517,801</b>		

### Notes:

- Funding for these proposals did not form part of the 2021-22 budget report but were included as a potential risk.
- The ongoing revenue pay increase pressure was considered and addressed as part of the 2022/23 budget process and was included in the LFC's Budget Submission to the Mayor. This pressure, including future years, has been incorporated in the Mayor's funding allocation to LFC in the Consultation Budget 2022-23. It is for the Assembly to



ultimately agree the mayor's budget proposals. If agreed this funding will therefore be in the base budget for 2022/23 and all future years. If the Mayor's proposals are not agreed, this will result in an immediate forecast overspend for LFC of £5.4m which will need to be addressed via underspends, in-year savings or a drawdown from the Budget Flexibility Reserve. Officers currently believe it is highly unlikely the Assembly will not accept this budget proposal.

- It is proposed the £1.1m of revenue equipment costs, to be incurred in 2021-22, will be funded from underspends identified as part of the monitoring of the 2021-22 financial position. If the expenditure for these equipment costs is not incurred in 2021-22 these underspends identified will be transferred into a new earmarked reserve for this purpose, to fund this cost in 2022-23. The equipment will be covered by a 10 year warranty, which is included within the purchase price.
- The one-off project team costs are expected to be funded from underspends identified in the 2021-22 year. These underspends which will total £119,569 to fund the team costs will then be transferred into a new earmarked reserve to fund these costs in 2022-23. If underspends are not found, agreement to this sum will result in an immediate pressure on the LFC's budget in 2022/23. These costs do not include a project manager as this has been found within the establishment of Operational Resilience.
- The report also sets out the training requirements necessary to introduce the new capability. The cost of these requirements will all be contained within existing training contract budget.

5.2 In total it is proposed that £1,242,524 is funded via underspends across LFC. To provide context, the LFC forecast an underspend against its 2021/22 revenue budget of £667k at the end of September 2021, and has continued to update those forecasts which are now sufficient cover the full £1,242,524 requirement in 2021/22. The LFC has also delivered the following underspends against its revenue budget over the past three years:

2020/21 £9,369k

2019/20 £6,260k

2018/19 £4,146k

## **Legal comments**

43. 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.
44. Section 1 of the Fire and Rescue Services Act 2004 (FRSA) states that the Commissioner is the fire and rescue authority for Greater London.
45. 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").
46. 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...".

47. The Deputy Mayor's approval is accordingly required for the London Fire Commissioner to commit to the expenditure set out in this report.
48. The Civil Contingencies Act 2004 (CCA) requires the Commissioner to consider terrorism as a factor in its emergency planning where a terrorist related emergency would either 'obstruct' the performance of its functions or where it is considered necessary or desirable to prevent or mitigate the emergency and this would require additional resources or alter the deployment of resources.
49. The CCA requires the Commissioner to assess: the risk of a terrorist incident occurring; the risk that a terrorist incident will require us to perform our functions; to maintain plans for ensuring that in that eventuality we can continue to perform our functions; to maintain plans to perform our its functions so far as necessary or desirable for the purpose of preventing the emergency, reducing, controlling or mitigating its effects, or taking other action in connection with it.
50. Separately, in assessing what provisions to make it is reasonable, having considered the recent history of terrorist incidents in the UK, that officers may make provision for terrorist incidents when considering our core functions as part of our 'normal' activities.
51. Therefore, the Commissioner may consider terrorist activities both as part of our normal assessments when we make provision of our services and when considering our duties in relation to the CCA2004.
52. Additionally, when carrying out its functions, the Commissioner , as the fire and rescue authority for Greater London, is required to 'have regard to the Fire and Rescue National Framework (Framework) prepared by the Secretary of State (Fire and Rescue Service Act 2004, section 21).
53. Paragraph 3.10 of the Framework states as follows:

"Fire and rescue services must be able to respond to the threat of terrorism and be ready to respond to incidents within their areas and across England. Fire and rescue services should also be interoperable to provide operational support across the UK to terrorist events as required. Government recognises the critical contribution of fire and rescue services when responding to acts of terrorism. This is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service ("the Grey Book") and is encompassed within the broad descriptions within the existing agreed firefighter role maps: to save and preserve endangered life, and safely resolve operational incidents."
54. Section 11 of the FRSA empowers the Commissioner to take any action considered appropriate in response to an event or situation that causes or is likely to cause one or more individuals to die, be injured or become ill. This power includes power to secure the provision of equipment.

### **Sustainability implications**

55. This report does not introduce any new sustainability impacts. Where new policies and/or corporate projects arise, they are subject to the Brigade's sustainable development impact assessment process.

### **Workforce Impact comments**

56. The subject matter of this report concerns the Brigade's proposed MTA capability which will impact on all operational staff as set out in the report, and the ongoing negotiations with the Fire Brigades Union to reach agreement on the arrangements for delivery of this capability.

### **Equalities implications**

57. 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.

58. 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.

59. 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.

60. The Public Sector Equality Duty requires us, in the exercise of all LFC functions (i.e. everything the LFC does), 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.

61. 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.

62. 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.

63. 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.

64. Delivering the MTA response via the frontline will deliver the opportunity to all staff to respond to Counter Terrorism (CT). Previously this was only available to specialist responders and often seek as a niche capability open to limited numbers of staff. Level 2 responders will have BPPE available for all sizes and specific ensembles for women.
65. This will also deliver a response to CT via all frontline appliances to all London communities aligned to the attendance standards noted in our Integrated Risk Management Plan (IRMP).

### List of Appendices

Appendix	Title	Protective Marking
A	Joint Collective Agreement	Not protectively marked

# Collective Agreement

Marauding Terrorist Attack (MTA)

December 2021



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## **1 Agreed Principles**

- 1.1 To meet the statutory duties placed upon the London Fire Commissioner (LFC) and in addressing the role of the LFC as set out in this Collective Agreement and through that, meet the needs and provide a better service to London and its many communities, an appropriate skills-based payment will be put in place. The details of the skills-based payment are set out in [Appendix B](#) to this agreement. This provides greater flexibility and adaptability as the LFB responds to the threats, challenges, and opportunities ahead.
- 1.2 The LFC recognises the duties and powers held by fire and rescue services in relation to incidents of terrorism, particularly the necessity to act in order to save life as set out in section 11 of the Fire and Rescue Services Act 2004. It also understands its duty under section 2 of the Civil Contingencies Act 2004 to plan, advise and assess for risks within the National Risk Assessment.
- 1.3 The LFC and the London Region Fire Brigade's Union (FBU) accept that the response to an MTA incident is often complex, fast paced and with significant variation in the type of attack methodology deployed. For example, the challenge posed to the emergency services by an individual with a knife is significantly different to that posed by a group of well trained, well equipped, and highly motivated terrorists. To reflect this complexity, the LFB has adopted a new concept of operations which is based on a 'tiered' response. This Collective Agreement only applies to Levels 1 and 2, which are outlined in [Appendix A](#).
- 1.4 In the event of a national agreement at the NJC being reached, both parties commit to implement the nationally agreed arrangements and will revise this Collective Agreement in light of any such national agreement.
- 1.5 Both parties are committed to high standards of health and safety. As with all activities, arrangements are the subject of periodic and event-based reviews and includes risk assessments. If there is disagreement between the parties, existing structures such as the Brigade Joint Council for Health and Safety at Work (BJCHSW) will be used to facilitate resolution.
- 1.6 This Collective Agreement reflects the needs of a changing society and emerging risk profile both within London and across the United Kingdom.

## **2 Terms and Conditions of Employment**

- 2.1 The terms and conditions of employment for FFs within LFB should be appropriate to the requirements of the LFB to meet new and emerging challenges. The justifications for the skills-based payment is set out in the agreed principles of this Collective Agreement.
  - Where this Collective Agreement uses the term FF this is taken to mean all staff who have their terms and conditions of employment represented by the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service Sixth Edition 2004 .This Collective Agreement will apply to all ranks from FF to GC within LFB regardless of the workplace to which they are attached.



- 2.2 When responding to incidents as described within this Collective Agreement, LFB personnel will always remain under the command, control, and supervision of competent fire commanders.

### **3 Negotiation and Consultation**

- 3.1 The London Region of the FBU is recognised for the purposes of collective consultation and negotiation for those matters which have a significant impact on the groups of employees represented by the FBU.

This exercise through the machinery and forums for negotiation or consultation and other procedures relating to these, including the recognition by the LFC of the right of a Trade Union to represent employees in such negotiation or consultation or in the carrying out of such procedures.

Such rights to negotiate and consult relate to any of the following matters:

Terms and Conditions of employment, including their reference to pay.

- Allocation of work or the duties of employment between employees or groups of employees.
- All policies and procedures related to conditions of employment.
- Facilities for accredited representatives of Trade Unions.

### **4 Training**

- 4.1 All staff from FF to GC will be appropriately trained (including maintenance training), equipped and supported to undertake agreed MTA activities.
- 4.2 For the avoidance of doubt, this training will commence with effect from the date of this Agreement and all FFs up to and including the rank of GCs will be trained to operate as Level 1 and Level 2 responders as set out in [Appendix A](#).
- 4.3 All ranks from FFs to GCs will be trained to operate as part of a multi-agency response to an MTA incident as agreed between the LFB and FBU.
- 4.4 All training and specialist equipment including Personal Protective Equipment (PPE) will routinely be updated and refreshed in line with normal LFB policy requirements and operational practices within LFB.

### **5 Policies and Procedures**

- 5.1 Detailed policies and procedures will be developed to underpin the response to an MTA as outlined within this Collective Agreement.
- 5.2 Progress against the policy development and agreement and the subsequent implementation of all associated activities will be monitored and reviewed through existing structures.

## 6 Trusted to Serve and Protect London

- 6.1 The areas of work outlined in this Collective Agreement will further strengthen the position of LFB at the heart of the communities it serves. The response arrangements outlined in this agreement will enable the LFB to meet its statutory obligations and increase the value it adds to keeping London and its vibrant and diverse communities safe.
- 6.2 The skills-based payment will be paid to all ranks from FFs to GCs from 1 April 2022 for the Level 2 skill as outlined in [Appendix A](#).
- 6.3 All Fire Stations within LFB will provide a Level 1 and 2 capability.

## 7 Response to Terrorist Activity – Mass Casualty Rescue (MCR) and Marauding Terrorist Attack (MTA)

- 7.1 The threat posed by both international and domestic terrorism remains a reality for those who live, work, or travel through London. The LFB has a responsibility to provide an appropriate response to terrorist activity, including MTA incidents.
- 7.2 Accordingly, this Collective Agreement has the effect of ensuring the contractual requirement for appropriately trained and equipped FFs-GCs.
- 7.3 The LFB will respond to a known incident which has one or more of the following (non – exhaustive list of) attack methodologies:
- Bladed weapon
  - Vehicle as a weapon
  - Improvised Explosive Device (IED)
  - Grenades
  - Firearms
  - Siege
  - Chemicals
- 7.4 In agreeing these attack methodologies, it is jointly acknowledged that they are likely to continue to evolve over the coming years, and therefore there is an ongoing requirement to keep the training required to safely respond to these attack methodologies as listed in [paragraph 7.3 above](#) under review.
- 7.5 All FFs in LFB, up to and including the rank of GCs, will receive appropriate training and have access to suitable equipment to be deployed to MTA incidents.
- 7.6 In the event of a member of staff being killed or seriously injured as a consequence of attending a terrorist related incident, the LFB shall use its best endeavors to facilitate any payments due to the staff member or estate under the Grey Book–Section 7, Firefighters Pension Scheme (FPS) and/or Firefighters Compensation Scheme (FCS) within 8 weeks.

## Appendix A – MCR and MTA Concept of Operations

A1 The current operating environment is complex and multifaceted. The attack methodology employed by those either inspired by an ideology or because of mental illness is now varied and very unpredictable. The preservation of savable life is a priority, but this will need to be balanced against the risk in relation to the attack methodology being used. For example, if FFs and officers find themselves in the warm zone and this changes to a hot zone, particularly if firearms are being used, the expectation would be that those responders are withdrawn at the earliest opportunity. As a result of this complexity, a more holistic and intelligence led approach is required, which acknowledges activity explicitly linked to mass casualty rescue (MCR) while also acknowledging the need for specialist training and equipment.

A2 The broad attack methodologies outlined in [paragraph 7.3](#) highlight the need for a more flexible and adaptable response. The LFB will adopt a new 'tiered' approach. This agreement covers levels one and two which reflect the need for both an immediate capability along with a more specialist provision:

- **Level 1–Mass Casualty Rescue (MCR).** Every frontline appliance will carry an MCR capability. This will include but is not exclusive of advanced trauma care equipment and fast evacuation stretchers. MCR includes responding to all incidents requiring the rescue and treatment of multiple casualties. This can include response to major incident types such as transportation accidents as well as low grade MTA incidents.
- **Level 2–Specialist Response.** This level provides a similar capability to Level 1 but with the addition of ballistic protection to support the multi-agency response to a 'known' firearms attack or one involving more sophisticated weaponry. Along with Level 1, level 2 will also provide a firefighting capability and all ranks from FF to GC will be trained to operate at level 1 and level 2.

## Appendix B-Skills-Based Payment

The skills-based payment is to be calculated and paid as follows:

- 1) All staff from FFs to GCs will be paid a skills based payment, which will be paid from 1 April 2022 for Level 2 as outlined in [Appendix A](#). FFs, LFFs, Sub Officers (Sub Os) and Station Officers (Stn O) (or successor designations) will receive a payment of 2% based on their basic salary (inclusive of the consolidated London Weighting and CPD payments).
- 2) Station Commanders (SCs) and GCs (or successor designations) will receive a payment of 2% based on their basic salary including the flexi duty allowance and the consolidated London Weighting and CPD payments.
- 3) This payment will be paid as a separate allowance, which will be fully pensionable as permanent payment in the same way as basic salary.
- 4) As a 2% allowance on basic pay, (inclusive of the consolidated London Weighting and CPD payments), the value of the skills-based payment will adjust annually in line with the National Joint Council (NJC) pay award.
- 5) The skills-based payment will be paid to all ranks from FFs to GCs from 1 April 2022 for Level 2 as outlined in [Appendix A](#).
- 6) Staff outside of the FF to GC ranks will not be eligible to receive the MTA skills-based payment.
- 7) For the avoidance of doubt, this is a skills-based payment and not an Additional Responsibility Allowance (ARA).