

Freedom of Information request reference number: 6390.1

Date of response: 25 March 2022

Request:

- 1. Please could you tell me how many complaints of racism in relation to words used or behaviour exhibited were made against your employees in (i) 2018/19, (ii) 2019/20, (iii) 2020/21 and (iv) the current financial year up to 31.01.2022.*
- 2. For each complaint could you provide me with a summary of the allegation that was made ensuring no personal details are revealed. Please be sure to provide the specific racist language that was allegedly used and complained about if racist language was part of the complaint.*
- 3. Please provide me with a table showing what sanctions, if any, were taken against staff in relation to these allegation.*

Response:

I have broken down my response into two sections: complaints from staff and complaints from members of the public.

Complaints from staff

Employment tribunal claims

We have provided below, details of employment tribunal claims where discrimination on the grounds of race has been cited for the requested period. You should however be aware that some of the complaints are from the same person, in consecutive years:

2018-2019: 5
2019-2020: 4
2020-2021: 0
2021-2022: 3

None of the cases involved allegations of racist language being used, the general themes of the claims are centre around the way that the Claimant has interpreted management action/decisions, such as the way the sickness capability process/absence management procedure is applied or complaints about the outcomes of former grievances.

Grievances & Discipline

Grievances

We do not generally get internal complaints (grievances/bullying & harassment complaints) directly citing 'racism', although perceived unfair treatment is often listed, and the complainant may be from a BAME background.

Complaints of racism would not normally be considered to constitute a grievance and would most likely proceed to an investigation under the discipline policy (although it is not possible to say this with certainty until the records are checked).

The outcome of all grievance cases are published online via the London Datastore. This information can be accessed via the following link to the LFB HR Statistical Abstract:

<https://data.london.gov.uk/dataset/hr-statistical-abstract?q=hr>

There is no specific grievance category for 'racism'.

Discipline

Again, the LFB do not have a specific category of 'racism' recorded within the LFB disciplinary system.

We can break down cases into certain categories for reporting purposes. Categories on the disciplinary system include:

Assault, etc.

Breach Auth Pol/Proc

Breach of CoPUC

Breach of H&S regs

Bring Auth. Disreput

Criminal Charge/Conv

Damage Auth Equip

F Drug/Alc Test/Proc

Fail Notify Crim.

Fail/refuse LMI

Financial irregular.

Fraud

Harassment, etc.

Inap. Behaviour

Lateness

Misuse Auth Facil's

Negligence

The categories are chosen by the individual HR Adviser dealing with the case. It is possible that allegations of racism could be recorded under 'inappropriate behaviour', 'assault', 'Harassment, etc' or one of several of the other categories, depending on the nature of the complaint. The only way to confirm would be to check each individual record and review the allegations.

The outcome of all discipline (conduct or performance) cases are published online via the London Datastore. This information can be accessed via the following link to the LFB HR Statistical Abstract:

<https://data.london.gov.uk/dataset/hr-statistical-abstract?q=hr>

Every case in the discipline and grievance categories would need to be reviewed to gather the information you have requested. Due to the way our systems are set up and the data is held, our People Services Department consider this would be a lengthy exercise, likely to take at least some time to complete. For each case, the detail we need to respond to your request would be held in individual record files. As such we would have to manually review some 213 discipline and 232 grievance records (445 records in total) as we do not hold the information you asked for in a database.

The only way to identify each case where racism was the subject of the discipline/grievance would exceed the relevant time limit set out under the FOIA. This 'fees limit' is calculated by taking the cost limit appropriate to the Brigade (i.e. £450) divided by the standard rate at which a local authority (including the Brigade) can charge for this work (£25 an hour). This equates to 18 hours.

Using an average of 10 minutes for each discipline/grievance record (445 cases), it will take 37 hours (10 minutes times 445 discipline cases, divided by 60 minutes equals 74 hours) to review all of the relevant records. I therefore confirm that the cost of providing the information you have requested is in the cost range of £1,850 which is greater than the "appropriate limit" of £450 as defined in the FOIA fee regulations. In setting this out in full this now serves as a formal 'refusal notice' based on [section 12 of the FOIA – 'Exemption where cost of compliance exceeds appropriate limit'](#). If the cost exceeds the appropriate limit to comply with a request, a public authority is not obliged to comply with it.

If you are able to further refine your request, please get in touch. However, please bear in mind, of course, that little of the data you are seeking is held in a structured way (e.g. in a single database) so a manual search of relevant records is likely to be required.

Complaints from members of the public

We don't have a specific category for racism complaints made by members of the public, but we are able to do a free text search of any keywords used to record a complaint on the complaints record system. We have conducted a search for the key word 'racism'. For period from to 01/04/2018 to 31.01.2022 one result was produced:

2018 – 1 complaint (although this is about the playing of music at a station that was considered racist so not sure if that fits) – upheld.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request on our website:

<https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us/>