



LONDON FIRE BRIGADE

Report title

2021/22 FRS Pay Settlement

Report to

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

Date

25 March 2022
6 April 2022
26 April 2022

Report classification:

For Decision

The subject matter of this report deals with the following LFB strategic priorities:

The best people and the best place to work

Report number – LFC-0695

For Publication

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DECISION-MAKER

I agree the recommended decision below.

Andy Roe
London Fire Commissioner

Date **This report was signed
remotely on 11 May 2022**

Executive Summary

This report seeks agreement for the London Fire Commissioner to implement the 2021/22 pay settlement for FRS staff which has been reached with the trade unions (GMB and UNISON).

For the London Fire Commissioner

The London Fire Commissioner agrees to commit the above revenue expenditure for implementation of the 2021/22 FRS pay settlement as set out at paragraph 1.2 of this report, and to implement this pay settlement.

1. Introduction and background

- 1.1 The annual settlement date for the FRS general pay increase is 1 April; the effective date of the annual Salary Progression Increase (SPI), i.e. incremental progression through the pay band, is 1 July.
- 1.2 For 2021/22, negotiations have continued since the original claim was lodged by the trade unions in April 2021. Most recently, following a meeting with the London Fire Commissioner on 28 January 2022, a revised pay offer was accepted by trade unions as follows (based on current salary):

From 1 April 2021

- £25,794-£28,730 – a pay increase of 2 per cent
- £28,731-£28,872 – a pay increase to £29,305
- Above £28,872 – a pay increase of 1.5 per cent

From 1 July 2021

- A salary progression increase of 2.5 per cent, or to the maximum of the grade if less

- 1.3 The headline pay increase, which will apply to over 93% of FRS staff, is therefore 1.5%; this is the same pay settlement that was reached in 2021/22 for all operational and Control staff. The higher increase of 2%, for those paid up to £28,730 p.a., applies to the lowest paid FRS staff, all in the FRSB pay band, who are currently paid less than the minimum operational salary – the Trainee Firefighter rate. There is then a tapered increase back to 1.5% for those paid between £28,731-£28,872 p.a. to ensure that no member of staff who is currently better off than a colleague ends up worse off than the same colleague.
- 1.4 Last September the Deputy Mayor for Fire and Resilience gave approval for the London Fire Commissioner to implement a pay increase for FRS staff in 2021/22 of up to 1.5 per cent from 1 April 2021 once agreement was reached with the trade unions (DMFD123/LFC-0556). However as noted above, the final settlement incorporates an increased offer for the lowest paid FRS staff which is above 1.5 per cent, and so Deputy Mayor authorisation and London Fire Commissioner agreement is being sought to implement the final settlement reached.

2. Budgetary impact

- 2.1 A 2 per cent pay increase for FRS staff has been budgeted for in 2021/22, which totals £900k. The cost of the pay settlement reached is £713K which represents a budgetary saving of £187k.

3. Objectives and expected outcomes

- 3.1 The objective of the recommendation within this report, and therefore the expected outcome, is to implement the 2021/22 FRS pay settlement which has been reached with the trade unions.

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. An Equality Impact Assessment was previously undertaken for report LFC-0556 (see paragraph 1.4 above) which at the time considered an across-the-board pay settlement of 1.5 per cent for all FRS staff (and also all operational and Control staff). This EIA stated that there were positive impacts across all protected characteristics in the sense that a pay increase was generally accepted to be beneficial; the impact was neutral in the sense that (at the time) there was no differential impact across all protected characteristics as the proposal under consideration was for a 1.5 per cent pay increase for all LFB staff/occupational groups.
- 4.9. As a differential pay settlement has now been reached for FRS staff a further Equality Impact Assessment (EIA) has been undertaken, see Appendix A. This EIA shows that amongst the lowest paid FRS staffing group who will be receiving a higher pay increase of up to 2%, there is a disproportionate representation of women and black. Asian and other ethnic minority staff. Whilst this may be good news (a 'positive' impact) in terms of more pay, in terms of the bigger picture it is not good news that these groups are disproportionately represented amongst the lowest paid cohort. The EIA makes reference to the gender, race and disability pay gaps which exist within the Brigade, and the key steps which are being taken to address these gaps, i.e.:
- Training on equality, diversity and inclusion which is now encompassed in all leadership courses being delivered and developed.
 - The development of the middle leaders leadership programme which will encompass bespoke workshops aimed at supporting leadership development for underrepresented groups of staff, including women; black, Asian, and other ethnic minority staff; and staff with a disability.
 - The recent relaunch of the Coaching and Mentoring programme whose purpose is to improve diversity, career progression coaching, performance coaching and supporting the leadership interventions, with plans to deliver 'reverse mentoring' which has been shown to be specifically effective in improving the diversity of the organisation.
- 4.10. The fundamental positive impact of this differential pay award is that the lowest paid are receiving a larger pay increase, thus reducing economic inequality, which will generally be accepted as a fair outcome.

4. Other Considerations

Workforce comments

- 4.1 The subject matter of this report is the 2021/22 pay settlement for the FRS workforce which has been agreed with the trade unions who collectively represent FRS staff.

Sustainability comments

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

Procurement comments

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

5. Financial comments

5.1 This report recommends that the proposed 2021/22 pay settlement is agreed for FRS staff. This is at a total ongoing revenue cost of £713k, which will be funded from the £900k FRS pay contingency budget set aside for this purpose. The budget for pay inflation is reviewed annually as part of the budget setting process for future years.

6. Legal comments

6.1 This report seeks approval to implement FRS pay settlement figures for 2021/2022 following consultation with trade unions.

6.2 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.

6.3 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 of this report.

6.4 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. Accordingly, the recommendations fall within the Commissioners general power.

List of Appendices

Appendix	Title	Open or confidential
A	Equality Impact Assessment.	Open

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO