

GREATER LONDON AUTHORITY

REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD232

Title: Skills Payments (Interim Collective Agreement)

Executive summary:

This report requests the approval of the Deputy Mayor for Fire and Resilience to authorise the London Fire Commissioner (LFC) to commit revenue expenditure of £2,523,290 as set out in this report for the purpose of implementing interim skills payments for eligible operational staff between the ranks of firefighter and station officer with effect from 1 April 2024 until 31 March 2025.

Currently, the specialist skills set out in the report are acquired on a voluntary basis. The LFC proposes to make skills-based payments to reward staff who are fulfilling certain roles requiring these skills, and to incentivise the voluntary uptake of specialist skills in the firefighter to station officer ranks.

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the London Fire 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...”.

Decision:

That the Deputy Mayor for Fire and Resilience authorises the London Fire Commissioner to commit revenue expenditure of £2,523,290 as set out in this report for the purpose of implementing interim skills payments for eligible operational staff between the ranks of firefighter and station officer with effect from 1 April 2024 until 31 March 2025.

Deputy Mayor for Fire and Resilience

I confirm that I do not have any disclosable pecuniary interests in the proposed decision.

The above request has my approval.

Signature:



Date:

04/03/2024

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE DEPUTY MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1 Report LFC-24-003 to the London Fire Commissioner (LFC) explains that the LFC is committed to delivering the Community Risk Management Plan 2024 – 2029 by supporting its people to be the best that they can be, to be trusted to serve and protect the communities of London, especially in areas where specialist skills are required for specialist roles.
- 1.2 The specialist skills detailed within report LFC-24-003 are acquired on a voluntary basis, which creates difficulties in recruitment and retention for the roles dependent on these skills, as well as forecasting skills levels and maintaining critical crewing levels. Staff within these roles consider they are doing more than if they were at a non-specialist role fire station and therefore feel devalued, which can impact attendance, performance, and motivation which then in turn impacts service delivery.

2. Objectives and expected outcomes

Interim Collective Agreement

- 2.1 The interim Collective Agreement as set out in Appendix A of report LFC-24-003, recognises the commitment from all staff who hold a specialist skill and sets out the arrangements for a skills-based payment which is being proposed to reward staff who currently hold specialist skills and to incentivise the voluntary uptake of specialist skills in the firefighter (Ff) to station officer (SO) ranks. It is envisaged that this will increase the number of staff volunteering to achieve specialist skills, and provide specialist operational functions, up to a pre-specified maximum level.
- 2.2 The table below details the scalable percentages awarded to each skill. This acknowledges the variants in training commitments required from staff to acquire and maintain these specialist skills. For example, the Urban Search and Rescue skill has a specialised and technical training requirement and therefore attracts a higher percentage.
- 2.3 A skills-based payment of either one, two or three percent dependent on the skill as detailed in the skill payment table below, will be paid for completing all necessary training and maintaining that competency.

Table 1 - Skills Payment Table

Skill	Percentage payment
Urban Search and Rescue (USAR)	3%
Fire Rescue Unit (FRU)	2%
Command unit (CU)	2%
Fireboat (FB)	1%
CBRN (RRT)	1%
Turntable aerial (TL)	1%

Hose layer (HL)	1%
Mass Decontamination (DM)	1%
High volume pump (HVP)	1%
Bulk foam (BF)	1%

- 2.4 The overall costs of the skills payment total £2,523,290.51 for one year, from April 2024. It is anticipated that these payments would be made on an ongoing basis, rising in line with agreed pay awards. However, this is an interim agreement and it is anticipated that a final agreement will be reached with the representative bodies during 2024-25 and any amendments to the agreement after the initial period which have a financial impact will be factored into a future budget cycle.
- 2.5 These figures can be seen in more detail in Appendix B of report LFC-24-003.
- 2.6 The LFC budget submission 2024/2025 included funding of £2,500,000 for the skill-based payments. The actual costs incurred will vary according to the number of staff holding and maintain the skills to be paid additionally, and this will vary in year as staff move to new roles/acquire skills, therefore future budget processes will consider the staff expected to receive the skills payments and these will be contained within the budgets set. The budget for skills payments will be increased to £2,524,000 in the LFC's final budget 2024/25 to meet the latest estimate of the costs in that year.

3. Equality comments

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 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.
- 3.5 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.
- 3.6 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.
- 3.7 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.
- 3.8 An Equality Impact Assessment has been completed (Appendix C to report LFC-24-003y). The Equality Impact Assessment acknowledges that LFB has a pay gap disparity for those staff members from underrepresented groups as recognised by the latest Equalities summary published in November 2023 across LFB as an entirety. However, as demonstrated in the percentage tables in section E1 of Appendix C to report LFC-24-003y, there is a neutral impact between LFB's equality data held for operational staff across the whole of the LFB workforce and those eligible staff who carry out specialist skills at specific locations. Therefore, any enhancement in pay across these areas will have a negligible impact on increasing any current disparity. It should be noted that staff who are on long-term sickness absence, over three months that is Due to Service (DTS) or maternity related will continue to be paid the skills-based payment. Adjustments can be considered for disability related absence.

4. Other considerations

Workforce comments

- 4.1 The anticipated outcome is that skills payments will be welcomed by LFB staff as they will support their financial wellbeing, especially during the current financially challenging times. The LFC and the London Region Fire Brigades Union (FBU) accept that staff in these specialist roles will need to acquire and maintain their individual skills through attending a number of training courses, some of which could be, on occasion, outside of London, residential, and occur on days which they are rostered off duty. The LFC also recognises that acquiring and maintaining these skills, and ensuring individual competency takes dedication and commitment from staff in these specialist roles. These skills need to be maintained by staff through a variety of ongoing training interventions and any competency assessments. This ensures ongoing competence and the ability to execute the function for which they have been trained. 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 include risk assessments. The same principle applies to this interim Collective Agreement.
- 4.2 A skills eligibility report will support the identification of staff eligible for payment due to assigned specialist skills.
- 4.3 Staff who do not have specialist skills as set out in the interim Collective Agreement will not be eligible to receive a skills-based payment.
- 4.4 Staff who do not maintain their specialist skills will have the skill payment removed until competence is achieved.

Conflicts of interest

4.5 There are no conflicts of interest to declare from those involved in the drafting or clearance of this decision.

5. Financial comments

5.1 As part of the annual budget cycle the expected annual cost of skills payments has been factored in as an investment from 2024-25 on an on-going basis. The total investment included in this process for 2024-25 on an annual basis totalled £2,523,290. Any amendments to the agreement after the initial period which have a financial impact will be factored into a future budget cycle.

6. Legal comments

6.1 This report seeks agreement to commit expenditure in order to make skills payments to operational staff.

6.2 Under section 9 of the Policing and Crime Act 2017, the LFC 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 LFC would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the "Deputy Mayor"). Paragraph (b) of Part 2 of that direction requires the LFC 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...". Accordingly, the commitment of expenditure set out in the recommendation requires prior approval.

6.4 The statutory basis for the actions proposed in this report is provided by sections 7 and 5A of the Fire and Rescue Services Act 2004 ("FRSA 2004"). Section 7 (2)(a) FRSA 2004 the LFC has the power to secure the provision of personnel, services, and equipment necessary to efficiently meet all normal requirements for firefighting. Section 5A of the FRSA 2004 allows a relevant fire and rescue authority to do anything it considers appropriate for the purposes of the carrying out of any of its functions, and anything it considers incidental or indirectly incidental to its functional purposes through a number of removes.

6.5 These comments have been adopted from those provided by the LFC's General Counsel Department in report LFC-24-003 to the LFC.

Appendices and supporting papers:

Appendix 1 - Report LFC-24-003 – Skills Payments (Interim Collective Agreement)

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

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

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer

Richard Berry has drafted this report with input from the LFC and in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service

Niran Mothada has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Fire and Resilience for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

A summary of this decision was reviewed by the Corporate Investment Board on 26 February 2024.

✓

INTERIM CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

26/02/2024