

Decision title

## Top Management Group Salary Progression – 1 April 2020

Recommendation by  
Assistant Director, People Services

Decision Number  
LFC-0320-D

Protective marking: **NOT PROTECTIVELY MARKED**

Publication status: Published in full

### Summary

Report LFC-0320 recommends that salary progression for all eligible Top Management Group (TMG) members from 1 April 2020 is 2.5 per cent, or to the maximum of the band if less. Non-consolidated payments for eligible TMG staff at the maximum of their band to also be 2.5 per cent. This is a variation to existing TMG salary progression arrangements previously agreed with Prospect, the trade union which collectively represents TMG staff, and is an interim measure for 2020 only, pending further discussions between the London Fire Commissioner (LFC) and Prospect on longer-term salary progression arrangements for the TMG. Prospect have agreed this interim salary progression arrangement.

### Decision

That the London Fire Commissioner approves and implements a 2.5 per cent salary progression for all eligible Top Management Group TMG members from 1 April 2020, or to the maximum of the band if less, as agreed with Prospect. Non-consolidated payments for eligible TMG staff at the maximum of their band to also be 2.5 per cent.

**Andy Roe**  
London Fire Commissioner



Date **This decision was remotely signed on Friday 3 April 2020**

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Report title

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## Top Management Group Salary Progression – 1 April 2020

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Report to

Commissioner's Board  
Deputy Mayor's Fire & Resilience Board

Date

26 February 2020  
17 March 2020

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Report by

Assistant Director, People Services

Report number

LFC-0320  
FRB-0107

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### Summary

This report recommends that salary progression for all eligible Top Management Group (TMG) members from 1 April 2020 is 2.5 per cent, or to the maximum of the band if less. Non-consolidated payments for eligible TMG staff at the maximum of their band to also be 2.5 per cent. This is a variation to existing TMG salary progression arrangements previously agreed with Prospect, the trade union which collectively represents TMG staff, and is an interim measure for 2020 only, pending further discussions between the London Fire Commissioner (LFC) and Prospect on longer-term salary progression arrangements for the TMG. Prospect have agreed this interim salary progression arrangement.

### Recommended decision

1. That the London Fire Commissioner approves and implements a 2.5 per cent salary progression for all eligible Top Management Group TMG members from 1 April 2020, or to the maximum of the band if less, as agreed with Prospect. Non-consolidated payments for eligible TMG staff at the maximum of their band to also be 2.5 per cent.

### Background

1. Following discussion at Commissioner's Board on 4 December 2019, and at Fire and Resilience Board on 21 January 2020, the London Fire Commissioner approved and implemented a cost-of-living 2% pay settlement for Top Management Group (TMG) staff from 1 January 2020 (LFC-0280-D).
2. Salary progression within the pay band for TMG staff applies from 1 April each year. Under the 2016 collective agreement with Prospect (see FEP2591, appendix B), salary progression is determined by individual performance over the year to 31 March assessed under the SoLACE performance appraisal scheme. Those rated 'A' (outstanding) receive a 3.5 per cent pay progression, or to the maximum of the band if less; those rated 'B' (good) receive a 2 per cent pay progression, or to the maximum of the band if less; those rated 'C' (unsatisfactory) are not eligible for pay progression. The expectation has been for pay progression to average 2.5 per cent. To be eligible for full pay progression, TMG staff must be appointed on or before 30

September of the relevant year; those appointed between 1 October-31 December are eligible for 50 per cent of a full year's salary progression those appointed on or after 1 January of the relevant year are not entitled to salary progression from the following 1 April.

3. In addition, TMG staff who have been on the maximum of their salary band for at least 12 months who receive an 'A' or 'B' SoLACE rating are eligible for a non-consolidated payment of 3.5 per cent/2 per cent of their annual salary, paid monthly.
4. Officers have been in discussions with Prospect for several months with a view to moving away from individual performance-based pay progression for TMG staff, however as yet agreement has not been reached on revised arrangements. It has therefore been agreed with Prospect that a one-year interim arrangement will apply from 1 April 2020, i.e. all eligible TMG staff will receive a 2.5 per cent salary progression, or to the maximum of the band if less, and non-consolidated payments for those at the maximum of their band for at least 12 months will be 2.5 per cent of annual salary. Officers and Prospect representatives are committed to seeking to reach agreement on revised arrangements to apply from 1 April 2021.

### **Budgetary impact**

5. There is no budget set aside for salary progression for TMG staff as the cost of pay progression is offset by staff turnover, i.e. staff who are paid in the middle or upper reaches of the relevant pay band retire or otherwise move on, and are replaced by staff appointed at the lower end of the pay band. 12 out of the 50 TMG staff considered for salary progression in April 2019 have since either left the employment of the Brigade or been promoted. The nil budgetary impact is borne out by comparing actual TMG salaries on 01/04/2019 with TMG salaries on 01/04/2020 incorporating a 2.5 per cent salary progression: a like-for-like analysis of 46 TMG posts shows a small salary reduction from 01/04/2020 of £41.6k (less than 1% of the total salaries of these posts) when the impact of the 2% pay increase on 1 January 2020 is excluded. This figure excludes on-costs.

### **Finance comments**

6. This report recommends that the proposed salary progression for TMG staff is agreed. The cost of salary progression each year is offset by staff turnover, and the proposed increase set out in this report is in line with the budget estimate for this award.

### **Workforce comments**

7. This report concerns negotiations with Prospect over the 2020 salary progression arrangements for TMG staff.

### **Legal comments**

8. 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.
9. 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 and may take any action they consider appropriate to do this.

### **Sustainability implications**

10. There are no direct sustainability implications arising from this report.

## **Equalities implications**

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:
  - (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.
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 has not been undertaken. An EIA was not required as a 2.5% salary progression is to be applied across all eligible TMG staff.
19. Table 1 below sets out the race/gender composition of the TMG staffing group (figures do not include the LFC who is not covered by this salary progression). It is widely appreciated that this staffing group is not a diverse group in terms of being reflective of the London population. Interestingly, however, the TMG operational group is slightly more representative of women staff than the wider operational workforce (the figures in round brackets are higher than those in square brackets), and only slightly less representative of BAME staff than the wider operational

workforce. This is not mirrored amongst the TMG non-operational group, which is far less representative of BAME and women staff than the wider non-operational (FRS) workforce. There are work streams underway to seek to improve diversity at the senior grades; the figures suggest that (some) different factors may apply when considering senior career progression amongst the operational and non-operational workforces.

**Table 1** – Race/gender composition of the TMG staffing group (as at 20/02/2020). Percentages in round brackets are those of the relevant category within the row total. Percentages in square brackets are those of the relevant category within the operational/non-operational (FRS) workforce as a whole.

	<b>BAME</b>	<b>White</b>	<b>Race not known</b>	<b>Female</b>	<b>Male</b>	<b>Total</b>
<b>Operational</b>	3 (12.5%) [13.4%]	21 (87.5%) [85.3%]	0 (0%) [1.3%]	2 (8.3%) [7.8%]	22 (91.7%) [92.2%]	24 (100%)
<b>Non-operational</b>	1 (4.3%) [29.4%]	21 (91.3%) [68.8%]	1 (4.3%) [1.8%]	6 (26.1%) [51.0%]	17 (73.9%) [49.0%]	23 (100%)
<b>Total</b>	4 (8.5%)	42 (89.4%)	1 (2.1%)	8 (17.0%)	39 (83.0%)	47 (100%)