

Workforce Report

Purpose of Report

For information.

Is this report confidential? No

Summary

To update the Fire Services Management Committee on workforce matters in relation to industrial relations and more widely.

LGA Plan Theme: Support to the LG Workforce

Recommendation(s)

Members are asked to note the issues set out in the paper.

Contact details

Contact officer: Gill Gittins (Industrial Relations)

Position: Senior Adviser (Workforce and Negotiations)

Phone no: 07775 538917

Email: gill.gittins@local.gov.uk

Workforce Report

1. This report updates the Fire Services Management Committee on workforce matters in relation to industrial relations and more widely.

Negotiating Groups and NEOST

2. The LGA provides the employers' secretariat to a number of national negotiating bodies and the National Employers' Organisation for School Teachers (NEOST). An update on the main groups is provided below.
3. NJC for Local Authority Fire and Rescue Services (Grey Book)

3.1 As part of the most recent employees' side pay claim a number of additional matters were included. Settlement including the approaches below.

3.1.1 Retained Duty System firefighters:

Firefighters employed on the retained duty system are an important part of the workforce. Both parties committed to setting up a joint working group to include review of the retained duty system pay and rewards package with the intention of the joint working group concluding its work within 8 months. The group has held two meetings and a schedule of future dates has been agreed. Early work is focused on ensuring a sound evidence base for discussion going forward.

3.1.2 Firefighters (Control):

Both parties recognised the important contribution of emergency fire and rescue control employees. To inform NJC consideration on the matter of the pay differential it was proposed that a joint job evaluation process be undertaken. Arrangements to do so are in hand.

3.1.3 Pay progression:

Both parties committed to continued discussion around pay structure and progression, including the continual professional scheme. A joint working party would be set up with the intention of concluding its work within 8 months. The group has held two meetings and a schedule of future dates has been agreed. Early work is focused on ensuring a sound evidence base for discussion going forward.

3.1.4 New roles

Both parties remain committed to developing the work of the fire and rescue service and to do so by agreement. The need for this to be supported by appropriate investment as well as employee reward is also recognised. Discussions are taking place on how best to progress this matter.

4. NJC for Local Government Services (Green Book)
 - 4.1. Support staff in fire and rescue services tend to be employed on NJC for Local Government Services terms and conditions (Green Book). Its scope is England, Wales, and Northern Ireland. Employee representatives on that NJC are Unison, Unite and GMB. The usual pay settlement date each year is 1 April.
 - 4.2. The trade union claim for 2023 received in January 2023 covers:
 - 4.2.1 RPI (10.70 per cent) + 2.0 per cent on all pay points
 - 4.2.2 Consideration of a flat rate increase to hourly rates of pay in order to bring the minimum rate up to £15 per hour within two years
 - 4.2.3 A review and improvement of NJC terms for family leave and pay
 - 4.2.4 A review of job evaluation outcomes for school staff whose day-to-day work includes working on Special Educational Needs (SEN)
 - 4.2.5 An additional day of annual leave for personal or well-being purposes
 - 4.2.6 A homeworking allowance for staff for whom it is a requirement to work from home
 - 4.2.7 A reduction in the working week by two hours
 - 4.2.8 A review of the pay spine, including looking at the top end, and discussions about the link between how remuneration can be used to improve retention
5. In response, the employers' side of the NJC for Local Government Services, which once again has had to take into account the National Living Wage pressures¹, decided to make the following one-year (1 April 2023 to 31 March 2024), full and final offer in February to the unions representing the main local government NJC workforce:
 - 5.1. With effect from 1 April 2023, an increase of £1,925 (pro rata for part-time employees) to be paid as a consolidated, permanent addition on all NJC pay points 2 to 43 inclusive.
 - 5.2. With effect from 1 April 2023, an increase of 3.88 per cent on all pay points above the maximum of the pay spine but graded below deputy chief officer (in accordance with Green Book Part 2 Para 5.4)

¹ National Living Wage and Impact on Local Government Pay

The Low Pay Commission (LPC) issued their annual consultation in March on the National Living Wage (NLW) rate that will come into force on 1 April 2024. We have submitted written evidence to the LPC (this was signed off by Resources Board lead members in June. and will be providing oral evidence on 13 July.

The main point to note is that the forecast for the NLW rate has gone up again. The upper estimate of their projected rate for 1 April 2024 is now £11.43, which is 8p higher than their last forecast, while the central projection of £11.16 is also up 8p on their last forecast (both made in October 2022 when the LPC confirmed the 1 April 2023 rate).

- 5.3. With effect from 1 April 2023, an increase of 3.88 per cent on all allowances (as listed in the 2022 NJC pay agreement circular dated 1 November 2022).
6. The [employers' full response](#) also covered the other points in the claim.
7. At a further meeting in March at which the unions sought a 'significant improvement' to the £1,925 / 3.88 per cent headline offer, the National Employers rejected the unions' request and reaffirmed the offer as full and final.
8. The national committees of all three unions rejected the employers' final offer. UNISON is currently conducting a formal ballot for industrial action, which will close on 4 July. Unite is conducting a formal ballot for industrial action, which will close on 28 July. GMB has said it plans to conduct "*a series of targeted strike ballots*", starting in September. All three unions are / will be balloting on a disaggregated basis, which means strike action could be taken at each individual FRS / council where a turn-out of over 50 per cent is secured (if members vote in favour of strike action).
9. Despite the prospect of a very lengthy delay until this year's pay rounds are settled, the National Employers have advised very strongly against imposing any pay offer before the collective bargaining process has concluded. To do so would not only fragment the unity of the employers' position but would also leave councils vulnerable to questions being asked by auditors about why, in the absence of a national collective agreement, expenditure has been unnecessarily incurred. Perhaps more importantly, councils would need to consider very carefully the wider legal issues, including those arising out of the cases of *Kostal UK Limited v Dunkley* and *INEOS Infrastructure Grangemouth Limited v Jones & others*.
10. NJC for Brigade Managers of Local Authority Fire and Rescue Services
- 10.1 The scope of this UK-wide NJC is senior uniformed managers at chief, deputy chief and assistant chief officer levels. The employee representative body is the Fire Leaders Association. Agreement has recently been reached on pay awards for 2022 and 2023:
- A 4 percent increase on basic pay with effect from 1 January 2022
 - A 3.5 percent increase on basic pay with effect from 1 January 2023
11. Police Staff Council
- 11.1 The Police Staff Council (PSC) Trade Union Side has submitted its pay and conditions claim for 2023 for police staff. The headline claim is for an

increase of the Retail Prices Index (RPI) of inflation (February 2023) plus 4 per cent on all pay points. This is a 17.5% pay increase. Further details can be found here: <https://www.local.gov.uk/our-support/workforce-and-hr-support/police/police-staff/police-staff-council-circulars/emp-3>. The PSC Employers' Side is undertaking a consultation on the claim prior to a formal response to the Trade Union Side.

12. Local Authority Chief Officers

12.1. The National Employers made a full and final one-year (1 April 2023 to 31 March 2024) offer to the trade unions representing local authority chief officers of 3.5 per cent on basic salary. The offer was accepted on 5 May.

13. Local Authority Chief Executives

13.1 The National Employers made a full and final one-year (1 April 2023 to 31 March 2024) offer to the trade union representing local authority chief executives, with effect from 1 April 2023, an increase of 3.5 per cent on basic salary.

13.2 The Staff Side responded to the National Employers in June, describing the offer as 'not acceptable' and indicating that they 'will not accept any pay offer for April 2023 until the outcome for NJC staff is known'. The Staff Side also said, "it reserves its right to consider other steps if the offer for JNC Chief Executives remains in percentage terms below whatever percentage increase is finalised for staff on the top point of the NJC scale."

14. Coroners

14.1 Agreement has been reached within the JNC for Coroners to apply a 3.5% increase for 2023/24 on local salaries and day rates derived from the JNC arrangements.

15. School Teachers' Conditions of Service Handbook

15.1 A handbook setting out the conditions of service for school teachers in England and Wales has been updated for the first time in over two decades. The Burgundy Book is a national agreement between the five teacher unions and the national employers (NEOST). It is relevant to around half a million teachers and is an essential reference for all schools – both maintained and academies – with the majority choosing to incorporate the agreement into their teachers' contracts of employment. Its main provisions relate to notice periods, sick leave and pay, and maternity leave and pay. The 2023 edition updates legislation and clarifies terminology without amending the application of any of the terms and conditions of employment contained in the Burgundy Book.

(Note – similar work has been taking place within the NJC for LAFRS on the Grey Book).

Culture in the Fire and Rescue Service

16. The LGA Workforce and Policy teams worked together to deliver a free, one-day conference for members looking at their governance and leadership role in equality, diversity, and inclusion, alongside their employer role. Attendees found the event on 27 June, which covered voices from across the sector and elsewhere (including union voices) and relevant employment law and related legal framework to be very useful.
17. The Inclusive Fire Service Group has been stood up again and met on 20 June. This independently chaired, National Joint Council for LAFRS led, group has previously undertaken a substantial amount of work in this area, identifying many of the same problems as HMICFRS and developing improvement strategies that virtually all FRSs indicated support for. While a [monitoring report](#) in 2021 identified progress at local level, it was slow.
18. This UK-wide group is unique in the fire service in that it is comprised of employer and employee interests on the NJC, senior managers (NFCC) and employee representative bodies (FBU, FOA, FRSA). In developing evidence-based improvement strategies it also engaged with organisations such as Stonewall, Asian Fire Service Association, Women in the Fire Service, Women in the Police Service, FBU women's, BME and LGBT groups, Unison, GMB etc. It is therefore well-placed to hear all voices, taking on board all views to maximise buy-in at all levels and drive improvement.
19. At the meeting on 20 June, all organisation's on the group:
 - 19.1 reaffirmed commitment to strategies for improvement the group had previously developed and would encourage all FRAs and FRSs to also do so. A statement to that effect will be issued shortly.
 - 19.2 Agreed that the breadth of the IFSG's membership including the lived experience voices within it, and the confidence this would help instill in the workforce, meant it was well-placed to work together as a group and with other organisations more widely to ensure there wasn't a fragmented approach in the sector which could continue to hold back progress As part of this, contact will again be made with HMICFRS..
 - 19.3 Agreed to meet again in July to maintain momentum.
20. Since its introduction the [Core Code of Ethics](#) has been welcomed across the groups the partnership bodies represent – LGA, NFCC and APCC. Work has taken place, and is continuing to take place, to ensure the Core Code is

adopted and embedded within all fire and rescue services in order to ensure consistency and delivery of improvements.

21. Since release of the Core Code the partnership bodies have jointly undertaken several well attended workshops with fire and rescue services, initially to complement awareness activities and to support adoption of the Core Code. Workshops then moved on to progressing implementation and embedding the principles of the Core Code within services. The partners have also agreed that sharing of good practice going forward will be hosted through Workplace, which is operated by the NFCC and open to fire and rescue service employees working in this area. Partnership work will continue to support delivery of improvement and members will recall the workshop at the Fire Conference in March.
22. In its most recent State of Fire report HMICFRS said it was 'encouraged by the progress many have made in implementing this (the Core Code)'. It also indicated it would continue to consider how well services have adopted the Core Code of Ethics for Fire and demonstrate it in their cultures in its third round of inspections. HMICFRS also promoted the Core Code in its recent spotlight report on values and culture.

Fit for the Future

23. Members will be aware of the joint initiative by the LGA, National Employers (England) and NFCC - Fit for the Future. It covers a broad spectrum of issues, for example reform.
24. A joint bid has been made to the Home Office seeking funding for two specialist posts, which would sit within the LGA. The postholders would be able to provide specialist advice on industrial relations and employment law to FRA/FRSs over and above that currently provided by the LGA in a national context in order to support delivery of reform at local level.
25. The Fit for the Future improvement objectives, which were the result of wide consultation with FRAs and FRSs, are evidence-based. Accordingly, the next review will consider any amendments or additions required following the HMICFRS spotlight report into values and culture in the fire and rescue.

Decision Making Accountability (DMA)

26. The LGA Workforce team is qualified to deliver DMA reviews to councils and fire and rescue authorities. The DMA approach is an organisational design tool which establishes the number of layers of management that an organisation needs – and the units within it – to achieve its purposes most effectively, and the decision rights that managers in different layers require to be empowered.

This can be used at a whole organisation or individual service level. It is a proven way of creating an effective organisation and services, and an efficient management structure. The aim of DMA is to create a healthy and effective organisation. For further information please contact suzanne.hudson@local.gov.uk

Creating effective teams

27. The LGA Workforce team has recently delivered tailored workshops centred around creating effective teams and enhancing communication. We have availability over the next few months to work with more councils/fire and rescue authorities on this. To find out more about how Emergenetics Psychometric Profiling workshops can support your teams, projects, team away days, contact david.drewry@local.gov.uk

Advisory Bulletins

28. LGA [Advisory Bulletin 712](#) contains details of the Government's announcement that it will conduct a review of the effectiveness of the current whistleblowing framework; Government guidance on ethnicity pay reporting and a new offence of failure to prevent fraud.

Workforce planning

29. With ageing workforces and a shortage of critical talent being among the biggest challenges facing employers, strategic workforce planning – the discipline of forecasting future gaps between demand and supply of critical talent, to ensure that you have the appropriate workforce mix three or five years from now – has to become one of senior managers' most important responsibilities. Engaging in workforce planning supports transformation programmes, agile and better ways of working and the development of a resilient, people risk adverse organisation.
30. The LGA Workforce Team has supported several local government organisations and their strategic and senior managers, their HR and OD teams as well as specific teams (services) to develop their skills and use of workforce planning. We also use a Bitesize Workforce Planning sessions by delivering a phased approach to support organisations to design and develop their own bespoke workforce plans.
31. Three FRSs have so far benefitted from LGA Workforce support; Lincoln FRS, East Sussex FRS and Hereford and Worcester FRS.

32. Any manager with a keen interest in workforce planning is welcome to join the national local government workforce planning network which is the 'go-to' place for topical workforce planning discussions and peer-to-peer learning. For more information on how the LGA Workforce Team can support your organisation with workforce planning, contact welna.bowden@local.gov.uk

Employer Link

33. Members may not be aware that the LGA workforce team also supports organisations beyond the normal fire and rescue family with the outcomes of national negotiations, through our [Employer Link](#) service.

Financial Implications

34. Any cost implications will also need to be included in the work of the NJC for Local Authority Fire and Rescue Services' joint working groups.

Equalities implications

35. Equalities issues are taken into account in all workforce issues.

Next steps

36. Workforce issues will continue to be progressed as set out above.