

Workforce update

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)

That the Board note the issues set out in the paper

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Workforce update

Background

1. This report updates the Fire Services Management Committee on workforce matters in relation to industrial relations across the local government workforce, and some of the other programmes of workforce support currently underway.

NJC for Local Authority Fire and Rescue Services (Grey Book)

2. As reported to the previous FSMC, the additional aspects of the 2023 pay agreement resulted in the creation of two joint working groups. One to review the retained duty system pay and rewards package, and the other to establish a continued discussion around pay structure and progression, which should include consideration of the continual professional development (CPD) scheme.
3. These working groups are not decision-making bodies and are consciously confidential working groups meeting on a monthly basis. It is anticipated that the January meetings will pull together reports to go to the February NJC. It will be up to the NJC to progress matters from there.
4. A further aspect of the pay agreement included a commitment to undertake a joint evaluation process to inform the NJC in considering the matter of the pay differential that exists for emergency fire and rescue control employees. The Joint Secretaries of the NJC remain in discussion in order to progress this issue.
5. Finally (in relation to the 2023 pay agreement) the employers' side of the NJC also confirmed commitment to developing the work of the fire and rescue service and to do so by agreement. Our letter of agreement also stated that the employers recognised the need for this to be supported by appropriate investment as well as employee reward. It was perhaps inevitable that this theme would end up weaving through the informal discussions within the working groups, but there are few quick fixes or easy solutions.
6. The National Employers are continuing to give detailed consideration to the claim submitted on behalf of the NJC Employees side seeking to extend the current arrangements for maternity leave within the Grey Book to 12 months on full pay following the date of birth. The National Employers have identified a number of considerations which they are exploring in detail.

Workforce data survey

7. Noting that plans for the last workforce data survey were postponed during the Covid-19 pandemic, the NJC has now issued a request to FRSs to help provide as full a picture as possible on workforce data. This work is time consuming and

detailed, and the Joint Secretaries are extremely grateful to FRSs in supporting this important work.

Culture in the Fire and Rescue Service

8. The Inclusive Fire Service Group is next meeting in December, this is a little later than planned but due to issues outside of anyone's control, the autumn meeting had to be postponed and it proved impossible to get a date in before then.

NJC for Local Government Services (Green Book)

9. Agreement was reached on 1 November on the 2023-24 pay award for local government services ('Green Book') for an increase of £1,925 on all pay points and 3.88 per cent on all locally determined pay points above the top of the national pay spine.
10. UNISON's and GMB's acceptance of the offer met the requirement for a majority on the Trade Union Side to be in favour, thereby allowing a formal collective agreement to be reached.
11. The deal achieves a bottom rate of pay of £11.59 with effect from 1 April 2023 (which equates to a pay increase of 9.42 per cent for employees on the bottom pay point 2).
12. The Chancellor confirmed the April 2024 NLW rate will be £11.44 in the Autumn Statement on 22 November. The Government's policy is for the NLW to reach 66 per cent of average earnings by April 2024.

Local authority craftworkers ('Red Book') Pay 2023-24

13. Agreement between the National Employers and the trade union side (Unite and GMB) was reached on 16 November on the 2023-24 pay award for local government craft workers ('Red Book') for an increase of £1,925 on all pay points.

Local Authority Chief Executives

14. Agreement was reached on the 2023 pay award of 3.50 per cent on 1 November 2023.

Youth and Community Workers

15. The Staff Side has submitted its pay and conditions claim for 2023. The headline claim is for an increase of RPI plus two per cent across all grades and in addition there are a range of health and work life balance elements. The National Employers is undertaking a consultation of local authorities on the claim.

Soulbury Committee

16. The National Employers have made a full and final offer following further discussions seeking to settle the ongoing pay dispute for 2022. The offer is for an increase of £1,925 on all pay points with effect from 1 September 2022 and an increase of 4.0% on all pay points with effect from 1 September 2023. There are some additional adjustments to the Soulbury Pay scales. Industrial Action has been paused while the unions who make up the Soulbury Officers side consult with their members.

Trade Union Act 2016: Check Off Arrangements in the Public Sector

17. The Trade Union Act 2016 introduced powers to restrict the use of check off arrangements in “relevant public sector employer[s]” but these have not yet been brought into force. The provisions are now expected to take effect on 9 May 2024, following implementation of the [Trade Union \(Deduction of Union Subscriptions from Wages in the Public Sector\) Regulations 2023](#), which have been published in draft form and specify the employers the restrictions will apply to. However, this requires the approval of both houses of parliament. Similar draft regulations were laid in 2017 and whilst there was some opposition these were not passed ostensibly because of a lack of parliamentary time.

18. The new restriction is that public sector employers will only be able to deduct trade union subscriptions from its workers’ wages via a check-off arrangement where:

- the workers have the option to pay their subscription by other means; and
- the union makes reasonable payments to the employer which are “substantially equivalent to the total cost to public funds of making the deductions”.

19. As well as setting out when the restriction will take effect, the draft Regulations list the “relevant public sector employer[s]” to whom the restrictions will apply. As anticipated that extensive list includes local authorities, fire and rescue authorities, governing bodies of local authority-maintained schools and academy schools.

20. The statutory provisions do not specify charges in the sense that there is no minimum or maximum level of fees, as the act requires that arrangements have been made for the union to make reasonable payments to the employer in respect of them making the deductions and that this means the employer is satisfied that the total amount of the payments is substantially equivalent to the total cost to public funds of making the deductions. An employer would be required to cease making deductions if agreement on reasonable payments cannot be reached. Cabinet Office will be producing guidance to assist employers

and trade unions understand their obligations under the legislation.

21. We anticipate that many employers will have entered discussions about these proposed changes with their trade unions some time ago following the introduction of the Trade Union Act 2016, with a view to seeing if check off arrangements can continue after the restrictions come into force. As the proposals were not enacted at the time it may be that they will need further consideration at this stage. We will provide further updates if there are any changes in the final regulations as they pass through Parliament and when the Cabinet Office publishes its guidance.

Employment Law Updates

22. [Advisory Bulletin 717](#) provides an overview of the latest employment law issues including unlawful deductions from wages, looking at when a 'series' is broken in relation to back pay, provides a link to the Employer guide to the law on equal pay, updated ICO guidance on monitoring employees at work, updated fit note guidance, development of government menopause employment guidance and as always the employment law timetable.

Financial Implications

23. 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

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

Next steps

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