

The Scheme for Payment of Members' Allowances 2011/12

Report of the Clerk

For further information about this report please contact Sharon Lloyd, Corporate Services Manager, on 01743 260210.

1 Purpose of Report

This report asks the Fire Authority to review and agree its list of Approved Duties and to agree its 2011/12 Scheme for the Payment of Members' Allowances.

2 Recommendations

The Fire Authority is asked to:

- a) Agree its Scheme for Payment of Members' Allowances 2011/12 to take effect from 1 April 2011 (set out at the Appendix to this report); and
- b) Review and agree its list of Approved Duties (set out at Schedule 1 of the Appendix to this report).

3 Background

On 1 May 2003 the Local Authorities (Members' Allowances) (England) Regulations 2003 came into force, which required combined fire authorities to establish their own schemes of allowances, so replacing the existing practice whereby Members were paid allowances for their fire authority duties by their constituent authorities.

At its Annual Meeting in July 2003 Shropshire and Wrekin Fire Authority agreed its first Scheme for Payment of Members' Allowances and since then, in accordance with the Regulations, it has agreed a Scheme each year.

4 The 2011/12 Scheme

Allowances

Under the Regulations referred to in section 3 of this report the Fire Authority is required each year to make a scheme for the payment of allowances to its Members.

Section 14 of the Fire Authority's existing Scheme states that the basic, special responsibility, travel and subsistence allowances may be reviewed annually from 1 April each year, based on the National Joint Council for Local Government Services' annual reviews, and any percentage increase applied automatically from that date.

In light of the current economic environment, however, the following proposals, which will result in savings for the Fire Authority, are put forward for Members' consideration:

a) Car allowances

To be reduced to a single rate of 40p per mile (for up to and including 8,500 miles per annum) and set at 25p per mile (for over 8,500 miles per annum) regardless of car engine size

This will avoid any increases in payroll administration, which the service provider may apply, should the Fire Authority's rates not fall in line with theirs.

b) Bicycle allowances

To remain at 32.5p or the rate of 40p per mile (in line with a) above) to be payable, if a car would otherwise have been used

c) Train allowances

To be claimable at the lowest available fare for the journey, provided that journey would not involve an unreasonable routing or number of changes. First class fare may be claimed for a particular journey, if it has been authorised in advance by the Chair in consultation with the Chief Fire Officer.

d) Taxi allowances

Members may also claim for the fare and reasonable gratuity, if sharing with others results in a saving on the total public transport cost for the group

e) Subsistence allowances

To be brought into line with those currently paid to officers. This will involve the scrapping of the 'tea allowance' and minor increases in the three remaining allowances to ensure that Members are not out of pocket, when away on Fire Authority business.

Breakfast	£6.55
Lunch	£9.06
Evening meal	£11.22

f) Basic, special responsibility and co-optee allowances

To be frozen at the current 2010/11 rates

Full details of the current allowances are shown at Schedule 2a of the Appendix to this report and of the proposed allowances at Schedule 2b.

Approved Duties

As the list of Approved Duties (set out at Schedule 1 of the Appendix to this report) has not been reviewed for some years, Members are asked to revisit this document to ensure that it is still fit for purpose. The following addition, shown in bold italics in Schedule 1, is proposed to ensure tighter control of requests from members to attend events:

Where a request from a Member to attend an event does not fall within one of the above approved duties, the Chair, in consultation with the Chief Fire Officer, may agree the attendance. In all such cases the Member concerned shall provide details in advance of the event to the Chair to enable him to reach a decision. The Member shall also provide a written report following the event to enable all Members of the Fire Authority to benefit from his / her attendance at the event.

When making a decision in this respect the Chair shall have regard to, inter alia:

- The benefit to the Fire Authority;
- The budget available; and
- Any training and development needs of the Member.

5 Financial Comment

The cost of applying the above rates will result in savings to the Fire Authority and will also avoid any additional costs of administration, which might be introduced by the Authority's payroll provider.

6 Legal Comment

Under the Local Authorities (Members' Allowances) (England) Regulations 2003 the Fire Authority is required to establish annually a scheme to provide for the payment of a basic annual allowance to each of its Members. That scheme may also provide for the payment of special responsibility allowances, allowances to co-optees serving on committees, and travel and subsistence allowances.

Arrangements for the publication of the scheme shall be made as soon as reasonably practicable after the making or amendment of the scheme.

7 Equality Impact Assessment

Officers have considered the Service's Brigade Order on Equality Impact Assessments (Personnel 5 Part 2) and have decided that there are no discriminatory practices or differential impacts upon specific groups arising from this report. An Initial Equality Impact Assessment has not, therefore, been completed.

8 Appendix

Scheme for Payment of Members' Allowances 2011/12

9 Background Papers

Office of the Deputy Prime Minister

1 May 2003 Local Authorities (Members' Allowances) (England) Regulations 2003

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Business Continuity Planning		Member Involvement	
Capacity		National Framework	
Civil Contingencies Act		Operational Assurance	
Efficiency Savings		Public Value	
Environmental		Retained	
Financial	*	Risk and Insurance	
Fire Control/Fire Link		Staff	
Information Communications and Technology		Strategic Planning	
Freedom of Information / Data Protection / Environmental Information		Equality Impact Assessment	*
Legal	*		

Shropshire and Wrekin Fire Authority Draft Scheme for the Payment of Members' Allowances 2011/12

The Shropshire and Wrekin Fire Authority, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 (SI No. 2003: 1021) [‘the Regulations’] hereby makes the following scheme.

1. This scheme shall have effect from 1 April 2011.

2. In this scheme:

“Member” means a Member of the Shropshire and Wrekin Fire Authority

“the Authority” means the Shropshire and Wrekin Fire Authority

“year” means the 12 months ending with 31 March

“pro rata” means in proportion to the number of days during the effective period of this scheme to the total number of days in the year

“independent person” means a person, other than a member of the Authority, appointed to serve on the Authority’s Standards Committee (in accordance with Section 53 of the Local Government Act 2000 and the Relevant Authorities (Standards Committee) Regulations 2001)

“NJC” means the National Joint Council.

3. **Basic Allowances**

3.1 The basic allowance payable to each Member shall be in accordance with the scales adopted by the Authority, from time to time, outlined in **Schedule 2** per year, pro rata, payable by monthly instalments.

4. **Special Responsibility Allowances**

4.1 The Members holding the offices specified in **Schedule 2** shall receive the Special Responsibility Allowances shown there per year.

4.2 No Member shall receive more than one special responsibility allowance from the Authority.

4.3 Special responsibility allowances will be payable, pro rata, by monthly instalments.

5. Travel and Subsistence Allowances

- 5.1 Payment of travel and subsistence allowances shall be made in respect of the approved duties undertaken by a Member, as set out in **Schedule 1** to this scheme, as amended from time to time by the Authority.
- 5.2 The amounts payable to each Member in respect of travel allowances and subsistence allowances shall be in accordance with the scales adopted by the Authority, from time to time, outlined in **Schedule 2**.

6. Dependants'/Carers' Allowance

- 6.1 In accordance with the Regulations, the scheme does not provide for this allowance.

7. Independent Persons

- 7.1 The co-optee allowance payable to Independent Members of the Standards Committee shall be in accordance with the scales adopted by the Authority, from time to time, outlined in **Schedule 2** per year, pro rata.
- 7.2 Additional allowances for up to 4 hours and for over 4 hours shall be payable to Independent Members of the Standards Committee, should they be required to consider locally any allegations of breaches of the Code of Conduct, in accordance with the scales adopted by the Authority, from time to time, outlined in **Schedule 2**.

8. Renunciation

- 8.1 A Member may, by notice given to the Treasurer to the Authority, elect to forego any part of his or her entitlement to an allowance under this scheme.
- 8.2 Any such notice shall specify the effective date of renunciation and, once given, the notice may not be revoked otherwise than with effect from 1 April in any year.

9. Time Limit for Claims

- 9.1 Members should submit completed claim forms for travel and subsistence for each calendar month, to the Corporate Services Manager at Brigade Headquarters by the 7th of the following month to ensure payment at the end of the month.
- 9.2 Claims must be submitted within three months of the end of the relevant month. The Treasurer may, having consulted the Chair of the Authority, accept a late claim for good cause and make the related payments.

10. Dual Claims

- 10.1 Where a Member of the Authority is also able to claim allowances as a Member of another authority, that Member may not receive any allowance from more than one authority in respect of the same duties, travel or subsistence.

11. Right to Withdraw Allowances or Require Repayment

- 11.1 Where a Member is suspended or partially suspended from his or her duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the Authority reserves the right to withhold that part of basic or special responsibility allowance or travelling and subsistence allowance payable to him or her in respect of the period of suspension or part suspension.
- 11.2 In the circumstances outlined in paragraph 11.1, or if a Member ceases to be a Member of the Authority, or is in any other way not entitled to receive an allowance for any particular period, the Authority reserves the right to require that such part of the allowance as relates to any such period be repaid to it.

12. Part-Year Entitlement

- 12.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Member to basic and special responsibility where, in the course of a year:
- a) this scheme is amended; or
 - b) that person becomes or ceases to be a Member; or
 - c) that Member accepts or relinquishes a special responsibility for which a special responsibility allowance is payable.
- 12.2 In relation to basic and special responsibility allowances:
- a) if an amendment to this scheme changes the amount to which a Member is entitled; or
 - b) where the term of office of a Member begins or ends otherwise than at the beginning or end of a year; or
 - c) where the special responsibilities of a Member do not subsist throughout the year; or
 - d) where the scheme is amended as referred to in (a) above and the term of office and/or the special responsibilities of the Member do not subsist throughout any part of the periods within the year distinguished by the payment of different amounts for these allowances,

then the entitlement to the allowances shall be calculated by reference to the proportion the number of days in each such period bears to the number of days in that year.

13. Administration

- 13.1 The Treasurer to the Authority shall maintain, on behalf of the Authority, a record of all payments made under this scheme which shall specify in relation to each payment the name of the recipient and the amount and nature of the payment.
- 13.2 This record shall be available at all reasonable times for inspection by local government electors in Shropshire and Borough of Telford & Wrekin at no charge. Copies will be provided on request on payment of a reasonable fee decided by the Treasurer.

14. Review of Allowances

- 14.1 The basic and special responsibility allowances payable under this scheme may be reviewed annually from 1 April each year based on the NJC for Local Government Services annual pay reviews, and any percentage increase applied automatically from that date.
- 14.2 Likewise the travel and subsistence allowances payable under this scheme may be reviewed annually from 1 April each year based on the NJC for Local Authority Fire and Rescue Services annual reviews or other local review and any increase applied automatically from that date.

15. Revision or Revocation of the Scheme

- 15.1 This scheme may only be amended or revoked by the Authority in accordance with the provisions of the relevant Regulations.

Approved Duties

For the purposes of paragraph 5 of the Authority's Scheme for the Payment of Members' Allowances, the following shall be regarded as approved duties:

- Meetings of the Authority
- Meetings of Committees, Panels and Working Groups of the Authority
- Any other meeting convened by the Authority (or by the Chair or Vice-Chair in cases of urgency) to which Members are invited
- Meetings between the Chair and/or the Vice-Chair of the Authority and the Chairs and/or Vice-Chairs of the Authority's Committees and officers of the Authority or the Brigade or other fire authorities or brigades to discuss Authority business
- Meetings between other Members of the Authority and officers of the Authority or the Brigade to discuss Authority business, at the specific direction of the Authority, or at the specific or general direction of the Chair
- Attendance at Shropshire Fire and Rescue Service events, at which Members' attendance is specifically requested
- Attendance at meetings and conferences of the Local Government Association (including plenary meetings and Policy Groups) by the appointed Members or their Substitutes
- Attendance at Audit Commission inspections and meetings related to inspections
- Meetings organised by the Authority with Ministers and/or Government officials on Authority business
- Meetings organised by the Authority with Shropshire and Borough of Telford & Wrekin Members of Parliament
- Attendance at the Local Government Association Annual Fire Conference by the Chair or Vice-Chair or any other Member specifically authorised by the Authority
- Attendance at any other meetings, groups, seminars, conferences, courses or visits on Authority matters, subject to the prior approval of the Authority (or the Chair or Vice-Chair in the case of urgency) for attendance at external or individual events

- Meetings of bodies (other than those specified above) to which the Authority has resolved to make appointments or nominations (for example the Board of the West Midlands Fire and Rescue Services Regional Control Centre and Crime Reduction Partnerships)
- Carrying out any other duty previously approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the Authority's functions

Where a request from a Member to attend an event does not fall within one of the above approved duties, the Chair, in consultation with the Chief Fire Officer, may agree the attendance. In all such cases the Member concerned shall provide details in advance of the event to the Chair to enable him to reach his decision. The Member shall also provide a written report following the event to enable all Members of the Fire Authority to benefit from his / her attendance at the event.

Current Travel and Subsistence Allowances (with effect from 1 April 2010)

Travel Allowances

Car (set by the National Joint Council)

Passenger allowance

Mileage allowance for engine size is as follows:

Per mile up to 8,500 miles

Not exceeding 999cc

Over 999cc but not exceeding 1199cc

Over 1199cc

Per mile over 8,500 miles

Not exceeding 999cc

Over 999cc but not exceeding 1199cc

Over 1199cc

As NJC rate

3.0p

46.9p

52.2p

65.0p

13.7p

14.4p

16.4p

Bicycle

Mileage allowance

or the higher amounts shown above, if a car of the appropriate engine capacity would otherwise have been used.

32.5p

Train

Members are entitled to claim:

- The lowest reasonably available FIRST class fare, where there is a real need to work whilst travelling by rail or where otherwise appropriate, otherwise second class fare;
- Reservation and left luggage expenses; and
- Costs of getting to, and from, the station

Taxi

Members are entitled to claim:

- The fare and reasonable gratuity, where the need to travel is URGENT or where no public transport is reasonably available.
- The appropriate public transport fare (e.g. bus fare) in other cases.

Additional expenses can be claimed for the actual cost of parking.

Subsistence Allowances

Where no overnight stay is required:

Breakfast Allowance

Payable in respect of absence from home for at least 4 hours, before 11.00 am

£

5.57

Lunch Allowance

Payable in respect of absence from home for at least 4 hours, including the whole of the period 12 noon to 2.00 pm

7.70

Tea Allowance

Payable in respect of absence from home for at least 4 hours, including the whole of the period 3.00 pm to 6.00 pm

3.04

Evening Meal Allowance

Payable in respect of absence from home for at least 4 hours, ending after 7.00 pm

9.54

Note: Tea and evening meal allowances will not be paid in respect of the same evening. All claims must be substantiated by receipts (*or are subject to taxation*).

Overnight Allowance

Claims can be made where overnight absences from the usual place of residence exceed 24 hours. The following allowances are for bed and breakfast:

- Visits to London or national conferences (excluding VAT)
- All other cases (excluding VAT)

£
140
120

Members' Allowances

The **basic allowance** for all Members of the Fire Authority is £2,658 per annum, payable by monthly instalments.

The **co-optee allowance** for Independent Members of the Standards Committee is £273 per annum, payable by monthly instalments. An additional allowance of £53 for up to 4 hours and £106 for over 4 hours shall be payable to Independent Members, should they be required to consider locally any allegations of breaches of the Code of Conduct.

The following **Special Responsibility Allowances** are also payable by monthly instalments:

	£ per annum
Chair of the Fire Authority	10,000
Vice-Chair of the Fire Authority	5,000
Leader of Opposition Group with 3 or more Members	2,658
Chair of Strategic Risk and Planning Working Group	3,000
Director on the Board of the West Midlands Fire and Rescue Services	
Regional Control Centre	2,658
Member of Strategic Risk and Planning Working Group	1,000

How and When to Claim

Claims for travelling and subsistence allowances should be submitted to the Corporate Services Manager and must relate to approved duties undertaken (see Schedule 1 for details). Claims will be paid directly to Members' bank accounts on a monthly basis. Claims must be made on the Members' allowances claim forms (FB218), copies of which are available from the Corporate Services Manager.

Claim forms should be completed for each calendar month, in which expenses have been incurred, and forwarded to the Corporate Services Manager **no later than the seventh of the following month to ensure payment at the end of the month**. VAT receipts for petrol purchased prior to the dates of travel listed on the claim form should also be provided. Claims must be submitted within three months of the end of the relevant month. The Treasurer may, having consulted the Chair, accept a late claim for good cause and make the related payments.

The full address for completed claim forms is:

Corporate Services Manager
Shropshire Fire and Rescue Service
Brigade Headquarters, St Michael's Street, Shrewsbury, Shropshire, SY1 2HJ

**Proposed Travel and Subsistence Allowances
with effect from 1 April 2011**

Travel Allowances**Car**

Per mile up to, and including 8,500 miles	40p
Per mile over 8,500 miles	25p
Passenger allowance	3p

Bicycle

Mileage allowance	32.5p
or	40p
if a car of the appropriate engine capacity would otherwise have been used.	

Train

Members are entitled to claim:

- The lowest available fare for the journey, which does not involve an unreasonable routing or number of changes. First class fare may be claimed for a particular journey, if it has been authorised in advance by the Chair in consultation with the Chief Fire Officer.
- Reservation and left luggage expenses; and
- Costs of getting to, and from, the station

Rail tickets can be obtained from Management Support Officers, Lynn Ince, Amanda Thomson and Jayne Turner (telephone 01743 260201).

Taxi

Members are entitled to claim:

- The fare and reasonable gratuity, where the need to travel is **urgent** or where no public transport is reasonably available or where sharing with others results in a saving on the total public transport cost for the group.
- The appropriate public transport fare (e.g. bus fare) in other cases.

Members are also entitled to claim the actual cost of parking.

Subsistence Allowances

Breakfast	Payable when required to leave home before 7.00 am	£6.55
Lunch	Payable when absent from home for at least 4 hours, including the whole of the period 12 noon to 2.00 pm	£9.06
Evening Meal	Payable in respect of absence from home for at least 2 ¹ / ₂ hours up to, and including, 7.30 pm	£11.22

Payments made for alcoholic drinks will not be refunded.

All receipts must be attached to claims.

Overnight Allowance

Claims can be made where overnight absence from home exceeds 24 hours. The following allowances are for bed and breakfast:

- Visits to London or national conferences (excluding VAT) **£140**
- All other cases (excluding VAT) **£120**

Members' Allowances

The **basic allowance** for all Members of the Fire Authority is £2,658 per annum, payable by monthly instalments.

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The following **Special Responsibility Allowances** are also payable by monthly instalments:

	£ per annum
Chair of the Fire Authority	10,000
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Leader of Opposition Group with 3 or more Members	2,658
Chair of Strategic Risk and Planning Working Group	3,000
Director on the Board of the West Midlands Fire and Rescue Services	
Regional Control Centre	2,658
Member of Strategic Risk and Planning Working Group	1,000

How and When to Claim

Claims for travelling and subsistence allowances should be submitted to the Corporate Services Manager and must relate to approved duties undertaken (see Schedule 1 for details). Claims will be paid monthly directly to Members' bank accounts. Claims must be made on the Members' allowances claim forms (FB218), copies of which are available from the Corporate Services Manager.

Claim forms should be completed for each calendar month, in which expenses have been incurred, and forwarded to the Corporate Services Manager **no later than the seventh of the following month to ensure payment at the end of the month.** VAT receipts for petrol purchased prior to the dates of travel listed on the claim form should also be provided. Claims must be submitted within three months of the end of the relevant month. The Treasurer may, having consulted the Chair, accept a late claim for good cause and make the related payments.

The full address for completed claim forms is:

**Corporate Services Manager, Shropshire Fire and Rescue Service,
Brigade Headquarters, St Michael's Street, Shrewsbury, Shropshire, SY1 2HJ**