

The Scheme for the Payment of Members' Allowances 2022/23

Report of the Chief Fire Officer

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1 Purpose of Report

This report asks the Fire Authority to consider and agree it's 2022/23 Scheme for the Payment of Members' Allowances

2 Recommendations

The Fire Authority is asked to

- a) note the report; and
- b) consider and agree that the Scheme for the Payment of Members' Allowances 2022/23, be uprated by 4.04% in line with National Joint Council recommendations, and to backdate this to take effect from 1 April 2022.

3 Background

On 1 May 2003 the Local Authorities (Members' Allowances) (England) Regulations 2003 came into force, which required fire authorities to establish their own schemes of allowances. This replaced 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 Constituent Authorities

The Regulations, referred to above, recommend each Scheme is reviewed every four years by an independent panel. Under the Regulations the Fire Authority, when making its scheme, must have regard to the recommendations made by the independent remuneration panels of its constituent authorities.

Telford & Wrekin Council's Independent Remuneration Panel last conducted a review of members' allowances in 2019, when it made recommendations relating to Member allowances and a number of special responsibility allowances (SRAs).

Shropshire Council's Independent Remuneration Panel undertook a review in late 2020, when it made recommendations relating to the basic Member Allowance and to SRAs.

5 Review of Allowances

Subsection 14.1 of the existing Fire Authority's Scheme states that basic and special responsibility allowances may be indexed annually, based on the National Joint Council for Local Government Services (NJC) annual pay reviews, and any percentage increase applied automatically from that date.

Subsection 14.2 provides for an annual review of travel and subsistence allowances, based on the NJC annual review or other local review. These have been updated in the Appendix, Schedule 2 to reflect any amendments, i.e. the addition re. Electric Vehicles.

6 The Independent Remuneration Panel

Telford & Wrekin Council's Independent Remuneration Panel (IRP) undertook a review of the Fire Authority's Scheme in November 2019 and after consideration of the roles and functions of the Fire Authority and its Committees, together with comparative data from similar sized Fire Authorities, made several recommendations.

These recommendations were considered and agreed by the Fire Authority at its meeting in June 2021 and are included as attached in the Appendix, Schedule 2 to the report.

7 The Fire Authority's Scheme

Subsection 14.1 states that basic and special responsibility allowances may be reviewed annually based on the NJC annual pay reviews, and any percentage increase applied automatically from that date.

Allowance increases are recommended to be increased in accordance with the NJC award with effect from 1 April 2022. On 1 November 2022 the Local Government Services Pay Agreement 2022-2023 outlined the new rates for allowances to be uprated by 4.04%.

Updated rates are illustrated in the Appendix, Schedule 2. Therefore, Members are asked to consider and agree whether or not they wish to take the 4.04% uplift which will be backdated to 1 April 2022.

8 Financial Implications

Although there are likely to be financial implications arising from the amendments to the basic allowance and the SRAs, it is anticipated that it will be possible to contain these within existing budgets.

9 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 and travel and subsistence allowances.

In having regard to an index (NJC) for the purpose of annual adjustment to allowances, this index should only be relied upon for a period of up to 4 years after which time further recommendation would have to be sought from an independent remuneration panel. The Fire Authority must have regard to the recommendations of an independent remuneration panel but is not obliged to adopt them.

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

10 Appendix

Shropshire and Wrekin Fire Authority
Draft Scheme for the Payment of Members' Allowances 2022/23

11 Background Papers

Office of the Deputy Prime Minister
1 May 2003 Local Authorities (Members' Allowances) (England)
Regulations 2003

Shropshire and Wrekin Fire and Rescue Authority
24 June 2020
Paper 15 - The Scheme for Payment of Members' Allowances 2020/21

Shropshire and Wrekin Fire Authority Draft Scheme for the Payment of Members' Allowances 2022/23

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 2022.

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 appointed in accordance with the Localism Act 2011 and subsequent regulations

“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.

3.2 In order to qualify for the basic allowance Members are expected to undertake the following duties:

- Attend meetings of the full Fire Authority;
- Sit on at least one committee or Panel of the Authority;
- Read papers and prepare for Authority-related meetings; and
- Attend at least one training event per year.

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 Travel and subsistence allowances shall be payable to independent persons 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 Head of Finance 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 Head of Human Resources and Administration 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 Head of Finance 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 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 Head of Finance 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 Head of Finance.

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 external audit 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 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.

Allowances with effect from 1 April 2022

Travel Allowances

Car

Per mile up to, and including 10,000 miles	45p
Per mile over 10,000 miles	25p
Passenger allowance per passenger per mile	5p

Motorcycle 24p

Bicycle

Mileage allowance 20p

The same rates will be used for Electric vehicles.

The above allowances are linked to the Government's 'approved mileage allowance payments'.

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 the Executive Support Officer (Members) on 01743 260225.

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 and the **Special Responsibility Allowances** are payable by monthly instalments:

Allowance	Current allowances	Proposed allowances (backdated to 1.4.2022)
Basic Allowance	£3,356	£3,492
Chair of Fire Authority	£12,240	£12,734
Vice-Chair of the Fire Authority	£7,120	£7,408
Leader of Opposition Group with 4 or more Members	£3,356	£3,492
Leader of Opposition Group with 3 Members	£1,678	£1,746
Chair of Strategy and Resources Committee	£2,040	£2,122
Chair of Standards, Audit and Performance Committee	£2,040	£2,122

How and When to Claim

Claims for travelling and subsistence allowances should relate to approved duties (see Schedule 1) and should be made using the electronic Mileage and Expense Claims form, which is available on MyView via the link below. All Fire Authority Members are issued with a MyView log-in for this purpose.

<https://fsmyview.telford.gov.uk/dashboard/dashboard-ui/index.html#/landing>

Forms should be completed for each calendar month, in which expenses have been incurred, and submitted **no later than the seventh of the following month to ensure payment at the end of the month**, direct into each Member's bank account.

Any claim, which is not submitted within three months of the end of the relevant month, will be referred to the Head of Finance, who may, having consulted the Chair, accept a late claim for good cause and make the related payments.

VAT receipts for petrol purchased prior to the dates of travel listed on the claim form should also be provided to enable VAT to be reclaimed.