



AGENDA ITEM: 14

NORTH WALES FIRE AND RESCUE AUTHORITY

15th June 2009

MEMBER REMUNERATION SCHEME – CARE ALLOWANCE AND SUBSISTENCE

**Report by Colin Everett
Clerk to the Fire and Rescue Authority**

Purpose of Report

- 1 The Authority is requested to:
 - (i) consider the introduction of a Care Allowance;
 - (ii) set an appropriate method for claiming subsistence;
 - (iii) receive updated information on the increases applied by the constituent authorities to Councillors' Basic and Special Responsibilities Allowances for 2008/09.

Background

- 2 At its meeting on the 16th March 2009, the Authority considered the recommendations of the Independent Remuneration Panel for Wales and their application to the North Wales Fire and Rescue Authority.
- 3 The Authority considered and approved a revised Scheme of Members Allowances, in accordance with the recommendations of the Independent Remuneration Panel for Wales, except for the introduction of a Care Allowance and the practicalities of applying the Subsistence allowance, where further exploratory work was required.

- 4 In addition a table was appended to the report (presented to the Authority on 16th March) showing the increases applied by the constituent authorities to Councillors' Basic and Special Responsibility Allowances for 2008/09. However, some of the information supplied was incorrect.

Considerations

Basic Allowance and Special Responsibility Allowance

- 5 It was noted at the meeting that Anglesey County Council had not increased the Special Responsibility Allowance by 2.45% as stated in the Appendix. The Basic Allowance (BA) and Special Responsibility Allowance (SRA) had been increased by 2.45% from 1st January 2009. The annual increase for 2008/09 for BA and SRA was therefore equivalent to 0.61%.
- 6 In addition the Conwy position was incorrectly reported. The position for 2008/09 was equivalent to an annual increase of 2.04% for both BA and SRA with effect from 1st June 2008.
- 7 This means that the overall average increase across all 6 authorities was 1.67% and an updated table is attached at Appendix 1.

Care Allowance

- 8 At its meeting in March the Authority considered the introduction of Care Allowance and resolved:

"Members felt that it was a discretionary issue and there might be inequality if Members are able to claim it from the FRA but not from their constituent Authority. **Members agreed to defer decision and requested the Clerk to provide a fuller report detailing arrangements of constituent authorities and the conditions of claiming the allowance.**"

- 9 Attached at Appendix 2 is a summary of how and whether the Care Allowance is claimed within the 6 constituent authorities. Members are asked to consider this information and decide whether or not a Care Allowance should be provided for within the Members Remuneration Scheme.

Subsistence

- 10 At its meeting in March the Authority resolved:

“Members felt that the £28 should be available flexibly throughout a 24-hour period and not capped for each meal.
Clerk to provide further information on the practicalities of claiming for subsistence.”

- 11 The guidance from the Remuneration Panel is only guidance and it is at the discretion of the Authority how to apply the rates, subject to a cap of £28 per day.

Recommendation

- 12 That the Authority:
- i. note and approve the corrected information on allowances presented in the table at Appendix 1;
 - ii. receive the information contained in Appendix 2 and consider whether or not to introduce a Care Allowance to Members of the North Wales Fire and Rescue Authority;
 - iii. agree to a flexible and reasonable approach to subsistence allowance with a maximum (receipted) amount available to claim, in any one period, being not more than £28.

APPENDIX 1

**INCREASES APPLIED BY THE CONSTITUENT AUTHORITIES TO COUNCILLORS'
BASIC AND SPECIAL RESPONSIBILITIES ALLOWANCES FOR 2008/09**

| COUNCIL | BASIC ALLOWANCE ANNUAL ADJUSTMENT INCREASE APPLIED | SRA ANNUAL ADJUSTMENT INCREASE APPLIED |
|---|---|---|
| CONWY | 2.04 | 2.04 |
| DENBIGHSHIRE | 2.45 | 2.45 |
| FLINTSHIRE | 2.45 | 2.45 |
| GWYNEDD | 0 | 0 |
| WREXHAM | 2.45 | 2.45 |
| YNYS MÔN | 0.61 | 0.61 |
| AVERAGE (the maximum that NWFRA can apply for 2008/09) | 1.67 | 1.67 |

(*WAG Max increases on both Basic and SRA is 2.45%)

NWFRA ALLOWANCES

| | TOTAL ALLOWANCES PAYABLE IN 2007/08 | MAXIMUM INCREASE % | TOTAL ANNUAL INCREASE | TOTAL ALLOWANCES PAYABLE IN 2008/09 |
|------------------------------|--|-----------------------------------|--------------------------------------|--|
| BASIC ALLOWANCE | £1103.64 | 1.67 | £18.43 | £1122.26 |
| SRA – CHAIR | £9451.30 | 1.67 | £157.83 | £9609.13 |
| SRA – VICE- CHAIR | £7263.90 | 1.67 | £121.80 | £7385.20 |

ARRANGEMENTS FOR CARE ALLOWANCES IN CONSTITUENT AUTHORITIES

WREXHAM CBC

Following Council approval in December this Authority will introduce a Care Allowance with effect from the next annual meeting i.e. 20 May 2009.

The scheme agreed is set out below:

Extract from the Notes for Guidance for Elected Members.

You may claim a care allowance to reimburse you for expenses incurred in arranging care for children, or dependants over the age of fifteen if you satisfy the Authority that the child or dependant required supervision which caused you to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of your duties as a Councillor.

A care allowance will not be paid to more than one Councillor of the Authority in relation to the care of the same child or dependant.

More than one care allowance will not be paid to any Councillor of the Authority who is unable to demonstrate to the reasonable satisfaction of the authority that the member has to make separate arrangements for the care of different children or dependants.

HOW TO CLAIM

The payment of a Care Allowance will be made on submission of the appropriate claim form duly completed. The details required on the claim form are as follows:

- Your name and address together with national insurance number and payroll reference.
- Date and nature of meeting/s
- Times - Leaving Home & Return
- Reason for needing care
- Name & Address of the carer / s
- Relationship to You
- Time care started and finished.
- Number of hours care provided per visit.
- Total amount claimed.
- Your signature.
- Date.
- An indemnity which states, "I confirm that I did necessarily incur the cost of the care and I agree that if necessary the recipient /s as named on the receipt / s may be contacted."

· A "receipt" provision for the carer / s to complete their name & address, the total amount paid to them and an indemnity (above the carers signature) which states, "I confirm that I have received the monies as stated and I understand that I may at any time be contacted by an officer of the Local Authority regarding this payment.

(c) WHEN TO CLAIM

Claims must be submitted to the Payroll Section by no later than the 5th of the following month.

It is important to claim monthly to aid accuracy, checking and legitimate scrutiny (of the public).

Claims received which are over 3 months old will be reported to the Chair of Executive Board and to the appropriate group leader and only paid at the discretion of the Chief Finance & Performance Officer in exceptional circumstances. Claims over 6 months old will not be paid under any circumstances.

ANGLESEY CC

Care allowances replaces dependants allowance. We will be operating on a "self-certification basis" (therefore no receipts required).

DENBIGHSHIRE CC does pay a Care Allowance.

The Authority's Members' Scheme of Allowances states that -

"Subject to paragraph 17 (A dependants allowance may not be claimed by a member who receives a Special Responsibility Allowance of an amount which exceeds the amount from time to time specified in writing by the National Assembly for Wales and set out in Schedule 4 - currently £15,000), the Dependants Allowance is open to all members who are the sole carers of dependant relatives. The Allowance will be paid where a member requires care provision for a dependant to enable that member to perform any of the approved duties as set out in the Members' Scheme of Allowances. The Monitoring Officer shall certify that a member is entitled to the Dependants Allowance following provision of satisfactory evidence by the member concerned."

We currently only pay a dependants allowance to one member.

CONWY CBC

CARE ALLOWANCE

An elected Member may claim a Care Allowance in respect of expenses of arranging for the care of children or dependants, as are necessarily incurred in the carrying out of that Member's duties as a Member subject to the following:-

(a) No Member in receipt of an SRA shall be entitled to claim Care Allowance.

(b) The child concerned shall not be over 15 years of age. However, the Council may specifically agree to pay Care Allowance in respect of a child or dependant who is over 15 years of age if it is satisfied that the required supervision giving cause to the Member incurring expenditure is necessary in this respect in the carrying out of that Members' duties as a Member. Each case will be judged on its merits.

(c) Not more than one claim can be made in respect of the same child or dependant.

(d) Not more than one claim can be made by any one Member, unless the Council is satisfied that the Member concerned has to make separate arrangements for the care of different children or dependants.

(e) The maximum amount of Care Allowance payable to any one Member shall be determined by the Council and shall be adjusted annually in line with guidance on indexation issued by the NAFW. The amount of Care Allowance shall not exceed the maximum amount specified by the NAFW.

GWYNEDD COUNTY COUNCIL

5. Care allowance

5.1 A care allowance will be paid to councillors in connection with expenditure necessarily incurred by them for the care of children or dependants to enable them to fulfil their duties as councillors and conditional upon a successful application for the allowance being made in accordance with terms set from time to time by the Council.

5.2 A care allowance is not payable to more than one councillor in relation to the care of the same child or dependant.

5.3 A care allowance is not payable in relation to the care for a child who is over 15 years old.

5.4 Not more than one claim can be made by any one councillor.

FLINTSHIRE COUNTY COUNCIL

CARE ALLOWANCES

Each Councillor will (subject to the exclusions and limitations in Regulation 9(2) of the Regulations) be eligible for a Care Allowance to a maximum of £403 per month with effect from 12 May 2009 in respect of expenses for the care of children or dependants as are necessarily incurred in the carrying out of that Member's duties as a Member.