



AGENDA ITEM: 16

NORTH WALES FIRE AND RESCUE AUTHORITY

20 June 2011

MEMBERS' ALLOWANCES SCHEME

Report by Ken Finch, Treasurer

Purpose of Report

- 1 This report is to:
 - consider if the approved mileage allowance payments (AMAP) for the Members' Allowances Scheme should be amended after the recent change to the AMAP in The Budget 2011; and
 - approve some minor amendments to the current Scheme.

Background

- 2 During the course of announcing the contents of The Budget 2011, the Chancellor of the Exchequer said that the AMAP for the first 10,000 miles of business travel would be increased from 40p to 45p per mile with effect from 6 April 2011. The AMAP for any business travel over 10,000 miles would remain at 25p per mile and amount of 5p per passenger would also remain the same. The AMAP is the rate per mile that is free of any tax liability.
- 3 The Members' Allowances Scheme provides for a mileage rate of 40p per mile, which, by way of reference, is in line with the previous determination of the Independent Remuneration Panel for Wales in respect of the former AMAP. Although the IRPW has no direct influence over Fire and Rescue Authority Schemes, Members may wish to know that it has recently decided to amend its determination in relation to mileage expenses to be the same as the new AMAP i.e. 45p per mile. However, because of the way in which the Authority's Scheme is worded, there would have to be a specific resolution to amend it if the Authority was minded to adopt the new AMAP.

- 4 If the AMAP of 45p per mile were to be approved, the estimated increase in cost in 2011/12 would be approximately £700, based on the cost of mileage of £5650 in 2010/11.
- 5 The minor amendments required to the current Scheme are highlighted in italics in the Appendix attached to the report.

RECOMMENDATIONS

- 6 That Members:
 - (a) determine if the approved mileage rate for 2011/12 is to remain at 40p per mile or if it is to increase to 45p per mile and the date from which it applies (not earlier than 6 April 2011);
 - (b) approve the minor amendments to the current Scheme as highlighted in the Appendix attached to this report.

NORTH WALES FIRE AUTHORITY

SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

The North Wales Fire Authority, in exercise of the powers conferred by The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 as amended by The Local Authorities (Allowances for Members) (Wales) Regulations 2007 hereby makes the following Scheme.

- 1 This Scheme shall have effect from 1 April 2008.
- 2 No Fire Authority Allowance, Fire Authority Chairperson's or Vice-Chairperson's Allowance, Co-optees' Allowance or travel or subsistence will be paid to substitute members.
- 3 In this Scheme:
 - "the Authority" means the North Wales Fire and Rescue Authority;
 - "Member" means a Member of the North Wales Fire and Rescue Authority;
 - "independent/co-opted member" means a person, other than a Member of the Authority, appointed to serve on the Authority's Standards Committee (in accordance with Standards Committees (Wales) Regulations 2001) made under Section 53, Local Government Act 2000;
 - "Executive Group" comprises of the Chief Fire Officer, Deputy Chief Fire Officer and three Assistant Chief Fire Officers;
 - "Regulations" means the Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 as amended by The Local Authorities (Allowances for Members) (Wales) Regulations 2007;
 - "year" means the 12 months ending with 31 March.

4 Member Allowance

- 4.1 Fire Authority Allowance is payable to each Member as shown in Schedule 2. It will be paid by monthly instalments and is subject to Income Tax and National Insurance contributions, where applicable.

5 Fire Authority Chairperson's and Fire Authority Vice-Chairperson's Allowances

- 5.1 The Members holding the offices of Chairperson and Vice-Chairperson shall receive the Allowances shown in Schedule 2.
- 5.2 The Allowances will be paid by monthly instalments and are subject to Income Tax and National Insurance contributions, where applicable.

6. Independent Persons/Co-optees' Allowance

- 6.1 At the Authority's discretion a co-optee's allowance is payable to independent members appointed as members of the Authority's Standards Committee as shown on Schedule 2.
- 6.2 The Allowances will be paid by monthly instalments and are subject to Income Tax and National Insurance contributions, where applicable.

7 Care Allowance

- 7.1 The Scheme provides for the payment of Care Allowances to Members in respect of arranging for the care of children or dependants as are necessarily incurred in the carrying out of that member's duties in accordance with Schedule 3.
- 7.2 Care Allowance is an allowance that contributes towards caring costs rather than a reimbursement of actual costs. The payment of the Allowance shall be subject to the deduction of Income Tax.

8 Travel and Subsistence

- 8.1 Payment of travel and subsistence shall be made in respect of the approved duties undertaken by a Member, as set out in Schedule 1, as amended from time to time by the Authority.
- 8.2 The amounts claimable by Members in respect of travel and subsistence shall be in accordance with the scales adopted by the Authority as set out in Schedule 2, as amended from time to time by the Authority.
- 8.3 A subsistence rate of £28 over a 24-hour period is available, including breakfast when not provided as part of overnight accommodation. This is a reimbursement of actual costs for approved duties with receipts to be provided. Claims must be reasonable and within time limits set out in Schedule 2. Where meals are provided, subsistence claims will not be payable.
- 8.4 Proper VAT receipts for expenses, including parking fee tickets, are needed in order for the Authority to validate claims and to reclaim VAT. Members should ask for/keep these and attach them to claim form. Failure to supply a receipt may result in non-payment of a claim and/or inability to reimburse the VAT element.
- 8.5 The Authority will reimburse actual costs of standard class rail fares or the cheapest alternative. First class rail travel will only be allowed where the cost is reasonable value by comparison to standard class rail fare.
- 8.6 When travelling by train, Members should in the first instance contact the Member Liaison Officer who will obtain the ticket at the most economical price. If Members have to purchase their own rail tickets, they should produce their receipt or ticket when claiming reimbursement and should utilise wherever possible discount cards of various types.
- 8.7 Travel by public transport is encouraged for long distance journeys, but may be undertaken by private car where this is expedient. The Authority will pay Members the appropriate car mileage rate shown in Schedule 2 not exceeding an amount equivalent to the standard class rail fare unless the use of a car for the entire journey has been approved by a member of the Executive Group.
- 8.8 Taxi fares may be claimed where travel is URGENT or where no suitable public transport is available. Receipts should be produced.

9 Renunciation

- 9.1 A Member may renounce part or all of their Basic and/or Special Responsibility. Renouncement must be made in writing to the Clerk to the Fire Authority and must specify the date of renouncement. A notice to renounce may be revoked at any time by giving further written notice to the Clerk. Any revocation cannot be backdated earlier than the date of the further notice.

10 Payment / Time Limit for Claims

- 10.1 The payment of Basic, Special Responsibility Allowances and Co-optees Allowances is incorporated into the monthly payroll system and paid automatically by Bank Credit transfer without any action required by Members on the 18th of each month, or the nearest banking day.
- 10.2 These payments are augmented by Travelling and Subsistence Allowances together with care allowances (where appropriate) claimed for the previous month. Claims should be submitted on the appropriate form to the Member Liaison Officer by the 5th of each month.
- 10.3 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.

11 Dual Claims

- 11.1 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, *including care allowance*, from more than one Authority in respect of the same duties, travel or subsistence.
- 11.2 Members who perform other Local Authority duties on the same day must ensure that travelling and travelling time together with care allowances (where appropriate) are apportioned reasonably between the paying authorities.

12 Right to Withdraw Allowances or Require Repayment

- 12.1 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 will withhold that part of Fire Authority Allowance and/or Fire Authority Chairperson's, Fire Authority Vice-Chairperson's Allowance or Co-optees' Allowance and travelling allowance and subsistence claimable by him or her in respect of the period of suspension or part suspension.
- 12.2 In the circumstances outlined in paragraph 12.1, or if a Member ceases to be a Member of the Authority or an independent member of its Standards Committee, 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.

13 Part-Year Entitlement

- 13.1 The provisions of this paragraph shall have effect to regulate the entitlements to a Member's, Chairperson's, Vice-Chairperson's and Co-optee's Allowances 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) A Member becomes or ceases to be Chairperson or Vice-Chairperson.
- 13.2 Where paragraph 13.1 applies the entitlement to Allowances will be adjusted on a daily basis in accordance with the Regulations.

14 Administration

- 14.1 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.
- 14.2 This record shall be available at all reasonable times for inspection by local government electors in the constituent authorities at no charge. Copies will be provided on request on payment of a reasonable fee decided by the Treasurer.
- 14.3 Arrangements will be made annually to publish payments made in the previous financial year to Members in respect of Fire Authority Members', Fire Authority Chairperson's, Fire Authority Vice-Chairperson's, Co-optees' and Care Allowances and Travel and Subsistence Expenses.

15 Review of Allowances

- 15.1 The Fire Authority Allowance, Fire Authority Chairperson's, Fire Authority Vice-Chairperson and Co-optees' Allowances payable under this scheme will be adjusted annually in accordance with Regulation 6 of the Regulations based on the average of all (if any) annual adjustments made by the Constituent Authorities in that year.

16 Revision or Revocation of the Scheme

- 16.1 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 6 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/or officers of the Authority or the Service or other fire authorities or services to discuss Authority business, including the purpose of opening tenders.
- Attendance at NWFRS events, at which Members' attendance is specifically requested.
- Attendance at meetings of the Welsh Local Government Association/Local Government Association (including plenary meetings and Policy Groups) by the appointed Members.
- Meetings organised by the Authority with Ministers and/or Government officials on Authority business.
- Attendance at the Welsh Local Government Association/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.
- 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.
- Pre-arranged meetings arranged through the Member Liaison Officer by Members to fire stations, in the County or County Borough of which they are a Member.

TRAVEL AND SUBSISTENCE

TRAVELLING

Car	
Mileage allowance	40p
Passenger allowance (a passenger must have been carried to claim this)	5p
Bicycle	
Mileage allowance	20p

Additional expenses can be claimed for the actual cost of parking

Public Transport

Members are entitled to claim:

a) Train

Lowest reasonably available standard class fare

Reservation and left luggage expenses

Costs of getting to and from the station

Special first-class fare where the cost is reasonable value by comparison to standard class rail fare

b) Bus/Coach

- The appropriate fare
- Reservations and left luggage expenses

Taxi

Members are entitled to claim the fare and reasonable gratuity where the need to travel is URGENT or where no bus service is readily available.

SUBSISTENCE

Up to a maximum of £28 over a 24-hour period can be claimed; time limits are set out below:

Breakfast (where no overnight stay is required)

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

Lunch

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

12 noon to 2.00pm.

Evening Meal

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

The above is subject to reasonable claims being made and receipts being attached to claim forms.

Overnight

Claims can be made where overnight absences from the usual place of residence exceed

24 hours. All overnight bookings must be made by the Members Liaison Officer. The following maximum amounts are for bed and breakfast:

Visits to London	£150
Visits to Cardiff	£120
All other cases	£ 95

FIRE AUTHORITY ALLOWANCE

The Allowance for Members of the Fire Authority is **£1,142.76** for 2011/12 payable by monthly instalments.

FIRE AUTHORITY CHAIRPERSON'S AND FIRE AUTHORITY VICE CHAIRPERSON'S ALLOWANCES

The following Allowances are payable for 2011/12 by monthly instalments:

Chair of the Fire Authority	£9,743.64
Vice-Chair of the Fire Authority	£7,488.60

STANDARDS COMMITTEE

The following Allowances are payable for 2011/12 by monthly instalments:

<i>Chair of the Standards Committee</i>	£362.50
<i>Other Members of the Standards Committee</i>	£190.00

HOW AND WHEN TO CLAIM

Claims for travelling and subsistence allowances should be submitted to the Member Liaison Officer 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, copies of which are available from the Member Liaison Officer.

Claim forms should be completed for each calendar month in which expenses have been incurred and forwarded to the Member Liaison Officer **no later than the 5th of the following month to ensure payment that month.** 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:

**Member Liaison Officer
North Wales Fire and Rescue Service
Fire and Rescue Service Headquarters
Ffordd Salesbury
St Asaph Business Park
ST ASAPH
Denbighshire
LL17 0JJ**

CARE ALLOWANCE

The Fire Authority provides for the payment to Members of a Care Allowance in respect of such expenses of arranging for the care of children or dependants as are necessarily incurred in the carrying out of that Member's duties.

Payment will not be paid:

- in respect of any child over the age of 15 years or dependent unless the member satisfies the Authority that the child or dependant required supervision which has caused the Member to incur expenses that were necessary in the carrying out of that Member's duties as a member;
- to more than one member in relation to the care of the same child or dependent;
- in respect of more than one care allowance to any Member who is unable to demonstrate to the reasonable satisfaction of the Authority that he / she has to make separate arrangements for the care of different children or dependants.

With effect from 1 April 2009 Members are able to claim up to a maximum of £100 care allowance per month subject to the production of receipts.

Such allowances will be adjusted each year in accordance with the provisions of Paragraph 14.1 of the Scheme relating to Basic and Special Responsibility Allowances.