

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 6TH NOVEMBER 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: CONCLUSION OF THE 2024 REVIEW OF THE MEMBERS' ALLOWANCES SCHEME

Purpose of Report

1. To enable Members to consider the Report of the Independent Reviewer concerned with her review of the Members' Allowances Scheme.

Recommended: That Members

- [1] Consider the Report of the Independent Reviewer with a view to approving an updated Members' Allowances Scheme for 2025-26 (see subsequent Agenda Item).

Background

The Law

2. The provisions governing Members' allowances are contained in the Local Authorities (Members' Allowances) (England) Regulations 2003 [the Regulations]. The Regulations do not apply to the Fire Authority in full.
3. Part 2 of the Regulations prescribes the allowances that may be paid and rules relating to such allowances. Part 3 of the Regulations sets out the requirements for members' allowances schemes, e.g. the potential to apply an index for annual adjustments to schemes. Part 4 of the Regulations is concerned with the role of the independent remuneration panel [IRP]. Local authorities (e.g. district, county and London boroughs) must have regard to recommendations of an IRP before they make or amend their scheme. A fire authority has a different obligation: it must have regard to the recommendations made by the IRPs of local authorities that appoint its Members (i.e. the constituent authorities). By virtue of this distinction it is clear that the Fire Authority is not required to have its own IRP.
4. According to the Regulations the index (annual increase) can only apply for four years. Therefore, a review of the Scheme is carried out every four years.

Information

The 2024 Review Process

5. This Committee agreed the approach to the Review at its meeting in November 2023.
6. The Independent Reviewer, Mrs. M Ramsden, who sits on the Independent Remuneration Panel for Cheshire East Council, was once again engaged to carry out the Review.
7. Officers provided the Independent Reviewer with a range of documents, e.g. schemes of the constituent authorities and some fire and rescue authorities, as well as a summary of a broad range of information that had been collated.

The 2024 Report

8. The Report of the Independent Reviewer is attached to this report as Appendix 1.
9. Members will see that she concluded that
 - there was nothing in the members' allowances schemes of the constituent authorities that directly impacted the outcome of the Review (paragraph 2.1)
 - the structure of the current Members' Allowances Scheme was appropriate and could form the basis of the new Scheme (paragraph 3.1)
 - the levels of the basic allowance and special responsibility allowances were appropriate and need not change (paragraphs 4.2 and 5.1.2)
 - the current arrangements for Member Champions were satisfactory (paragraph 5.2.2)
 - some payments should be increased: North West Fire Forum attendance; and for work carried out by Independent Persons (paragraph 6.3)
 - the rates for travel and subsistence should be maintained (paragraph 7.3)
 - the arrangements for the payment of the dependents' carers' allowance should also be maintained, but that they should be communicated to all Members to ensure that they are aware of the potential to make claims (paragraph 7.3)
 - the annual increase to the Scheme should continue to be aligned with the NJC pay awards and apply for four years (paragraph 8.3) – some additional narrative seeks to clarify how annual increases should be handled when the NJC pay award is expressed as a figure, rather than a percentage.

10. If Members accept the recommendations (and associated narrative) of the Independent Reviewer contained in her Report, then there are only fairly minor changes to be made to the Scheme.
11. Paragraphs 4 and 7 of the Scheme would need to be changed to refer to the two-tier payment that is recommended, i.e. £75 for some meetings and £150 for others.
12. Paragraph 12 of the Scheme would need to be developed to reflect the narrative contained in paragraphs 8.1 and 8.2 of the Independent Reviewer's Report. This describes the approach to the annual increase when the NJC pay award is expressed as a figure, rather than a percentage. The following wording could be adopted

If the NJC (Green Book) pay award is expressed as a figure rather than a percentage the increase will be determined as follows:

- The figure will be applied to the relevant spinal column points for Green Book staff. This will give a range of percentage increases. An average increase can then be calculated.
- Provided that the average increase is no greater than any Grey Book pay award then it will be the annual increase and automatically applied to the Scheme.
- If the average increase is higher than the Grey Book pay award the annual increase will be determined by the Fire Authority (after consideration by the Governance and Constitution Committee).

Note:

If the Grey Book pay award has not been settled the annual increase to the Scheme will be held in abeyance until the Grey Book pay award is known.

13. In addition, officers will ensure that Members are aware of how the dependents' carers' allowance may be claimed.

Financial Implications

14. The proposed changes to the Members' Allowances Scheme will have a very small impact on the cost of the Scheme and should be capable of being accommodated from the existing budget.

Legal Implications

15. The legal position is explained in the body of the report.

Equality and Diversity Implications

16. There are no equality and diversity implications associated with this report.

Environmental Implications

17. There are no environmental implications associated with this report.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING
MANAGER**

TEL 07776297806

BACKGROUND PAPERS: NONE