

## Report of the Head of Legal Services

### Members' Allowances Scheme 2023/24

#### Purpose of report

1. To propose an increase in the allowances paid to Members for 2023/24 in accordance with the previous decision that increases be linked to the National Joint Council annual pay award for 'Green Book' staff.

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#### Recommendation

##### *It is RECOMMENDED that:*

- (i) *the existing basic and special responsibility allowances paid to members be increased by 4.04% for 2023/24, in line with the increase to additional allowances agreed as part of the NJC pay award for 'Green Book' Staff for 2022;*
- (ii) *the Dependent Carers' allowance be increased each year in line with the national living wage; and*
- (ii) *the revised Members' Allowances Scheme for 2023/24 be approved.*

#### Introduction and Background

2. The Authority is required to make a scheme each year for its Members to be paid a basic annual allowance, under the Local Authorities (Members' Allowances) (England) Regulations 2003. Authorities may also make provision for other allowances, for example for those Members with special responsibilities or for travel and subsistence. The proposed 2023/24 budget for members' allowances is £52,000.

#### Annual Increase

3. The Regulations allow for authorities to refer to an index for the purpose of any annual adjustments to the levels of allowances and in the past, the Fire Authority had nominally linked its allowances to the Consumer Price Index (CPI). In reality however, against the backdrop of austerity and restrictions on public sector pay awards, prior to 2022/23 Members had not taken any uplift for several years.
4. At the Authority's meeting in February 2022, it was recognised that it was neither sustainable nor fair on Members to continue freezing the rate of Members' allowances year on year. However, it would be equally

inappropriate for Members to award themselves a larger increase than has been offered to staff. For that reason, it was resolved (minute 356 – 15/2/22) that in subsequent years, allowances would be increased by the same percentage as the preceding year's pay award for National Joint Council 'Green Book' staff (if any).

### NCJ Annual Awards

5. The NCJ Green Book pay settlement for April 2022, agreed in November 2022, was for a flat rate increase of £1,925 plus an additional day's annual leave at all pay grades. The equated to an increase of 9.8% for staff on the lowest grades and just over 2% for staff on the highest grades. Various additional allowances were uprated by 4.04%
6. It is difficult to translate a flat rate increase of £1,925 for staff into a percentage increase to members' allowances. It is therefore proposed to use the 4.04% increase to staff allowances instead as the most appropriate measure.
7. The table below shows a comparison of the current allowances and the proposed 4.04% increase.

	<b>Current 2022/23</b>	<b>Proposed 2023/24 4.04%</b>	<b>Increase</b>
Basic Allowance	£ 1,187.19	£ 1,235.15	£ 47.96
FRA Chairman	£ 9,215.71	£ 9,487.68	£ 271.97
FRA Vice-Chair	£ 5,529.38	£ 5,692.56	£ 163.18
Group Leaders	£ 1,382.34	£ 1,423.14	£ 40.80
Chair - A+S Cttee	£ 1,382.34	£ 1,423.14	£ 40.80
Chair P+R Cttee	£ 1,382.34	£ 1,423.14	£ 40.80

8. Members may only receive one special responsibility allowance. Based on the current Member appointments, the total allowances payable are/will be as follows:

	<b>Current 2022/23</b>	<b>Proposed 2023/24</b>	<b>Increase</b>
Total allowances payable	£ 49,954	£ 51,752	£ 1,797

### Dependent Carer's Allowance

9. The present scheme of allowances includes an additional allowance that can be claimed to cover expenditure incurred for the care of dependents whilst Members' are attending Authority meetings. Due to an oversight, this amount

was not reviewed last year and is currently set at £6.09 per hour, which is below the national living wage. In practice, no claims have been made under this heading.

10. It is proposed that the Dependent Carers' allowance should increase each year in line with the national living wage, which will be £10.42 per hour with effect from 1st April 2023

### Conclusion/Summary

11. The proposed increase of members' allowances by 4.04% gives effect to the decision taken in February 2022 linking future increases to the annual pay awards for the Authority's non-operational, NJC 'Green Book' staff.
12. It is proposed that the dependent carers' allowance would be increased in line with the national living wage
13. The proposed increase would equate to an additional cost overall of £1,800, which has been allowed for within the current draft budget.
14. The revised amounts have been included in a draft Members' Allowances Scheme for 2023/23 at appendix 1. Any Member who does not wish to receive the allowance either in full or who chooses to decline the proposed increase may do so.

### Corporate Considerations

<b>Resource Implications</b> (identify any financial, legal, property or human resources issues)	The proposed increase of 4.04%% across all allowances would equate to an additional cost of £1,800, bringing the total budget for Members' allowances to £52,000 .
<b>Strategic Policy Links &amp; Core Code of Ethics</b> (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications).	None directly.
<b>Risk Management / Health &amp; Safety</b> (identify any risks, the proposed control measures and risk evaluation scores).	None directly.
<b>Consultation</b> (identify any public or other consultation that has been carried out on this matter)	None.
<b>Equalities</b> (has an Equalities Impact Assessment been completed? If not, why not?)	The current Members' Allowances Scheme includes a Dependents' Carers' Allowance to assist those members with caring responsibilities

	in carrying out their approved duties.
<b>Data Protection Impact Assessment</b> (where personal data is processed a DPIA must be completed to ensure compliant handling)	

**Supporting Information**

Appendix 1 – Draft Members’ Allowances Scheme 2023/24

Background papers:

Local Authorities (Members Allowances) (England) Regulations 2003  
 NJC pay agreement for 2022

## DRAFT Members' Allowances Scheme 2023/24

Fire Authority Members receive certain allowances in recognition of their various duties and to recognise the time they give to undertake Authority work. Allowances are also intended to cover incidental costs that may be incurred by Members.

Allowances will be adjusted annually in line with the preceding year's pay award to the Authority's non-operational NJC 'Green Book' staff.

### **Basic Allowance**

The annual basic allowance of £1,235.15 is paid to all Members.

### **Special Responsibility Allowances**

The following additional allowances are paid to Members with special responsibilities:

Chair of the Authority	£9,487.68
Vice Chair of the Authority	£5,692.56
Political Group Leaders	£1,423.14
Chairman of Audit & Standards Committee	£1,423.14
Chairman of Policy & Resources Committee	£1,423.14

Members with more than one special responsibility will only receive one special responsibility allowance at the higher appropriate level.

The Members' Allowances Scheme also includes the following travel and subsistence allowances:

### **Travel Allowance**

Allowances for travel expenses incurred by Members undertaking their approved duties can be claimed.

Mileage can be claimed for travel by car motorbike or cycle in line with the rate used by HM Revenue & Customs. Car park costs incurred by a Member whilst undertaking an approved duty may also be claimed back although evidence of the payment will need to be submitted.

For those Members who car share, a passenger allowance can be claimed by the driver in respect of one or more passengers who are fellow Authority Members carried on Authority business.

Members may claim for use of public transport up to the amount of the ordinary standard class fare (or any available cheap fare as incurred). Evidence of the payment will need to be submitted. Taxi fares may be claimed where bus/train travel is not practical. Receipts will be required.

## **Approved Duties**

Members may submit a claim for travel allowances for:

- a) meetings of the Authority, its committees, sub-committees, panels or working parties;
- b) meetings of outside bodies to which a Member is appointed by the Authority, if that organisation does not pay Members' expenses;
- c) Authority Member training seminars, events and workshops;
- d) Chairman's briefing meetings;
- e) meetings with Officers in connection with the functions of the Authority which have been convened by the Chief Fire Officer or a member of the Senior Management Board; or
- f) any meeting or event as approved by the Authority or its Committees.

## **Subsistence Allowances**

Members can claim subsistence allowance payments as a reimbursement of actual expenditure, on the basis that reasonable expenses evidenced by receipts will be paid. Similarly, overnight accommodation expenses will be paid where this is necessary and is evidenced by receipts.

## **Dependent Carers' Allowance**

Members may claim an additional allowance to cover expenditure incurred for the care of dependents as follows:

- i) £10.42 per hour (this amount will increase each year in line with the national living wage);
- ii) Payable in respect of attendance at meetings of the Authority, its committees and Member training events; and
- iii) Claims to be made only in respect of care provided by persons other than family members resident in the house and all claims to be evidenced by receipts.