

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

27 JUNE 2016

1. GOVERNANCE OF THE AUTHORITY 2016/2017

Report of the Clerk and Monitoring Officer.

RECOMMENDED

- 1.1 THAT minor amendments to the constitution and terms of reference of the Standards Committee, Audit Committee and Policy Planning Forum as set out in section 3.2. be approved;
- 1.2 THAT the calendar of meetings for 2016/2017 as set out in Appendix 3 be approved;
- 1.3 THAT no percentage increase be made in Members' Allowances in 2016/17 by way of indexing or otherwise;
- 1.4 THAT the Members' Allowances Scheme for 2016/17 as set out in Appendix 4 be approved;
- 1.5 THAT in the light of the current financial situation, no action be taken for the time being with regard to convening an independent remuneration panel to review the Members' Allowances scheme and that the situation be reviewed prior to the AGM;
- 1.6 THAT the Clerk be authorised to make any necessary consequential amendments to other constitutional documents in the light of decisions made with regard to governance arrangements for 2016/17.

2. PURPOSE OF REPORT

This report is submitted for the Authority to determine its governance arrangements for 2016/17.

3. BACKGROUND

- 3.1 The Authority's political governance arrangements ensure adherence to the following principles:-

- to be best placed to respond to a range of internal and external issues, to deliver on its commitment to value for money and other key objectives in the Authority's strategic planning document, known as 'The Plan'; and
- decision making processes that are open, transparent, accountable and inclusive in line with government expectations on strengthening local democracy.

3.2 A diagram showing the proposed governance structure for 2016/17 is set out at Appendix 1. This structure has not changed from the structure approved in 2015/2016. Minor changes to the terms of reference of committees are set out below. It is not proposed to make any other changes to terms of reference of any of the bodies within the governance structure except as indicated below:-

Article 4 – Matters for Authority

3.2.1 5(i) Finance and Land Matters – Additional wording as underlined below:

Approval of the accounts and the Annual Governance Statement (delegated to the Audit Committee), and

The title for section 5 cc will be changed from Service Delivery to Responsibility for Strategy under the Fire and Rescue Services Act 2004

Article 5 – Policy Planning Forum

3.2.2 Additional wording added as underlined below:

May refer matters to the Scrutiny Committee for consideration prior to Authority decision making and/or post Authority decision making.

Article 8 – Audit Committee

3.2.3 Additional wording in Financial Reporting as highlighted below:

To review and approve the annual statement of accounts

9 – Standards Committee

3.2.4 Removal of the following wording which sets out the background to legislation surrounding the committee:

- The Localism Act 2011 requires local authorities to have in place arrangements under which allegations of breach of the Member Code of Conduct can be investigated and decisions on allegations can be made.
- The Authority has established a Standards Committee comprising six members selected in accordance with current proportionality requirements to carry out this role.
- The Act also states that at least one Independent Person must be appointed, whose views must be sought and taken into account before a decision on an allegation is made. The Authority has appointed one independent person to the Standards Committee.

3.2.5 It is proposed to replace the above wording with a brief introduction and purpose to the Standards Committee, as follows:

- *The Authority has established a Standards Committee under which allegations of breach of the Member Code of Conduct can be investigated and decisions on allegations can be made. The Standards Committee comprises six members and at least one independent person in accordance with current proportionality requirements.*

3.2.6 The role description of the Independent Person for the Standards Committee will be removed from the terms of reference and maintained separately with all member role descriptions.

Article 12 – Joint Arrangements and Partnerships

3.2.7 Wording has been added to paragraph 12.4 to recognise the West Midlands Combined Authority (WMCA) as a key partner and our position on the WMCA as an observer.

This is set out below. Further amendments have been made to reflect our current vision statement.

- *West Midlands Fire and Rescue Authority holds 'Observer' status within the West Midlands Combined Authority at the Shadow and Programme Board without membership status. The Authority makes a financial contribution of £25,000 for this membership, which provides the ability to fully participate in the debate and work of the Combined Authority and actively contribute to better joint working and visioning for public sector services. As an Observer the Authority is not able to participate in voting, as voting (whilst deemed unlikely) is reserved for Constituent and Non-Constituent members only.*

Following approval of the above amendments, the Constitution will be amended and published electronically.

3.3 Member Role Descriptions

The adoption of member role descriptions helps to define key roles and responsibilities and assists with any future reviews of remuneration. Portfolios for the Chair and Vice Chair of the Authority, and the Scrutiny Committee are set out in Appendix 2 together with a role description for members of the Joint Consultative Panel.

3.4 Programme of Meetings

A proposed programme of meetings for 2016/2017 is attached as Appendix 3.

Members will note the frequency of scheduled Executive Committee meetings will reduce in 2016/2017. Over the past 2 years approximately half the scheduled meetings have been cancelled. Four Executive Committee meetings have been scheduled throughout the year to support members in delivering against its terms of reference. The nature of Executive Committee is one of 'urgency' and as such the terms of reference identify its core role:

"To deal with all matters of an urgent nature which in the opinion of the Clerk/Monitoring Officer, cannot reasonably be delayed until the next ordinary meeting of the Authority or appropriate committee."

Progress against these arrangements will be reviewed prior to the 2017 AGM.

3.5 **Members' Allowances Scheme**

In accordance with Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations), the Authority is required to make and approve a scheme of the payments of members' allowances each year.

3.6 There was no pay award to NJC and Local Government Services in 2010/11, 2011/12 and members' allowances were not therefore increased. The scheme does not allow for indexing beyond 1 April 2011 and an Independent Remuneration Panel would usually be convened to review the members' allowances scheme. In the years between 2012/13 and 2015/16 in view of the continuing difficult financial situation faced by the Authority, it was agreed to defer reconsideration of the scheme and to review the situation in 12 months' time. There have been minimal increases in local government pay; however, in view of the continuing financial stringency, it is proposed to affirm the stance taken last year and to defer any review of the scheme for a further twelve months.

3.7 The Localism Act 2011 introduced a new local standards framework and replaces independent members of the Standards Committee with an 'independent person'. Independent persons are entitled to claim travel and subsistence allowances as appropriate.

3.8 A revised members' allowances scheme is attached for approval as Appendix 4.

4. **EQUALITY IMPACT ASSESSMENT**

4.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

5. **LEGAL IMPLICATIONS**

5.1 This report invites the Authority to determine its decision making and governance arrangements for the coming year taking into account the relevant provisions of the Local Government Act, 1972 and the Local Government and Housing Act 1989.

6. **FINANCIAL IMPLICATIONS**

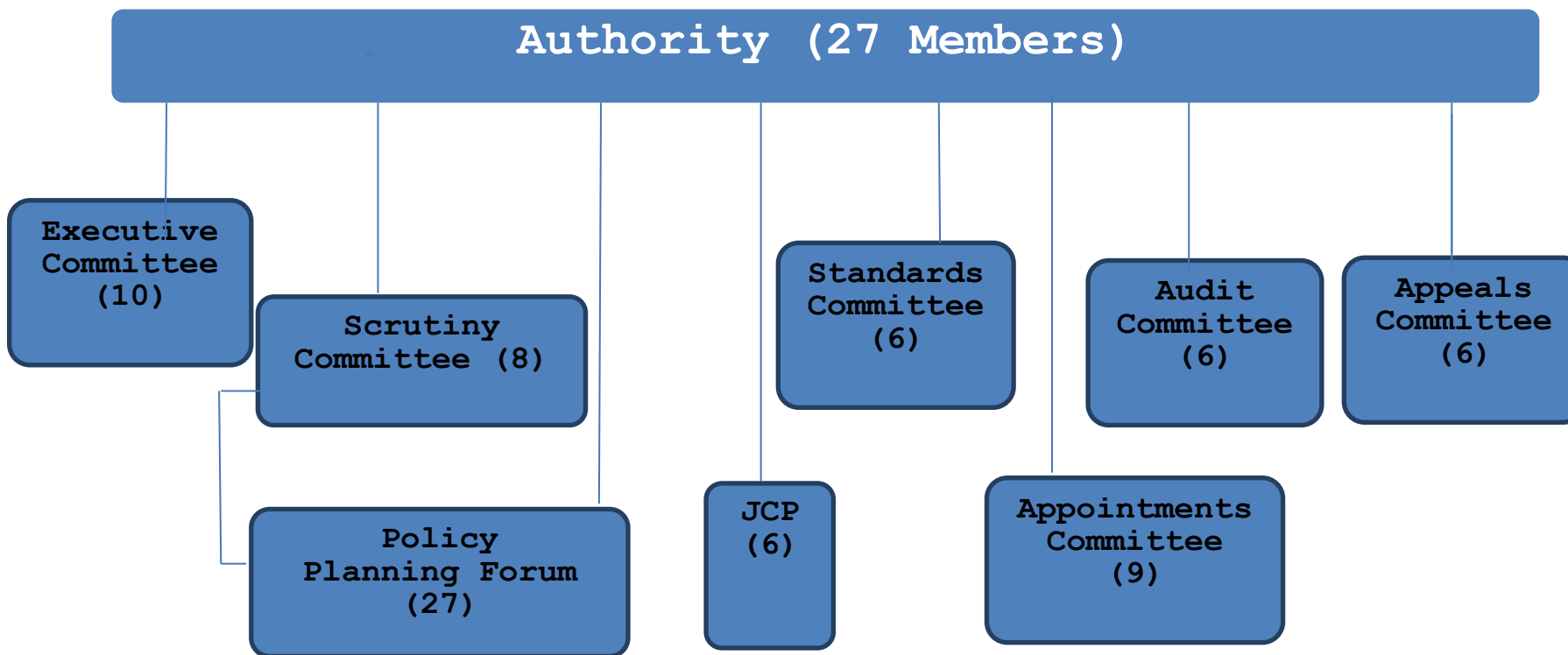
- 6.1 Provision is made in the Authority's budget to meet costs associated with the operation of the Authority's decision making structures and the payment of Members' Allowances.

BACKGROUND PAPERS

None.

Karen Gowreesunker
CLERK

The contact name for this report is Karen Gowreesunker, telephone number 0121 380 6678.



MEMBER ROLE DESCRIPTIONS 2016/2017

Chair of the Authority

To provide overall political leadership and strategic policy direction to the Authority.

To ensure continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair the Executive Committee, Appointments Committee and Chair's Committee and any other meetings as required by the Authority;

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as may be required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take overall political responsibility within the Authority for:

- Corporate Planning, the Corporate Strategy, the Annual Service Plan and The Plan;
- Policy and budgetary strategy formulation;
- Modernisation issues;
- Local, regional, national and international issues;
- Health and Safety;
- Implementing E-Governance (IEG) and the Freedom of Information Act 2000;
- Corporate Risk Management and the Integrated Risk Management Plan (The Community Safety Strategy);
- Procurement;
- Press and media relations and the promotion of the image of the Authority;
- Civic and ceremonial issues;
- Equality and Diversity;
- Sustainability;
- Any other initiatives as from time to time may be adopted by or imposed on the Authority.

To oversee the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To ensure the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations arising from those Committees.

To ensure the involvement of local people and communities in the decision making processes of the Authority, as necessary.

To champion the promotion and maintenance of high standards of conduct throughout the Authority.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols which may be adopted by the Authority from time to time.

Vice-Chair of the Authority

To support and assist the Chair of the Authority to provide overall political leadership and strategic policy direction to the Authority.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair the Authority, relevant Committees or other meetings as may be required, in the absence or inability to act of the Chair of the Authority;

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To support and assist the Chair of the Authority to fulfil his/her overall political management responsibilities within the Authority for:

- Corporate Planning, the Corporate Strategy, the Annual Service Plan and The Plan;
- Policy and budgetary strategy formulation;

- Modernisation issues;
- Local, regional, national and international issues;
- Health and Safety;
- Implementing E-Governance (IEG) and the Freedom of Information Act 2000;
- Risk Management and the Integrated Risk Management Plan (Community Safety Strategy);
- Procurement;
- Press and media relations and the promotion of the image of the Authority;
- Civic and ceremonial issues;
- Equality and Diversity;
- Sustainability;
- Any other initiatives as from time to time may be adopted by or imposed on the Authority.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To assist and support the Chair in the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations arising from those Committees.

To assist in ensuring the involvement of local people and communities in the decision making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols which may be adopted by the Authority from time to time.

Chair of the Scrutiny Committee

To lead the work of the Committee in conjunction with the Vice-Chair.

To agree with the Committee at the start of each year a programme of reviews.

To maintain the independence of the Committee and ensure that scrutiny develops as an open and transparent process.

To chair meetings of the Committee ensuring that topics for review are properly scoped and that reviews are completed within agreed timescales.

To ensure that scrutiny is carried out on a non-party political basis and that all members of the Committee participate in the work of the Committee.

To ensure that recommendations from the Committee are evidence based and objective and based on SMART principles (specific, measurable, attainable, realistic and timely).

To present the outcomes and recommendations of reviews to the Executive Committee of the Authority.

To oversee the implementation of recommendations that are accepted by the Executive Committee.

To ensure that members of the Committee have access to training and development on the principles of good scrutiny, equalities and diversity and relevant human resources issues.

To ensure that the Committee acts as a 'critical friend' to non-scrutiny members and officers of the Authority.

To have responsibility, in consultation with the Director of Resources, for the Committee's scrutiny budget.

Vice-Chair of the Scrutiny Committee

To chair the Committee in the absence of the Chair.

To represent the Chair in her/his absence at other Authority meetings.

To support the Chair in review meetings by assisting in the development of appropriate evidence-based recommendations.

Responsibilities of Elected Members of the Joint Consultative Panel

1. Background

West Midlands Fire and Rescue Authority is a statutory body that has a legal duty to provide services as defined by the Fire and Rescue Services Act 2004 and the Civil Contingencies Act 2004 through West Midlands Fire Service (WMFS).

The Fire Authority is the employer for WMFS and the supervisory body which ensures that WMFS performs efficiently and in the best interest of the public and community it serves.

In order to have in place a formal consultation mechanism WMFS, in consultation with the Trade Unions/Representative Bodies, has developed the Employee Relations Framework. Included within the policy is a constitution for a Joint Consultative Committee and a re-established Joint Consultative Panel.

The Employee Relations Framework has been based on the Joint Protocol published by the National Joint Council (NJC), the model procedure in the Grey Book and guidelines produced by ACAS. It has been jointly agreed and will govern the relationship between WMFS and its recognised Trade Unions/Representative Bodies. It is not legally binding, but relies on all parties to work within a spirit of co-operation.

The Joint Consultative Committee (JCC) meetings between managers and Trades Union Officials will take place initially monthly but depending on the needs of the organisation this may be reviewed. This will support the employee involvement process but it does not detract from a manager's responsibility to make decisions. It defines the process for getting employees views prior to decisions being made.

The Joint Consultative Panel provides an opportunity for employee representatives and the employing Authority to comment on matters relating to the conditions of employment of employees of the Service. It also provides a forum for discussion to assist in the consultation process.

2. Purpose

The Joint Consultative Panel provides a means where elected members of WMFRA, Principal Officers of WMFS and Trade Union/ Representative Body representatives who are representatives of WMFS employees, come together on a regular basis to discuss issues of mutual concern. This panel may have items referred to it from the Joint Consultative Committee as part of the negotiation or consultation process. However, a majority of the items considered will be for consultation.

This panel will consider and make recommendations on:-

- any relevant matter referred to it by the Service or by the relevant employee organisations.
- any Employee Relation issues which may arise. (In these circumstances the issue must have been considered at Joint Consultative Committee and if there is an outstanding dispute, as per the Terms of Reference, the dispute may be registered with the organisation).
- the application of the terms and conditions of service for employees.

The Joint Consultative Panel supports and governs the principles set out in the “Working Together” A Joint Protocol for Good Industrial Relations in the Fire and Rescue Service document.

The National Joint Council (NJC) recognises that Fire and Rescue Service managers and Trade Union representatives must work together for the benefit of the service, its employees, and local communities. WMFS supports the application of these principles for recognised Representative Bodies.

The principles within the Working Together document identify the need for joint commitment from Trade Union Officials and the organisation by defining how the individual representatives will engage and work together to the success of the business.

3. Consultation

Consultation: For the benefit of this process, consultation (as defined in the Employee Relations Framework) goes beyond communication and involves managers actively seeking and then taking account of the views of employees' representatives before making a decision.

Managers are obliged to seek acceptable solutions to problems through a genuine exchange of views and information.

The responsibility for decisions remains at all times with the employer and does not remove the right of managers to manage and make the final decision. Managers must be aware of the need to consult and Trade Union/Representative Body representatives must be aware of the need to respond.

Items may be referred to the Joint Consultative Panel as 'a failure to consult'. The Joint Consultative Panel needs only to consider if appropriate consultation has taken place and not what the outcome of the consultation should be.

The Trades Union will be responsible for identifying where they believe the lack of consultation has taken place. The Strategic Enabler (People Support Services) or delegated representative will provide an audit trail demonstrating the consultation that has taken place and its appropriateness. It is important to stress that a 'failure to consult' should not be considered by the Joint Consultative Panel if it is clear that a consultation process has been used but the Trades Union/ Representative Bodies have chosen not to attend or did not send a deputy.

4. Negotiation

Negotiation: For the benefit of this process negotiation is defined in the Employee Relations Framework as the process by which employers and Trade Union/Representative Body representatives seek to reach agreement through collective bargaining. It requires an agreement to be reached. Collective bargaining is the process by which employers and recognised Trade Unions/Representative Bodies seek to reach agreement on issues such as pay and terms and conditions of employment.

5. Process for Failure to Consult

In the case of consultation, if Trade Union/ Representative Body representatives believe there has not been appropriate consultation they can refer the matter to the Joint Consultative Panel. However, in doing so Trade Unions/Representative Bodies must clearly demonstrate how they have worked with the Service to try and resolve the dispute prior to referral to the Joint Consultative Panel. The recommendation of the Joint Consultative Panel will only relate to whether appropriate consultation has taken place.

The information relating to the 'Failure to Consult' will be distributed to Joint Consultative Panel members prior to the meeting. The Trade Union/Representative Body representative will present the reasons why they have raised the dispute and the management representative will clarify the consultation process used.

Deliberation will take place, see section 7. The process for consultation is defined within the Employee Relations Framework.

6. Process for Failure to Agree

In cases of negotiation, items will be referred to the Joint Consultative Panel if the Joint Consultative Committee has failed to reach an agreement. However, in doing so Trade Unions/Representative Bodies must clearly demonstrate how they have worked with the Service to try and resolve the dispute prior to referral to the Joint Consultative Panel. In this situation the Joint Consultative Panel will need to consider the 'failure to agree' and make a recommendation which would be considered by the Authority or Chief Fire Officer prior to it becoming contractual.

The information relating to the 'Failure to Agree' will be distributed to Joint Consultative Panel members prior to the meeting. The Trade Union/ Representative Body representative will present the reasons why they have raised the dispute and the management representative will be given the opportunity to clarify why it was necessary to make that decision taking into consideration the needs of the organisation to provide a quality service as efficiently and effectively as possible contributing to making the community safer.

7. The Elected Member group will adjourn to consider the presentations made. If further information is required both parties will be called back to the Elected Member group even if the query relates to one side. The Elected Member group will then give their decision on their recommendation back to the Service.

The Elected Members may be assisted by a Technical Advisor. The advisor and the representative from the Clerk to the Authority will adjourn with the panel. The Technical Advisor and Clerk are not part of the decision making process. Their role is to give advice on the Service's policy, process or interpretation of legislation

The presenter of the management case must not be the adviser to the panel.

8. Declaration of Interests

Pecuniary and other interests should be declared at the beginning of each meeting under 'Declaration of interests'. Where a member has a personal interest in the outcome of any item referred to the Joint Consultative Panel, they should declare this at the beginning of the meeting under the standing item on the agenda.

9. Confidentiality

Elected members are bound by the Model Code of Conduct. This Code of Conduct should be considered prior to any discussions or conversations with Trade Union representatives outside of the Joint Consultative Panel. Confidentiality should be maintained at all times.

10. Decision Making

The General Principles underlying within the Code of Conduct outline the considerations for elected members when making decisions. Elected members should consider carefully how their decisions might affect the community, Service and other stakeholders/partners. Members should strive to operate as a team in which constructive working relationships are actively promoted.

11. General

Elected members have a responsibility to actively promote good employment relations and lead by example through their actions and conduct. Individual Fire Authority Members will actively promote good employment relations through their own actions and behaviours in accordance with the Members' Code of Conduct and the Service's core values in respect of their communications with the Trade Unions/ Representative Bodies.

WEST MIDLANDS FIRE AND RESCUE AUTHORITY**CALENDAR OF MEETINGS 2016/17**

| Date | Time | Meeting |
|---------------------|--|--|
| 2016 | | |
| Monday 27 June | 11.00 am | Authority [Annual Meeting] [political groups at 10 am] |
| Monday 11 July | 9.30 am | Members Induction |
| | 2.00 pm | Pensions Board |
| Monday 25 July | 10.30 am | Audit Committee |
| Monday 15 August | 10.00 am | Scrutiny Committee |
| Monday 5 September | 9.00 am 10.30 am 12.30 pm | Chair's agenda meeting Policy Planning Forum Audit Committee |
| Monday 19 September | 11.00 am to follow | Authority [political groups at 10 am] Joint Consultative Panel [pre meeting tbc] |
| Monday 10 October | 10.00 am 10.30 am 12.30 pm 12.30 pm | Executive Committee Policy Planning Forum Audit Committee Scrutiny Committee |
| Monday 7 November | 9.00 am 10.00 am 1.00 pm | Chair's agenda meeting Policy Planning Forum Joint Consultative Panel (pre meeting tbc) |
| Monday 14 November | 10.30 am | Scrutiny Committee |
| Monday 21 November | 11.00 am | Authority [political groups at 10 am] |
| Monday 12 December | 10.00 am 10.30 am | Executive Committee Policy Planning Forum |

| 2017 | | |
|--------------------------------------|---|---|
| Monday 16 January | 10.30 am 12.30 pm | Policy Planning Forum Audit Committee |
| Monday 6 February | 9.00 am 10.30 am To follow | Chair's agenda meeting Policy Planning Forum Joint Consultative Panel [pre meeting tbc] |
| Monday 20 February | 11.00 am 12.30 pm | Authority [budget and precept setting] [political groups at 10 am] Scrutiny Committee |
| Monday 20 March | 9.00 am 10.00 am 10.30 am 12.30 pm 12.30 pm | Chair's agenda meeting Executive Committee Policy Planning Forum Audit Committee Scrutiny Committee |
| Monday 10 April | 11.00 am To follow | Authority [political groups at 10 am] Joint Consultative Panel [pre meeting tbc] |
| Monday 5 June | 10.00 am 10.30 am 12.30 pm 12.30 pm | Executive Committee Policy Planning Forum Audit Committee Scrutiny Committee |
| Monday 12 June | 10.00 am | Agenda Meeting |
| NEW MUNICIPAL YEAR Monday 26 June | 11.00 am | Authority [Annual Meeting] [political groups at 10 am] |

The Standards, Appointments and Appeals Committees will meet as and when required.

West Midlands Fire and Rescue Authority

Members' Allowances Scheme

The West Midlands Fire and Rescue Authority, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme:–

1. This scheme may be cited as the West Midlands Fire and Rescue Authority Members' Allowances Scheme and shall have effect for the period from 23 June 2008 until 31 March 2009 and in subsequent years from 1 April to 31 March.

2. In this scheme:–

'Councillor' means a member of the West Midlands Fire and Rescue Authority who is appointed by the City Councils of Birmingham, Coventry and Wolverhampton and the Metropolitan Borough Councils of Dudley, Sandwell, Solihull and Walsall;

'Independent Member' means a person who is not a member of the Authority but who is a member of a Committee or Sub-Committee of the Authority.

'Year' means the 12 months ending with 31st March.

3. **Basic Allowance and Co-optee's Allowance**

Subject to paragraph 6, for each year:-

- (i) a basic allowance of £3,500.00 shall be paid to each Councillor;
- (ii) a co-optee's allowance of £350 shall be paid to each independent member on the Audit Committee.

4. **Special Responsibility Allowances**

- (i) For each year a Special Responsibility Allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Authority that are specified in schedule 1 to this scheme;

- (ii) Subject to paragraph 6, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule;
- (iii) Where a Councillor holds more than one position for which a Special Responsibility Allowance is payable, only one such allowance shall be paid to the Councillor concerned.

5. **Dependants' Carers Allowance**

- 5.1 A Dependants' Carers Allowance is payable to those elected members and independent members who incur expenditure for the care of their children or other dependants whilst undertaking particular approved duties as set out in paragraph 3 of this Scheme.
- 5.2 The amount of the dependants' carers allowances payable in respect of approved duties will be the actual costs incurred up to a total annual maximum amount of 10% of elected members' basic allowance.

6. **Renunciation**

A Councillor or an independent member may, by notice in writing given to the Clerk, elect to forego any part of his/her entitlement to an allowance under this scheme.

7. **Part Year Entitlement**

Basic Allowance and Co-optee's Allowance

Where the term of office of a member begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office as a member subsists bears to the number of days in that year.

Special Responsibility Allowance

Where a member does not have throughout the whole of a year any such special responsibilities as entitle him/her to a special responsibility allowance, his/her entitlement shall be to payment of such part of the special responsibility allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.

Backdating

Where an amendment to this scheme is made which affects an allowance payable for the year in which the amendment is made, the entitlement of a member to such allowance, as amended, may at the discretion of the Authority, be backdated to apply with effect from the beginning of the year in which the amendment is made.

8. **Subsistence Allowances**

Members of the Authority and independent members may claim subsistence allowances in connection with or relating to the duties set out in Schedule 2 to this scheme.

Lead members [as identified in Schedule 1] may claim subsistence allowance for attendance at meetings and events in pursuance of their official duties outside of the West Midlands but within the UK.

Members shall only claim allowances for actual expenditure reasonably incurred in connection with approved duties.

Members must submit receipts to substantiate all claims for subsistence allowances.

For approved duties the following rates apply:-

- (i) Breakfast allowance (more than 4 hours away from normal place of residence before 11.00 am) £4.92
- (ii) Lunch allowance (more than 4 hours away from normal place of residence including the lunchtime between 12 noon and 2.00 pm) £6.77
- (iii) Tea allowance (more than 4 hours away from normal place of residence including the period 3.00 pm to 6.00 pm) £2.67
- (iv) Evening meal allowance (more than 4 hours away from normal place of residence ending after 7.00 pm) £8.38

The rates set out above shall be reduced by an appropriate amount in respect of any meal provided free of charge by the Authority.

Members who undertake duties involving an overnight stay should, wherever possible, ensure that their accommodation is pre-booked by officers in accordance with the Authority's normal administrative arrangements. If members book their own accommodation, this is subject to a maximum level of reimbursement as specified below:-

Allowance for absence overnight from the usual place of residence
£79.82 per night

Allowance for such absence in London
£91.04 per night

9. **Travelling Allowances**

Elected members of the Authority may claim travel allowances only in respect of 'approved duties' [as set out in Schedule 2 to this scheme] which involve travel outside the West Midlands but within the UK. Members holding a special responsibility allowance may claim travel allowance for attendance at meetings and events in pursuance of their official duties outside the West Midlands but within the UK.

Independent persons may claim travelling allowances in respect of costs incurred in connection with or relating to the duties set out in Schedule 2 to this scheme.

Motor Mileage Allowances

The rates for motor cars are as follows:-

Not exceeding 999cc – 34.6 pence per mile

1000 - 1199cc – 39.5 pence per mile

Over 1199cc – 45 pence per mile

After 10,000 business mile the rate becomes 25 pence per mile

Passenger Supplement - for passengers (not exceeding 4), a supplement of 5.0 pence per mile is payable

Claims for journeys undertaken by motor car may include any reasonable car parking fees and congestion charges if applicable.

Public Transport

The actual cost of public transport used by members will be reimbursed by the Authority where such costs are reasonably and necessarily incurred in connection with approved duties. Receipts will

be required to substantiate such claims based on the actual expenditure incurred.

Members who travel outside the West Midlands in connection with approved duties by rail, ship or air shall be required to have their travel arrangements pre-booked by officers under the Authority's normal administrative arrangements. The Clerk, in consultation with the Chair of the Authority, may authorise exceptions to this in cases where it is considered beneficial to the Authority for members to make their own transport arrangements. As a general rule, for members travelling by rail, standard class tickets should be purchased. Receipts will be required to substantiate any such claims based on the actual expenditure incurred.

Taxis

Taxi fares (plus a reasonable gratuity) will be reimbursed only if the taxi was used in a case of urgency, or if there was no public transport reasonably available, or if taxi use was justified by the nature of the business on which the member was engaged.

10. Indexation of Allowances

The rates of allowances will be increased with effect from 1 April 2009, 2010, 2011 in line with the agreed pay awards to NJC Local Government Services.

11. Claims and Payments

- (i) All claims for travelling and subsistence allowances under this scheme shall be made within **three months** of the date of the approved duty in respect of which the entitlement to the allowance arises. Payment of late claims may only be made if the Clerk, in consultation with the Chair of the Authority, is satisfied that the lateness of the claim is justified.
- (ii) Any claims for travelling and subsistence allowances shall be signed by the Councillor claiming the allowance and shall include a statement that where the member is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.
- (iii) In certain cases, where overpayments have been made to any individual to which this scheme relates, the Authority may require repayment of the overpayment.

(iv) In regard to the payment of basic and special responsibility allowances, payments shall be made as follows:–

(a) **Basic Allowance**

In instalments of one-twelfth of annual amount due, payable on the 25th day of the month (or nearest working day);

(b) **Special Responsibility Allowance**

In instalments of one-twelfth of the amount specified in this scheme on the 25th day of each month (or nearest working day) (except where specified otherwise in Schedule 1)

WEST MIDLANDS FIRE AND RESCUE AUTHORITY**Schedule of Special Responsibility Allowances 2014/2015**

| Responsibility | SRA (£) |
|--------------------------------------|----------------|
| Chair | 24,500 |
| Vice-Chair | 12,250 |
| Leader of Principal Opposition Group | 7,350 |
| Executive Committee Member | 4,900 |
| Scrutiny Committee Chair | 8,575 |
| Scrutiny Committee Vice-Chair | 6,575 |
| Scrutiny Committee Member | 4,900 |
| Joint Consultative Panel Chair | 8,575 |
| Joint Consultative Panel Vice-Chair | 3,975 |
| Appeals Committee Chair | 4,900 |
| Appeals Committee Vice-Chair | 2,450 |
| Audit Committee Chair | 8,575 |
| Audit Committee Vice-Chair | 3,975 |
| Standards Committee Chair | 4,900 |
| Elected Member Basic Allowance | 3,500 |

| Co-optee's allowances | |
|---|-----|
| Independent Member of the Audit Committee | 350 |

Approved Duties**The following are “approved duties” in connection with the payment of travelling and subsistence allowances:**

- 1) A meeting of the Authority or of any Committee or Sub-Committee of the Authority.
- 2) A meeting of any other body to which the Authority or any Committee or Sub-Committee of the Authority makes appointments, or nominations, or any Committee or Sub-Committee of such a body.
- 3) Any other meeting, the holding of which is authorised in advance by the Authority, or a Committee or Sub-Committee of the Authority, or a joint Committee of the Authority or one or more other Committees or a Sub-Committee of such a joint Committee provided that members of at least two political groups have been invited to attend.
- 4) A meeting of any association of authorities of which the Authority is a member.
- 5) Attendance as an appointed representative of the Authority, or of a Committee or Sub-Committee, at a conference, seminar or authorised meeting or visit or at any other meeting authorised by the Authority.