



The Independent Review
of
Members' Allowances
for the
Royal Berkshire Fire Authority

A Report
by
South East Employers
Mark Palmer

September 2023

Foreword

This is the fifth independent review of Members' Allowances for the Royal Berkshire Fire Authority

This review was commissioned to provide recommendations on the number and level of allowances. In line with good practice, the Authority has chosen once again to seek independent advice that has followed the principles undertaken by the statutory independent remuneration panels (or IRPs) that are required to review the allowances' schemes of the nominating councils at least every 4 years.

The recommendations of this Members Allowances Review are evidence based, respond to the current structure and are underpinned by a logical construct that is transparent, easy to understand and that will stand up to scrutiny.

Mark Palmer
Development Director
South East Employers

September 2023

Executive Summary

Post	Factor % of Chairman	Numbers Payable	Recommended Allowance (Basic and SRA)
Ordinary Members		20	£2,736
Chairman	100%	1	£13,680
Vice Chairman	50%	1	£6,840
Chair of Committees	30%	1	£4,104
Lead Members	30%	3	£4,104
Opposition Group Leaders	20%	1	£2,736
Member Champions	10%	3	£1,368
Totals			
BA		20	£54,720
SRA s		10	£43,776
Total Payable 2024/25			£98,496

It is also recommended that:

Chairman of Thames Valley Fire Control Service Joint Committee (2024/25)

If an RBFA Member is Chairman of the TVFCS Joint Committee then the post holder should receive an SRA of £2,736, (20% of the Chair's allowance) subject to any indexation that may be applicable.

RBFA appointees to the Local Government Association (LGA)

The RBFA Members appointed to the LGA should not receive an SRA.

Confirming the '1-SRA only' rule

The 1-SRA only rule be maintained and specified in the RBFA Members' Allowances scheme.

Confirming the cap of 10 SRAs payable at any one time (50% of the RBFA Members)

No more than 10 SRAs should be paid at any one time.

Travel and Subsistence Allowances

The maximum rates for which travel, and subsistence allowances can be claimed remain unaltered, subject to any future indexation that may be applicable.

Claiming Travel and Subsistence Allowances

All Members are required to claim for any relevant travel and subsistence allowances directly from RBFA. It is further recommended that any claims that are received through a Members' nominating council will not be paid.

Approved Duties: Outside bodies and Travel & Subsistence Allowances

The RBFA Members' Allowances scheme clarifies those outside bodies for which Members can claim directly for travel and subsistence allowances and those for which Members have to claim from RBFA.

Remuneration of the Independent Persons

When the IP's are called to attend any of the Offices of the RBFA by the Monitoring Officer then they should be paid **£150.32** per meeting, this is also intended to cover any preparation that is required before any meeting.

Indexation of Allowances

The following indices are applied to the specified allowances:

- Basic Allowance, SRAs and IP remuneration:
 - Indexed local Government percentage be implemented from the 1st April each year.

- Travel and Subsistence:
 - **Mileage Allowances:**
 - Indexed to HMRC rates

 - **Public Transport**
 - Maximum rates payable indexed to the same rates that apply to Officers, unless booked through Members' Services, which can apply its own judgement on what represents best value.

 - **Subsistence Allowances:**
 - Maximum rates payable indexed to the same rates that apply to Officers.

It is further recommended that the indices recommended in this review are utilised for four years from 1st April 2024, or until the Authority requires a further review whichever is sooner.

The Independent Review
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Royal Berkshire Fire Authority

The Regulatory Context and Paying Regard to Nominating Councils

1. This independent review of the Royal Berkshire Fire Authority (RBFA or the Authority) Members' Allowances Scheme has been conducted in accordance with the *Local Authorities (Members' Allowances) (England) Regulations 2003* (SI 1021) (or 2003 Regulations) as they apply to Combined Fire Authorities (or CFAs). While the 2003 Regulations permit RBFA, like principal councils, to determine its own scheme of allowances, unlike principal councils, it is not required to maintain an independent remuneration panel (IRP) to provide advice.
2. Instead, the 2003 Regulations require that before a joint authority:

Makes or amends a scheme that authority shall have regard to the recommendations made by any independent remuneration panels in relation to ... [the nominating councils].¹
3. In effect, the IRPs for the nominating councils, by acting as proxies, are the means by which the allowances' schemes of joint authorities are derived. Thus, the requirement to pay regard to the recommendations of allowances' reviews in the nominating or appointing councils is taken to mean the actual allowances' schemes that are in place, which in turn arise out of the recommendations of their local remuneration panels.
4. **This review, through its consideration of the wider evidence and in its deliberations, has fulfilled the Authority's regulatory requirement to pay regard to the allowances' schemes arising out of the recommendations of the statutory independent remuneration panels for the nominating councils.**

¹ *The Local Authorities (Members' Allowances) (England) Regulations 2003* (SI 1021), 19 (2), May 2003.

The Review

5. The RBFA appointed Mark Palmer, Development Director of South East Employers to undertake this review.
6. The Review was supported and serviced throughout by the following Officers:
 - Wayne Bowcock – Chief Fire Officer
 - Paul Bremble – Head of Corporate Services
 - Fayth Rowe – Democratic Support Lead

Terms of Reference

7. The terms of reference as determined by the Authority for this independent review are to carry out a full review of the Members' Allowances' Scheme for RBFA.
8. Specifically, the review will consider and make recommendations to the Authority on the following:
 - (i) The level of Basic Allowance
 - (ii) The range and levels of the Special Responsibility Allowances (SRAs), taking in to account the full range of duties expected of various post holders, with specific reference to the following posts:
 - a. Chair of the Authority
 - b. Vice Chair of the Authority
 - c. Chairs of Committees
 - d. Lead Members
 - e. Member Champions
 - f. Opposition Group Leaders
 - g. Relevant appointments to outside bodies
 - (iii) The terms and conditions and rates at which Members can claim travel and subsistence allowances
 - (iv) Whether any of the allowances should be indexed and if so, what index should be applicable
 - (v) Implementation, including back dating where appropriate
 - (vi) To provide guidance to the Authority on the remuneration of the statutory role of Independent Persons (IPs)

9. The review should also be in accordance with the requirements of the Local Government Act 2000 and the subsequent 2003 Regulations and accompanying 2006 Statutory Guidance as they apply to joint authorities.
10. Furthermore, in arriving at its recommendations the reviewer has considered:
 - (i) The current structure of the Fire Authority
 - (ii) The views of elected members, both oral and in response to the questionnaire
 - (iii) Members' Allowances' schemes in other comparable fire authorities, particularly those in the South East of England

Methodology and Approach

11. The reviewer undertook the interviews via MS Team on the following dates:
 - 6th September 2023
 - 7th September 2023
12. The interviews were undertaken to meet and hear from a range of Members and officers including the Chief Fire Officer (CFO). The meeting with the CFO was to obtain briefings and background information on the current and future challenges for the Authority and the impact on the workload of Members.
13. The meetings with Members were to obtain a qualitative sense of their roles and responsibilities and how they have evolved since 2019. The meetings were also used to get the Members' perspective on the impact of the governance structure in respect of individual roles and the overall corporate impact. The interviewer utilised a structured interview process to ensure that a similar range of questions was put to each interviewee. The interviews were also discursive, in that statements and views expressed were taken to their logical conclusion, thus posing not simply questions, but also positions for Members to consider for their validity and robustness.²
14. For benchmarking purposes, the allowances' schemes of all CFAs have been reviewed (see Appendix 3 for summary). As per statutory requirements, regard has been paid to the allowances' schemes in nominating councils.

² See Annex 1 for list of all Members and Officers consulted.

Key Messages and Comments: Placing the Review in Context

The Key Message from Member Feedback

15. As in the 2019 review there were a range of views and recommendations from Members. All twenty Fire Authority Members were given the opportunity to complete a questionnaire, 7 responses (35%) were received. An analysis of the questionnaire findings is attached as Appendix 2. The analysis of the questionnaire responses and individual interviews recognised that generally their allowances were fine and there was little desire for fundamental change to both the level of the Basic Allowance and the SRA's.

Recognising the current economic context and role of review

16. The recommendations for 2024/25 need to have the support of the Authority as the Members make the final decision on their scope and levels of remuneration. Consequently, members felt it was important that for the recommendations to be accepted they must stand up to public scrutiny.

Recalibrating the recommended Basic Allowance

17. The Basic Allowance is to recognise the time commitment of all Members. It is paid to recompense for the roles that are common to all Members regardless of whether they hold a position of responsibility or not. It is also intended to cover "incidental costs" that Members incur in carrying out their duties.
18. In the 2009 (1st) review the recommended Basic Allowance was arrived at by following methodology, set out in the 2006 Statutory Guidance,³ which states:

Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.

19. As with IRPs in the nominating councils this guidance was operationalised by determining a value for three distinct variables as a means to arrive at the recommended Basic Allowance, namely the time required to undertake the roles common to all members; the element of that time which is voluntary; the rate at which the remunerated time is paid.

³ *New Council Constitutions: Guidance on Regulation for Local Authority Allowances*, Department of Communities & Local Government, May 2006, paragraph 67.

Time required to fulfil roles associated with the Basic Allowance

20. The review in 2023 settled on a time input of 19 days per year as the minimum time necessary to undertake the roles associated with the Basic Allowance. This was not necessarily a precise reflection of members' average workload, but an assessment of the minimum time required to be an effective ordinary Member of the Authority. This has increased from the 18 days in 2019.

The Public Service Discount

21. In the nominating councils IRPs usually discount a proportion of the time requirement (typically between 30% - 40%) to recognise the voluntary element to be an elected member, often termed the 'public service discount'. However, it is not normal practice to apply a public service discount to the Basic Allowance for members of joint authorities. The Basic Allowance they receive through their nominating councils is already subject to a public service discount.
22. Consequently, no public service discount should be applied to the expected time commitment of 19 days per year.

The Rate of Remuneration

Basic Allowance for 2024/25

23. Since 2013 the Basic Allowance has now been calibrated to reflect the current time expectation and daily rate. These continue to be used to calculate what the Basic Allowance should be.

The rate of remuneration

24. The rate of remuneration utilised is the average gross daily salary for all full-time employees by place of residence in Berkshire in 2022, which is **£144 per day**. This rate of remuneration has the advantage of being related to the median average earnings of the residents represented by RBFA Members and therefore cannot be regarded as unreasonable.

Table 1: Median Gross Weekly Salary for Full Time Employees in Berkshire 2018 – ONS Annual Survey of Hours and Earnings (NOMIS)

Berkshire Council	Weekly Median
Bracknell Forest UA	£729
Reading UA	£699
Slough UA	£658
West Berkshire UA	£687
Windsor & Maidenhead UA	£759
Wokingham UA	£802
Weekly Mean	£722
Daily Mean	£144

25. Utilising the agreed time input and rate of the remuneration the recalibrated annual Basic Allowance, i.e. by following the approach as outlined in the statutory guidance and used in the previous review, is **£2,736** (19 days multiplied by £144 per day).
26. **RECCOMENDATION: That the annual Basic Allowance (2024/25) should be £2,736, subject to any future indexation that may be applied.**

The Chair's SRA

27. The Chair continues to chair the full authority and the Management Committee, to which reports of all main committees and panels go for comment before being considered by the full Authority. Although it is not in standing orders that the Chair has also be the Chair of the Management Committee, the reality is it is expected the Chair will chair the Management Committee. The Chair also chairs the senior Appointments Panel. This is not a requirement arising out of standing orders but there is an expectation that the Chair should chair this important committee when required.
28. The Chair is the leader of the largest group on the Authority. Although the Authority works on a more collaborative than party political basis, being Leader of the largest group is also recognised as being part of the role of being RBFA Chair and should be recognised as a major aspect of the role.
29. In arriving at the current SRA, the 2009 review adopted a factor approach – which is specifically suggested by the 2006 statutory guidance. It states:

One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a

multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.⁴

30. Although the guidance is referring to Leaders and elected mayors of principal councils the guidance is just as applicable to CFAs. It is a common approach that is readily understood. In 2009 the factor utilised was 5 X the recommended Basic Allowance and the review in 2023 continues to support this factor.
31. Multiplying the recommended BA (£2,736) by a factor of 5 x, the proposed Basic Allowance would lead to an SRA of £13,680.
32. The Chair's role continues to be at a county and national level a strategic role that is required to collaborate with the six unitary councils. The internal leadership role and external role in representing and promoting the Authority and Service as in the 2019 review continues to be a demanding role. Based on the questionnaire and interviews the factor of 5 x the Basic Allowance continues to be regarded as an appropriate factor.
33. **Consequently, the recommendation is for the Chair's SRA to be £13,680 subject to any indexation that may be applied. The calculation is based on a continued factor of 5 x the Basic Allowance. This was the factor recommended in the 2009, 2013, 2016 and 2019 reviews.**

The Other SRAs – The Pro Rata Approach

34. In line with the approach undertaken in the 2019 review and as suggested by the 2006 Statutory Guidance the recommended SRAs have been arrived at by following the following approach:

A good starting point in determining special responsibility allowances may be to agree the allowance which should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance.⁵

35. This is also known as the 'pro rata' approach. It has the advantage of being simple and readily understood, particularly by Members as it is often an approach adopted by the IRPs in nominating councils.

⁴ See 2006 Statutory Guidance paragraph 76.

⁵ See 2006 Statutory Guidance, paragraph 76.

The Vice Chair

36. In 2019 the Vice Chair's SRA was arrived at by assessing it at 50% of the Chair's recommended SRA. The Vice Chair has an important role and although the post holder does not chair a committee in their own right, is expected to stand in for the Chair when necessary which requires the post holder to "understand and carry out the Chair's job purpose" as set out in the Member Role Descriptions. The Vice Chair is also Vice Chair of the Management Committee.
37. The role of Vice Chair of RBFA is based on the premise that the post holder is not expected to chair any other committee. The Vice Chair will be included when required in the Chair's communications with senior officers and regularly attend the same briefings as the Chair. Moreover, the Vice Chair is there to act as a sounding board for the Chair and provide a strategic view and support for the Chair.
38. **Thus, the recommended annual SRA for the Vice Chair should continue to be 50% of the Chair's allowance (£6,840) subject to any indexation that may apply.**

Chair of the Audit and Governance Committee.

39. The Audit and Governance Committee has a key remit including performance review and audit functions, a role that is akin to the scrutiny function in the nominating councils. The role also includes the residual standards functions not otherwise assigned to the Monitoring Officer and statutory post of Independent Person (IP).
40. The allowance for Chair of the Audit and Governance Committee should continue to be at **30%** of the Chair's SRA, which equates to £4,104.
41. **The recommended SRA (2024/25) for the Chair of the Audit and Governance Committee should continue to be at 30% of the Chair's allowance (£4,104), subject to any indexation that may apply.**

Lead Members

42. The current structure has 4 Lead Members to determine and oversee the
 - Community Risk Management Plan (CRMP)
 - Strategic Assets and Sustainability
 - Budget & Income Generation and
 - Collaboration
43. What do Lead Members do?
 - On behalf of the Fire Authority and Management Committee, Lead Members work with relevant Directors and Heads of Service.

- Lead Members are regularly updated on the progress of their designated business area and are involved on the content of the report to be presented to the Management Committee and/or Fire Authority.
 - The role of Lead Members is not to manage the business area but to provide assurance to the Management Committee and/or Fire Authority that recommendations and decisions arising from the business area are sound and evidence based, have followed appropriate processes, and are aligned to strategic commitments/policy direction.
 - A Lead Member's role is to introduce reports on their area of business to the Management Committee and/or Fire Authority.
44. The Lead Member role has been strategic in focus with accountability to the Management Committee and Fire Authority, including the power to establish Task and Finish Groups. It is recommended that the Lead Member Allowance continues to be at 30% of the Chair's allowance.
58. **The recommended SRA (2024/25) for the four Lead Members to continue to be 30% of the Chair's allowance (£4,104) subject to any indexation that may apply.**

Leader of the Opposition Group

59. The Leader of the Opposition Group(s) currently receives an SRA that was set at 20% of the Chair's SRA. The nomenclature of "Opposition Group" Leader is somewhat misleading as they don't necessarily replicate the role as normally understood in nominating councils. The nature of a CFA is such that all members have an overriding interest in ensuring the most effective fire safety and protection for the county's residents within the resources available.
60. The Authority is required by Local Government and Housing Act 1989 and Local Government (Committee and Political Groups) Regulations 1990 to review the basis of allocation of seats amongst the Political Groups either at its Annual Meeting, or as soon as practicable thereafter or following a change of Membership. This leads to more cross party working and collaboration. As a result of this, the Opposition Group Leader(s) sit on the Management Committee and are also involved in briefings with the Chair and Vice Chair of the Authority when required. A sign of the greater cross-party consensus is the fact that the Authority continues to suspend rules of political proportionality in appointments to working parties to enable groups to allocate seats as they wish and foster a more inclusive environment.
61. No representation was received to indicate that the current SRA for the Leader of the Opposition Group(s) requires any change. **The recommended SRA (2024/25) for Leader of the Opposition Group(s) remains at 20% of the Chair's allowance (£2,736), subject to any indexation that may be applied.**

Chair of Thames Valley Fire Control Service Joint Committee

62. RBFA, Buckinghamshire and Milton Keynes FA and Oxfordshire County Council (which is responsible for fire services in the county) have for many years established a successful and efficient Thames Valley Fire Control Service (TVFCS). The aim is to provide a single joint control centre of all fire services in the member authorities that is more cost effective than having 3 separate control centres.
63. **It is recommended that when a RBFA Member is Chair of the TVFCS Joint Committee then the post holder should continue to receive an SRA of 20% of the Chair's allowance (£2,736), subject to any indexation that may be applicable.**

Member Champions

64. Currently, the allowance scheme provides for an SRA payable to Member Champions at 10% of the Chair's allowance. There are currently four Member Champion roles:
- (i) Equality, Diversity and Inclusion (EDI) Champion
 - (ii) Safety, Health, Wellbeing and Member Development Champion
 - (iii) Community Safety Champion
 - (iv) Armed Forces Honorary Champion (This role is honorary and is not part of the Scheme of Allowances)
65. The role description for Member Champions does lay out activities they are expected to fulfil, with the principal ones being to:
- To promote their area of interest both within and outside the Fire Authority
 - To act as an advocate on their area of business within and outside the Fire Authority
 - To work alongside officers in making contact with local organisations and the community to establish effective and regular consultation arrangements with those organisations.
 - To represent the views of such organisations to the Fire Authority
 - To become familiar with the needs and priorities of the relevant section of the community, or range of activities concerned, and to weigh up interests expressed in order to provide sound advice on the implications of alternative courses of action.

- To feedback decisions of the Fire Authority and to explain Fire Authority's position on specific areas of concern to relevant organisations and individuals concerned.
 - To attend meetings/conferences related to their area of business on behalf of the Fire Authority
66. The Member Champions have a key role and it is recommended that the Member Champions continue to receive an SRA of 10% of the Chair's allowance.
67. **It is recommended that the SRA (2024/25) for the Member Champions is 10% of the Chair's allowance (£1,368) subject to any indexation that may be applicable.**

RBFA appointees to the Local Government Association (LGA).

68. **It is not recommended that the RBFA Members appointed to the LGA should receive an SRA.**

Confirming the '1-SRA only' rule

69. Currently, the Members' Allowances' scheme specifies that a member who holds more than one remunerated post is eligible to receive one SRA only, normally it would be the higher SRA. While the 2003 Regulations do not prohibit members from receiving more than 1 SRA, it is a condition that is normally placed in Members' Allowances' schemes, dependent on whether they are principal or joint authorities. All six of the nominating councils specify in their Members' Allowances' scheme that regardless of remunerated posts held only 1 SRA is payable (SEE Members Allowance Survey 2023).
70. **It is recommended that the 1-SRA only rule be maintained and specified in the RBFA Members' Allowances scheme.**

Confirming the cap of 10 SRAs payable at any one time

71. Presently, the RBFA Members' Allowances scheme specifies that no more than 50% of members can be paid an SRA at any one time,
72. The 2003 Regulations do not prohibit the numbers or proportion of an authority's membership that may receive an SRA. However, the 2006 Statutory Guidance (paragraph 72) points out that:

If the majority of members of a council [or joint authority] receive a special responsibility allowance the local electorate may rightly question whether this was justified.

73. It is difficult to justify a situation whereby a majority of members are deemed “special” through the receipt of an SRA. It is counter intuitive. The cap of 10 SRAs payable for RBFA represents 50% of the membership and is typically known as the “50% rule” where it is specified in members’ allowances schemes.
74. Consequently, **it is recommended that no more than 10 SRAs should be paid at any one time.**

Travel and Subsistence Allowances

75. **It is recommended that the maximum rates for which travel, and subsistence allowances can be claimed remain unaltered, subject to any future indexation that may be applicable.**

Remuneration of the Independent Persons (IPs)

76. **It continues to be recommended that when either of the IP’s is called to attend any of the offices of the RBFA by the MO then they should be paid the average daily gross salary for all employees’ resident in Berkshire, £144 per meeting. This is also intended to cover any preparation that is required before such a meeting. However, as this rate has increased since 2019 to £150.32 due to the annual indexation then it is recommended that this continues to be the recommended allowance for the Independent Persons.**

Indexation of Allowances

77. This review is obliged to fulfil the statutory requirements and recommend whether any indices should apply and if so, which indices should be utilised.
78. **It is recommended that the following indices continue to be applied to the specified allowances:**
- **Basic Allowance, SRAs and IP remuneration:**
 - Indexed to the annual average local government percentage salary increase, (the National Joint Councils agreement) to be implemented from the 1st April each year.
 - **Travel and Subsistence:**
 - **Mileage Allowances:**
 - Indexed to HMRC rates.
 - **Public Transport**
 - Maximum rates payable indexed to the same rates that apply to officers, unless booked through Members’ Services, which can apply its own judgement on what represents best value.

- **Subsistence Allowances:**

- Maximum rates payable indexed to the same rates that apply to officers, unless booked through Democratic' Services, which can apply its own judgement on what represents best value.

79. **It is further recommended that as per the 2003 Members' Allowances Regulations the indices recommended in this review are utilised for four years effective from 1 April 2024 or until the Authority requires a further review whichever is sooner.**

Members and Officers Interviewed

Members:

Cllr Tricia Brown	Audit and Governance Committee Chairman
Cllr Rachel Shepherd-Du Bey	Strategic Assets and Sustainability Lead
Cllr Jeff Brooks	Chair of Authority/Management Committee & Liberal Democrat Group Leader
Cllr Paul Gittings	Vice Chair & Labour Group Leader
Cllr Morag Malvern	Equality, Diversity and Inclusion Champion

Officers:

Wayne Bowcock	Chief Fire Officer
Paul Bremble	Head of Corporate Services

Berkshire FRS Members Allowance Review Comparative Data

Authority	Membership	Committees	Basic	Chair	Vice Chair	Committee Chair	Other
Avon	20 + PCC	Performance Review and Scrutiny, Audit, Governance and Ethics, Local Pension Board, People and Culture	2,220	9,543	2,220	2,220	1,776 Group Leader
Bedfordshire	12	Executive (each of the five Members has a special portfolio responsibility), Audit and Standards	3,498.80	13,995.20	5,248.20	1,049.64 Chair of Audit and Standards	1,049.64 Executive Committee Members
Buckinghamshire	17	Executive, Overview and Audit, HR Sub Committee	1,291	12,899	4,323	5,322, 3,486 and 1,745	3,870 Group Leader 3,364 Lead Member
Cheshire	23	Audit, Brigade Managers Pay and Performance, Closure of Accounts, Estates and Property, Governance and Constitution, JCC, Local Pension Board, Performance and Overview, Staffing	4,349.48	14,308.96	7,155.58	1,651.29 or 2,862.23	1,100.86 BC Lead 550.42 Member Champion
Cleveland	16	Executive, Audit and Governance, Local Pension Board	2,238	8,952	4,476	2,797 Audit and Governance	

Derbyshire	16	Standards Committee, Working Groups x6, Pension Board	3,187.50	14,000	8,400	3,000 Working Group	3,000 Group Leader
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