

**NORTH WALES FIRE AUTHORITY**

**EXECUTIVE PANEL**

**31 JANUARY 2005**

**ALLOWANCES FOR INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE**

Report by the Clerk

**Purpose of Report**

- 1 Whether the authority should make arrangements to pay allowances to independent members of the standards committee.

**Background**

- 2 The authority has adopted a scheme of allowances for members of the fire authority. While independent members of the standards committee have their travel and subsistence expenses reimbursed, they receive no allowance for the time commitment that they are required to make in the role.
- 3 Practice in councils varies. Many make no payment for independent members. Among those that pay, payments range from £60 per day to an annual allowance of £1600 for the chair of the standards committee and from £25 per meeting to an annual allowance of £1000 for other independent members. At least two police authorities in Wales make payments but, among fire and rescue authorities in Wales, the present position is understood to be that none makes payments to independent members of standards committees.
- 4 At its meeting on 15 December, the Standards Committee resolved that I should present its request for consideration to be given to the question of paying a nominal level of allowances, in particular to assist in attracting new independent members when the terms of office of the current members come to an end.
- 5 There is an ongoing debate about the powers upon which councils rely to make payments. The position with fire and rescue authorities is different because their powers are not identical to those of councils in all respects. My advice at the time of writing is that it is not certain that the

fire and rescue authority has a clear power on which it could rely to pay allowances to members of its standards committee. The incidental powers in section 5 of the Fire and Rescue Services Act 2004 may not be sufficiently wide, for example. I will provide updated advice at the meeting.

- 6 No provision exists for such allowances within the budget but any decision to pay a nominal level of allowances could be absorbed.

### **Advice**

- 7 The principle of whether to pay allowances can be addressed in isolation from the question of whether there are powers to make payments. Even if no such powers are found to exist now, the authority might conclude that it wished to pay allowances when powers were available and to lobby the Assembly for suitable powers to be introduced.
- 8 The central issue is whether people should be recompensed for time that they are required to spend on the authority's business. Members of the fire authority now receive an allowance, including those who serve on the standards committee. While the time commitment of independent members of the standards committee is less overall than the average member of the fire authority, and is likely to remain so, there is an argument that their commitment should be appropriately recognised on grounds of consistency and fairness. The point made by the Standards Committee in respect of attracting people to serve as independent members is also relevant: it might be argued that the present arrangements serve to discourage people on low incomes, for example, or those who would lose income as a result of attending meetings etc.
- 9 On the other hand, not all councils or fire authorities pay such allowances. An argument that is sometimes advanced is that allowances might compromise in some way the independence of the independent members. With respect, my view is that their independence is guaranteed by the provisions in the legislation about who may serve as an independent member, not by whether or not an allowance is payable. There are many roles on public bodies, including some tribunals and investigatory bodies, which are remunerated.
- 10 If the Panel is minded to recommend to the fire authority that allowances should be introduced for independent members of the standards committee, I would suggest that these should be set in the region of £200 or £300 a year with perhaps a slightly higher level of allowance for the chair. Any such recommendation would have to take account of the position with respect to availability of powers to pay such allowances.

## **Recommendation**

- 11 That the Panel considers this report and decides whether it wishes to recommend to the fire authority the introduction of allowances for independent members of the Standards Committee.