

To: All Members of the Authority



The Protocol and Procedure for visitors attending meetings of Merseyside Fire and Rescue Authority can be found by clicking [here](#) or on the Authority's website: <http://www.merseyfire.gov.uk> - About Us > Fire Authority.

**J. Henshaw
LLB (Hons)
Clerk to the Authority**

Tel: 0151 296 4000
Extn: 4113 Kelly Kellaway

Your ref:

Our ref HP/NP

Date: 3 June 2015

Dear Sir/Madam,

You are invited to attend the **ANNUAL GENERAL MEETING** of the **AUTHORITY** to be held at **1.00 pm** on **THURSDAY, 11TH JUNE, 2015** in the Liverpool Suite at Merseyside Fire and Rescue Service Headquarters, Bridle Road, Bootle.

Yours faithfully,

Clerk to the Authority

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MERSEYSIDE FIRE AND RESCUE AUTHORITY

AUTHORITY

11 JUNE 2015

AGENDA

1. Preliminary Matters

The Authority is requested to consider the identification of:

- a) declarations of interest by individual Members in relation to any item of business on the Agenda
- b) any additional items of business which the Chair has determined should be considered as matters of urgency; and
- c) items of business which may require the exclusion of the press and public during consideration thereof because of the possibility of the disclosure of exempt information.

2. Minutes of the Previous Meeting (Pages 1 - 10)

The Minutes of the previous meeting of the Authority, held on 28th May 2015, are submitted for approval as a correct record and for signature by the Chair.

3. Election of Chairman

To elect a Chairman of the Authority for 2014/15.

4. Election of Vice-Chairman

To elect a Vice-Chairman of the Authority for 2014/15

5. Membership of the Authority 2015/16 (Pages 11 - 14)

To consider Report CFO/043/15 of the Monitoring Officer, concerning changes to the Membership of the Authority for 2015/16.

6. Structure of the Authority (Pages 15 - 30)

To consider Report CFO/044/15 of the Monitoring Officer, concerning the structure of the Authority for 2015/16.

7. **Merseyside Fire and Rescue Authority Constitution** (Pages 31 - 34)
To consider Report CFO/045/15 of the Clerk to the Authority, concerning the Authority's Constitution for 2015/16.

8. **Authority Meeting Dates for 2015/16; And Draft Dates For 2016/17** (Pages 35 - 42)
To consider Report CFO/046/15 of the Monitoring Officer, concerning confirmation of the draft dates for Authority Committee meetings and events for 2015/16; and draft dates for Authority Committee meetings for 2016/17.

9. **Members Allowance Payments 2014/15** (Pages 43 - 48)
To consider Report CFO/049/15 of the Monitoring Officer, concerning payments made to Members in the form of allowances during the financial year 2014/15.

10. **Scheme Of Members Allowances 2015/16** (Pages 49 - 68)
To consider Report CFO/050/15 of the Monitoring Officer, concerning a review of the current Scheme of Members Allowances and any changes the Authority wishes to make to the Scheme.

11. **Questions on the Discharge of Functions** (Pages 69 - 70)
To consider Report CFO/051/15 of the Monitoring Officer, concerning the nomination of a Member from each of the five constituent District Councils, as the Member responsible for answering questions within their Council on the discharge of the functions of the Authority.

12. **APPOINTMENT OF AUTHORITY MEMBERS TO OUTSIDE ORGANISATIONS** (Pages 71 - 74)
To consider Report CFO/052/15 of the Monitoring Officer, concerning the Outside Bodies to which the Authority is currently affiliated; and to request where appropriate, confirmation of continued affiliation for 2015/16 and the appointment of representatives to those organisations.

13. **Approved Conferences And Outside Meetings** (Pages 75 - 78)
To consider Report CFO/053/15 of the Monitoring Officer, concerning the

list of approved conferences and outside meetings and any revisions to that list that the Authority wish to make.

14. MEETINGS WITH NATIONAL POLITICIANS AT PARTY POLITICAL CONFERENCES (Pages 79 - 80)

To consider Report CFO/054/15 of the Monitoring Officer, concerning the possible attendance of Members at meetings held at the location of Party Political Conferences, in order to make Authority related representations in line with the Members Scheme of Allowances.

15. Updated Parental leave Service Instructions (Pages 81 - 122)

To consider Report CFO/055/15 of the Deputy Chief Fire Officer, concerning changes to the Service Instructions pertaining to parental leave, which have been amended to reflect amendments to Regulations in relation to the sharing of maternity and paternity leave.

16. Management Review Outcomes (Pages 123 - 136)

To consider Report CFO/056/15 of the Chief Fire Officer, concerning the outcomes of the management review undertaken by the Chief Fire Officer, following on from the Authority budget resolution for 2015/16 and the request for voluntary severance from the Deputy Chief Executive.

If any Members have queries, comments or require additional information relating to any item on the agenda please contact Committee Services and we will endeavour to provide the information you require for the meeting. Of course this does not affect the right of any Member to raise questions in the meeting itself but it may assist Members in their consideration of an item if additional information is available.

Refreshments

Any Members attending on Authority business straight from work or for long periods of time, and require a sandwich, please contact Democratic Services, prior to your arrival, for arrangements to be made.

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MERSEYSIDE FIRE AND RESCUE AUTHORITY

28 MAY 2015

MINUTES

Present: Cllr Dave Hanratty (Chair) Councillors Les Byrom, Linda Maloney, Robbie Ayres, Peter Brennan, Roy Gladden, Ray Halpin, Barbara Murray, Steve Niblock, Lesley Rennie, Denise Roberts, James Roberts, Jean Stapleton and Sharon Sullivan

Also Present:

Apologies of absence were received from: Cllr Ted Grannell, Cllr John Kelly and Cllr Jimmy Mahon

CHAIRS ANNOUNCEMENT

Before the start of the meeting, the Chair of the Authority welcomed Glynis Lomax, who was in attendance at the invitation of the Authority.

The Chair on behalf of the Authority conveyed thanks and appreciation to Glynis for her dedicated service, which commenced in 1973. Before her recent retirement, Glynis was the Group Manager with responsibility for Fire Control; and had been awarded the Queen's Fire Service Medal in the 2013 Honours List.

The Authority conveyed their best wishes to Glynis for a long and happy retirement and presented her with a small gift as a token of their appreciation.

The Chair then opened the meeting

1. Preliminary Matters

The Authority considered the identification of any declarations of interest, matters of urgency or items that would require the exclusion of the press and public due to the disclosure of exempt information.

Resolved that:

- a) no declarations of interest were made by individual Members in relation to any item of business on the Agenda
- b) no additional items of business were determined by the Chair to be considered as matters of urgency; and
- c) the following item contained exempt information:

- Agenda Item 2 – Part 2 Minutes of the Previous Meeting 26th February 2015.

However, as the Authority confirmed that there was no requirement to discuss these Minutes; members of the press and public were not required to leave during consideration of the item.

2. Minutes of the Previous Meeting

Part 1 of the Minutes of the previous meeting of the Authority, held on **26th February 2015**, were approved as a correct record and signed accordingly by the Chair.

Part 2 – EXEMPT Minutes of the previous meeting of the Authority, held on **26th February 2015**, were also approved as a correct record and signed accordingly by the Chair.

3. Lead Member Feedback 2014/15

Members considered Report CFO/041/15 of the Monitoring Officer, concerning feedback of work undertaken by the appointed Lead Members during 2014/15.

Each Member presented their feedback to the Authority, in turn.

(a) Lead Member for Strategy and Performance

Councillor Barbara Murray provided the Authority with an overview of her involvement in the Lead Member Role for Strategy & Performance, for 2014/15.

The presentation highlighted the number of meetings attended with relevant officers; and an overview of the Department, which encompassed:

- An overview of the roles and responsibilities of the team
- Strategic Planning
- Performance Management
- Community Engagement/ Consultation
- Equality and Diversity and Staff Survey/ Staff Engagement
- Corporate Risk Management

Cllr Murray emphasised some of the key areas she had scrutinised during these meetings, such as:

- The presentation of information within the Service Delivery Plan and some key areas of performance in relation to sickness, RTC's and AFA's.
- Annual After the Incident Survey Reports.
- Equality and Diversity Action Plan and particularly work in relation to enforcements and prosecutions and positive action for firefighter recruitment.
- Outcome of the staff survey – how Members can improve their engagement with staff and the commitments being developed to improve staff engagement.
- Impact of cuts on prevention work and the use of customer insight to focus on the most vulnerable.
- Implementation of the new Planning, Intelligence and Performance System (PIPS).

Cllr Murray also informed Members of the Diversity Action Group (DAG) meetings she has attended throughout the year.

The presentation was concluded with Cllr Murray stating what she has enjoyed most about the role; and what areas she would like to focus on for 2015/16, should she be re-appointed to the role.

The Authority thanked Cllr Murray for the presentation and her feedback.

(b) Lead Member for People and Organisation

Councillor Sharon Sullivan provided the Authority with an overview of her involvement in the Lead Member Role for People and Organisational Development for 2014/15.

A briefing note was circulated to Members containing an overview of the areas considered throughout the year, which were as follows:

Recruitment:

- Commencement of a recruit course with 16 new recruits.
- Recruitment of Apprentices in Protection, Catering and Finance Departments and possibilities for further apprenticeship opportunities across the service.

Organisational Development:

- Appraisal system and improvements made in the identification and delivery of training.
- Positive Feedback received from Management Courses.

Occupational Health:

- Introduction of the new Capability Policy which gives the highest priority to employee health and wellbeing, whilst supporting people to remain in work.

Organisational Change:

- Revised staffing structures, with options designed to be flexibly delivered dependent upon the scale of future cuts.
- Revised work practices and improved efficiency identified to plan for further challenges.
- Supporting staff through Voluntary Severance and outplacement support to avoid Compulsory Redundancy.

Industrial Relations:

- Open and transparent joint working with Trade Unions, which has led to the successful implementation of major changes, without recourse to Industrial Action.

Cllr Sullivan also outlined some of the questions she had raised during the meetings, on issues such as Union Learn, low morale amongst staff working on Stations, management practices, self-rostering and uniforms for non-operational frontline staff.

Cllr Sullivan stated that moving forward, there was further work to be done around engaging with staff to ensure that they feel valued and listened to.

Members thanked Cllr Sullivan for her presentation.

(c) Lead Member for Prevention and Protection

Councillor Roy Gladden provided the Authority with an overview of his involvement in the Lead Member Role for Prevention and Protection for 2014/15.

A briefing note was provided and circulated by Cllr Gladden highlighting the meetings attended and the key areas discussed.

Cllr Gladden explained that throughout the year, he had met not only with designated Support Officers, but also with members of staff from the various teams within the Directorate.

He spoke to the Briefing Note and highlighted some key areas covered, which were as follows:

- External funding for some prevention activities, particularly in relation to youth engagement; and the value of continuing to provide such activities in the future.
- The role and responsibilities of the Protection Department.
- Home Safety Strategy and the importance of sharing data with other agencies/ partners to identify those who are most vulnerable and target resources appropriately.
- Challenges around RTC reduction and issues around governance – with no Pan-Merseyside approach.
- Work of the Incident Investigation Team (IIT) and the impact that their work can have on Police Investigations and Coroners Reports.
- The role of ASB and Arson Advocates working closely with Partners, particularly around the Bonfire Period.
- The introduction of more flexible working contracts for all Advocates.
- The Role of the Community Safety Admin Team in supporting all functions across the Department.

Cllr Gladden suggested that the issue around RTC governance, could be an action for the Authority moving forward, to try to work closely with all relevant partners and organisations to develop a Pan-Merseyside approach to reducing RTC's.

Cllr Gladden concluded his presentation by thanking all the Officers who gave up their time to meet with him over the course of the year.

Members thanked Cllr Gladden for his feedback.

(d) Lead Member for Operational Response

Councillor Robbie Ayres provided the Authority with a presentation, containing an overview of his involvement in the Lead Member Role for Operational Response for 2014/15.

The presentation highlighted the number of meetings Cllr Ayres had had throughout the year; and some of the key issues discussed during those meetings, which were as follows:

- Sickness absence and impact on appliance availability
- Safe systems of work
- Response times compared to other Fire & Rescue Authorities
- Scrutiny of performance against main Local Performance Indicators
- Role of the Health and Safety Team in investigating incidents and identifying improvements to working practices.
- Introduction of Safe Person Assessments
- Collation of Risk Information for properties
- Shift changes and possible introduction of 24 hour working alongside retained cover at some premises.
- Industrial Action and relationship with the Representative Bodies.

The presentation highlighted reports considered by the Authority's Performance & Scrutiny Committee, for which Cllr Ayres had a level of involvement; and meetings of the Health, Safety and Welfare Committee attended by Cllr Ayres.

In addition, the feedback presentation highlighted some of the key achievements of the Operational Response function during 2014/15, as follows:

- More efficient provision of command support
- Improvements as a result of effective monitoring, audit and review
- Review of the flexi duty system for middle managers
- Implementation of the StARS people management system
- Supported implementation of station mergers and closures work
- Successfully managed resilience staffing arrangements during 48 periods of Industrial Action
- Improved communication with workforce – sharing outcomes of debriefs and operational assurance
- Managed reduced appliance availability following the withdrawal of the Additional Voluntary Hours (AVH) Agreement
- Implemented a revised Low Speed Manoeuvre Protocol, which has seen a 30% reduction in incidents of vehicle damage.

The presentation also highlighted the positive performance against key Performance Indicators, such as Accidental Dwelling Fires confined to room of origin, achievement of the attendance standard, alert to mobile times and RTC's involving Fire Service vehicles.

Finally, Cllr Ayres showed a video clip of a recent fire, which demonstrated the types of incident firefighting staff can respond to.

Members thanked Cllr Ayres for his presentation.

Cllr James Roberts commented that the recent fire shown in the video clip, occurred within his ward and he wished to place on record his thanks to all staff who responded to the incident for their bravery and dedication.

(e) Lead Member for Operational Preparedness

Councillor Lesley Rennie provided the Authority with feedback concerning her involvement in the Lead Member Role for Operational Preparedness for 2014/15.

Cllr Rennie informed Members of the meetings attended throughout the year and the areas covered during those meetings, which were as follows:

- Review of the remit of the role and scrutiny reports required for the Performance & Scrutiny Committee.
- An overview of the Operational Preparedness Directorate and teams

- The Functional Plan for Operational Preparedness and the Departments 3 key deliverables
- Operational Planning – including the management of all emergency plans, traffic management, contingency planning, COMAH, business continuity etc...
- Operational Equipment
- Fire Control (previously MaCC)
- Engineering Centre of Excellence – maintenance of all Authority Vehicles
- Marine Rescue and Hovercraft
- Search & Rescue Team
- Local, National and International Resilience
- Training

Cllr Rennie highlighted the work of the Department in ensuring that the Authority was well prepared for the recent periods of industrial action.

The feedback also covered the Operational Preparedness Departments role in preparing for potential terrorist attacks or other major incidents, such as earthquakes; and planning for major local events, for example the recent “3 Queens” event.

Cllr Rennie also highlighted that this is all taking place against a backdrop of cuts and significant change, however she is confident that the Authority are well prepared and in excellent shape to meet any future challenges.

The feedback from Cllr Rennie also covered the recent firefighter recruitment, highlighting that the new recruits were automatically placed onto contracts incorporating an element of retained cover, which will assist with the availability of appliances.

In addition, Cllr Rennie commented on the opening of new Joint Control Centre, stating her belief that collaborating with the Police was the right decision for the Authority.

Cllr Rennie concluded by stating how much she had enjoyed the role; and her wish for it to continue; and thanking all staff involved in meeting with her for their time and input.

Members thanked Cllr Rennie for her presentation.

(f) Lead Member for Finance, Assets and Efficiencies

Councillor Jean Stapleton provided the Authority with feedback in relation to her involvement in the Lead Member Role for Finance, Assets and Efficiency for 2014/15.

Members were provided with a Briefing Note from Cllr Stapleton covering the items considered in detail throughout the year. This highlighted some of the

major projects undertaken recently, or currently underway; a brief rationale of the need for the changes to be made, and an overview of progress in relation to each project.

Some of the major projects highlighted within the Briefing Note were:

- PFI Project and some lessons learnt.
- Joint Control Centre
- Station Mergers
- Firefit Hub
- ICT Projects

A PowerPoint presentation was also provided in support of the Briefing Note, which showed pictures of some of the new buildings, plans of potential building plots for station mergers and possible designs for those new stations.

Cllr Stapleton commented on her involvement with the Firefit Hub in her capacity of Trustee, stating what a fantastic facility it is, but there will be challenges moving forward with regards to its sustainability.

Cllr Stapleton concluded by stating how fascinating she has found the role and thanking Kieran for all his support.

Members thanked Cllr Stapleton for her presentation.

The Chair of the Authority thanked all Lead Members for their feedback, commenting that the roles have provided Members with an opportunity to gain greater experience, knowledge and understanding of the different Departments, which has and will continue to enable the Authority to make informed decisions.

He commented that some issues have been highlighted through the presentations, which the Authority will need to look at addressing moving forward.

Members resolved that:

- a. the feedback presented by the current Lead Members in relation to their involvement in their respective roles for 2014/15, be noted:
- b. continuation of the current Lead Member Roles for the coming Municipal year, be confirmed; and
- c. appointment to these Lead Member roles for 2015/16, be formally agreed at the Annual General Meeting on 11th June 2015.

4. **The Local Authorities (Standing Orders) Regulations (England) (Amendment) Regulation 2015: Statutory Officer Disciplinary Procedures**

Members considered Report CFO/042/15 of the Monitoring Officer, concerning new Regulations in force relating to disciplinary procedures for statutory officers.

The Monitoring Officer provided Members with an overview of the report, explaining that the new Regulations came into force on 11th May; and it has been stipulated that these need to be considered by authorities at their first full meeting following the Local Elections.

The new Regulations require authorities to make changes to their Statutory Officer Disciplinary procedures, resulting in the decision to dismiss being reserved for the full Authority only; and the need for the full Authority to consider the view of an Independent Panel.

Members were informed of a number of inconsistencies within the Regulations, which make it difficult to interpret if the Regulations apply to Fire and Rescue Authorities. The view of the Monitoring Officer was that the Authority should try to comply with the Regulations as a matter of good practice.

The Chair of the Authority raised a number of questions before the Authority put structures in place to comply with these Regulations.

Members resolved that:

- 1 The Regulations would be adopted by the Authority however:
2. A further report be brought back to the Authority providing information as to:
 - a. The expenses proposed to be paid to independent panel members
 - b. Information as to how such an independent panel would be recruited

At the end of business, Cllr Linda Maloney thanked the Chair on behalf of the Authority, for all his work during the Municipal year. She highlighted that although there have been many challenges, there has also been some really good work, with the opening of the new JCC/ Headquarters Building; and becoming the Chair of the North West Fire & Rescue Forum, which has enabled the Authority to build bridges with other Fire & Rescue colleagues.

Close

Date of next meeting Thursday, 11 June 2015

Signed: _____

Date: _____

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MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	MERSEYSIDE FIRE AND RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11 JUNE 2015	REPORT NO:	CFO/043/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	KELLY KELLAWAY: DEMOCRATIC SERVICES MANAGER		
TITLE OF REPORT:	MEMBERSHIP OF THE AUTHORITY 2015/16		

APPENDICES:	
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Purpose of Report

1. To inform Members of the changes to the Membership of the Authority for 2015/16

Recommendation

2. That Members note the contents of this report

Introduction and Background

3. The following changes to the Membership of the Authority have occurred:-
 - The appointment of Councillor Tony Robertson (Liberal Democrat), appointed by Sefton Council, ended as a result of the May 2015 Local Elections.
 - The appointment of Councillor John Kelly (Labour), appointed by Sefton Council, ended as a result of acceptance of a Cabinet post.
 - The appointment of Councillor Ted Grannell (Labour), appointed by Knowsley Council, ended as a result of decisions taken within Knowsley Council over representation on the Authority.
4. The Constituent District Councils have notified the Authority of the Appointments to Membership of the Authority for the Municipal year 2015/16, as follows:-

(a) Knowsley (2 Members):-

**Names to be confirmed following
Cabinet meeting 10th June 2015 or
possibly later**

(Labour)

(Labour)

(b) Liverpool (6 Members):-

Councillor Dave Hanratty (Labour)

Councillor Barbara Murray (Labour)

Councillor Roy Gladden (Labour)

Councillor Sharon Sullivan (Labour)

Councillor Peter Brennan (Labour)

Councillor James Roberts (Labour)

(c) St. Helens (2 Members):-

Councillor Robbie Ayres (Labour)

Councillor Linda Maloney (Labour)

(d) Sefton (4 Members):-

Councillor Les Byrom (Labour)

Councillor Paul Tweed (Labour)

Councillor Jimmy Mahon (Labour)

Councillor Marianne Welsh (Liberal Democrat)

(e) Wirral (4 Members):-

Councillor Jean Stapleton (Labour)

Councillor Steve Niblock (Labour)

Councillor Denise Roberts (Labour)

Councillor Lesley Rennie (Conservative)

5. The political balance of the Authority is 16 Labour, 1 Liberal Democrat, and 1 Conservative. Political balance issues are considered in the separate report relating to the structure of the Authority, which is also presented for consideration at this meeting.

Equality and Diversity Implications

6. There are no equality or diversity implications directly associated with this report. Elected Members are nominated by their Councils to the Fire and Rescue Authority.

Staff Implications

7. Democratic Services administer the meetings of the Authority and deal with members' queries and travel/accommodation issues.

Legal Implications

8. The political balance of the Authority is important as it must be reflected across all of the Authority committees.

Financial Implications & Value for Money

9. There is a Members' Allowance Scheme which is the subject of another report on this Agenda. There are no additional costs relevant to the contents of this report.

Risk Management, Health & Safety, and Environmental Implications

10. There are no direct risk management, health and safety or environmental implications relevant to this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

11. Elected Members are nominated to Merseyside Fire and Rescue Authority to represent the best interests of the communities of Merseyside.

BACKGROUND PAPERS

GLOSSARY OF TERMS

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MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY		
DATE:	11 JUNE 2015	REPORT NO:	CFO/044/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	STRATEGIC MANAGEMENT GROUP		
TITLE OF REPORT:	STRUCTURE OF THE AUTHORITY		

APPENDICES:	APPENDIX A: DRAFT AUTHORITY STRUCTURE FOR 2015/16 APPENDIX B: TEMPLATE APPENDIX C: ROLE OF LEAD MEMBERS APPENDIX D: ROLE OF MEMBER AMBASSADORS
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Purpose of Report

1. To
 - (a) inform Members of:-
 - (i) the minimum legal structure of the Authority;
 - (ii) the existing decision-making structure of the Authority; and
 - (iii) optional variations to the existing structure.
 - (b) request that the Authority determines an appropriate decision-making structure for 2015/16; and
 - (c) request that arrangements are made for the appointment of Committees, the nomination of Chairs, the determination of the powers and duties of Committees and the appointment of Members to Committees and Lead Member Roles.

Recommendation

2. That Members determine an appropriate decision making structure for 2015/16 by:-
 - (a) Determining which Committees it wishes to establish.
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- (b) Determining the number of Voting Members to be appointed to each Committee.
- (c) Determining the number of seats on each Committee to be allocated to each political group in accordance with the political balance regulations.
- (d) Determining that alternates are to be appointed from the relevant political group, who can attend a Committee in the absence of the substantive Member.
- (e) Confirming the Members who are to be appointed to Committees and Lead Member Roles, in accordance with the wishes of the relevant political group in respect of those seats allocated to that group.
- (f) Confirming that Members will inform Democratic Services prior to the start of any meeting of an alternate Member if they are unable to attend.
- (g) Confirming whether it wishes to continue with the existing structure and/or whether it wishes to amend the structure

Introduction and Background

- 3. This report confirms the political balance of the Authority as 16 Labour, 1 Liberal Democrat and 1 Conservative Member.
- 4. Based upon the balance of the Authority, Members are requested to consider and determine the appropriate decision making structure, appointment of Committees, nominate Chairs and Members to those Committees; and nominate Members to the Lead Member and Member Ambassador Roles.
- 5. Minimum Legal Requirement
 - 5.1. The minimum statutory requirements for a decision-making structure are:-
 - (a) Authority Meetings - There is a statutory requirement to hold an Annual Meeting (before the end of June in each year) and to meet to determine the precept each year (by the end of February in each year). The Authority is also required to consider other miscellaneous matters including statutory reports of the Chief Finance Officer or Monitoring Officer and public interest reports should they arise.
 - (b) It is recognised as good practise to have an Audit Committee or a Committee that deals with audit matters.
- 6. Existing Structure
 - 6.1. At present, the Authority has appointed:-
 - (a) A Community Safety and Protection Committee and a Policy and Resources Committee both consisting of 8 Members and a

Performance and Scrutiny Committee consisting of 7 voting Members (according to Political proportionality), open to all Members (with the exception of the Chair and Vice-Chairs of the Authority), along with an Independent Person who does not have voting rights.

The Community Safety and Protection Committee and the Policy and Resources Committee have delegated decision making powers in the circumstances where there is no opportunity for the Authority to meet in full.

- (b) An Appeals Committee and an Appointments Committee,
- (c) An Audit sub Committee consisting of 5 Members which also deals with Member Standards issues. This sub Committee currently also has responsibility for the Statutory Officers Disciplinary Procedure however this may need to change subject to approval of another report on this Agenda related to this issue, and
- (d) A Consultation and Negotiation sub Committee consisting of 4 Members.

Each Committee has certain delegated powers which are contained within its Terms of Reference.

6.2. The Authority has also:

- (a) appointed Lead Members with additional responsibility for certain services and
- (b) appointed a Member Development Group with approved terms of reference, consisting of Officers from Democratic Services and People & Organisational Development; and one Member from each political group.

7. Determination of a Structure FOR 2015/16

7.1. A draft structure is attached to this report as Appendix A. This incorporates Lead Member and Member Ambassador roles and proposes that:

- (a) The Consultation and Negotiation sub Committee is removed from the Authority structure. Positive approaches to Industrial Relations remains a high priority in this Authority and it is clear that the sub Committee has made a great impact. It is now proposed that quarterly reports are presented to the full Authority to replace this sub Committee so that all Members are fully aware of the issues.

- (b) The current Committee Structure otherwise remains as outlined above with a Policy and Resources Committee; a Community Safety Committee, a Scrutiny and Performance Committee, Audit and Finance Committee, Appeals and Appointments Committees and a Member Development Group.
- (c) Two new Member Ambassador roles are created to deal with issues relating to Youth Engagement and Health and Wellbeing. These roles are proposed as both Youth Engagement and Health and Wellbeing are at the forefront of the Authority's preventative work and aligned to partnerships with other statutory Agencies. These roles would not involve membership of the Performance and Scrutiny Committee but would be aligned to appropriate Senior Officers.

7.2. The proposed Terms of Reference and powers of each Committee and Sub Committee are contained within the Constitution for 2015/16 which is the subject of another report on this Agenda.

7.3. In making their decision on a structure, Members are also requested to take into account the following matters:-

- (a) the requirement for each political group to complete a notice in writing to the Monitoring Officer detailing their Membership and a Group Leader where appropriate;
- (b) the requirement for political balance on any Committees which are appointed and unless the Authority has resolved otherwise and no Member has voted against such resolution;
- (c) the requirement to appoint Members to Committees in accordance with the wishes of the political group to whom the seat has been allocated. In this respect it will assist the Clerk if all such nominations can be determined on, or before the Annual Meeting;
- (d) the appointment of Chairs of Committees.
- (e) the appointment of Lead Members; and
- (f) the appointment of Members Ambassadors and
- (g) the requirement for approval of the Powers and Duties of each appointed Committee.

8. Number of Seats & Political Balance/Membership of Committees

8.1. The Authority is required to make appointments to its Committees in a manner which, so far as practicable reflects the political balance of the

Authority unless the Authority has resolved otherwise and no Member has voted against such resolution.

- 8.2. There have been local elections this year for the District Councils. As a result the representation of each political group on the Authority will be as follows:-

Labour	16 Members
Liberal Democrat	1 Member
Conservative	1 Member

- 8.3. In order to comply with political balance requirements, where practicable it is therefore appropriate that the proportion of seats on Committees allocated to political groups is as follows :-

Labour	88.88 %
Liberal Democrat	5.56 %
Conservative	5.56 %

- 8.4. Having decided which Committees the Authority is to establish, and the number of Voting Members to be appointed to each Committee, it is then appropriate for each political group to submit nominations for membership of those Committees in accordance with the allocation of seats to that political group.

- 8.5. Members are requested to consider their nominations in advance of the meeting, so that the information can be provided at the Annual Meeting, to enable the Authority to confirm the appointments at the Annual Meeting.

- 8.6. A template for Members to complete is attached as Appendix B to this report.

9. Chairs and Vice Chairs of Committees

- 9.1. Having determined which Members are to be appointed to the Committees, it is appropriate for the Authority to consider proposals for the appointment of Chairs of Committees.

- 9.2. Members are requested to consider this issue prior to the Annual Meeting with a view to the Authority being in a position to appoint Chairs of Committees at the Annual meeting.

10. Dates of Meetings

There is a separate report on this agenda dealing with a draft schedule of dates of meetings. This has been prepared on the basis of the draft Committee structure being approved, although alternative meeting dates will be provided if necessary, if the draft structure is not approved then

Equality and Diversity Implications

11. There are no Equality and/or diversity implications directly related to this report.

Staff Implications

12. There are no direct staff implications contained in this report

Legal Implications

13. The Authority is required by law to set a minimum structure and this report addresses that requirement.

Financial Implications & Value for Money

14. Costs associated with Member Allowances are detailed in another report on this Agenda.

Risk Management, Health & Safety, and Environmental Implications

15. There are no direct risk management or health and safety implications contained within this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

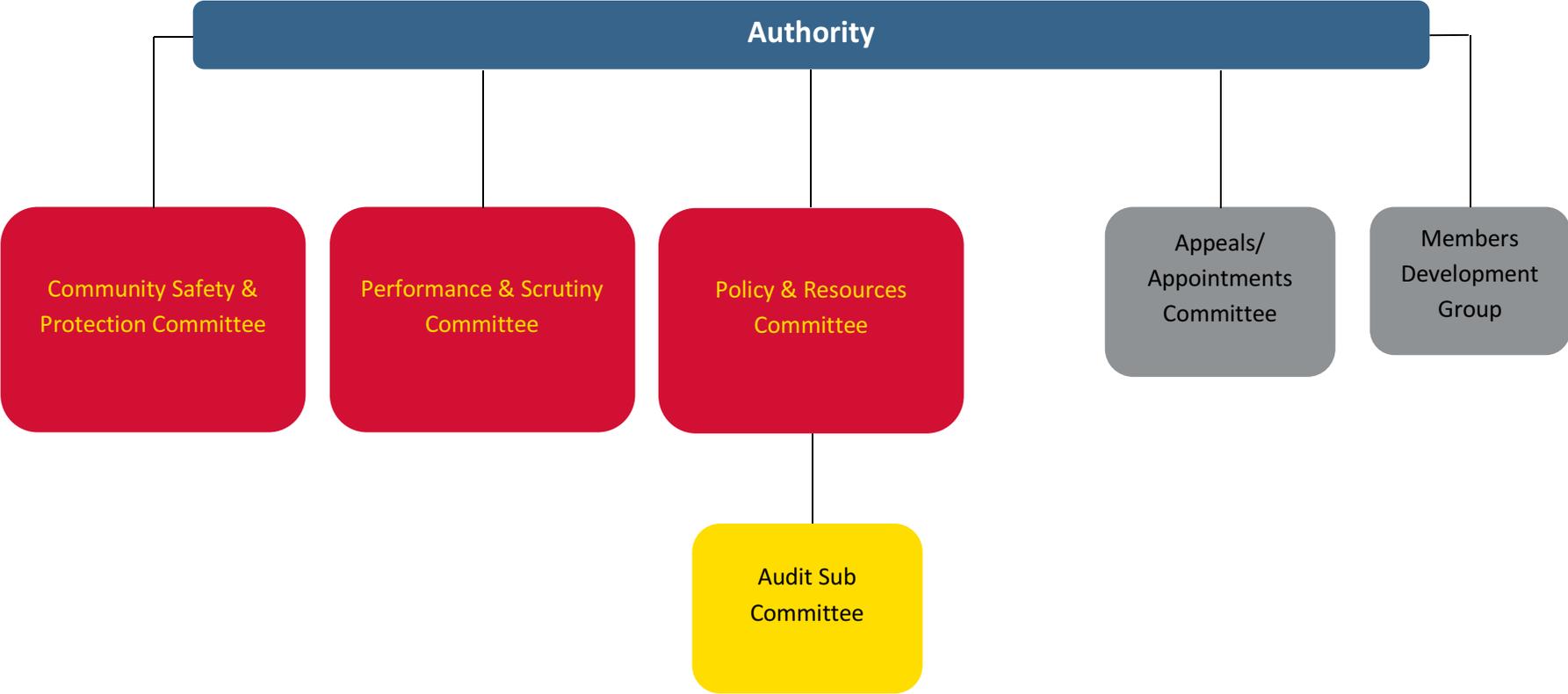
16. Communities are stronger in the knowledge that the Authority has its structure in place.

BACKGROUND PAPERS

GLOSSARY OF TERMS

APPENDIX A

Structure for Merseyside Fire and Rescue Authority for 2015/16



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Appendix B

Merseyside Fire & Rescue Authority

COMMITTEE MEMBERSHIP 2015/16

Chair of Authority: Cllr.
Vice-Chair of Authority: Cllr.
Vice-Chair of Authority: Cllr.

Labour: Group Leader: Cllr.
 Liberal Democrat: Opposition Spokesperson: Cllr.
 Conservative: Opposition Spokesperson: Cllr.

Committee	Members
Community Safety & Protection Committee 8 Members (7, 1/ 1)	1 (Chair) Labour 2 Labour 3 Labour 4 Labour 5 Labour 6 Labour 7 Labour 8 Lib Dem OR Conservative
Policy & Resources Committee 8 Members (7, 1/1)	1 (Chair) Labour 2 Labour 3 Labour 4 Labour 5 Labour 6 Labour 7 Labour 8 Lib Dem OR Conservative
Audit Sub Committee sub c'ttee to Policy & Resources Committee 5 Members (4, 1/1)	1 (Chair) Labour 2 Labour 3 Labour 4 Labour 5 Lib Dem OR Conservative
Performance & Scrutiny Committee 7 Members (6, 1/1) (Plus 1 Independent Person)	1 (Chair) Labour 2 Labour 3 Labour 4 Labour 5 Labour 6 Labour 7 Lib Dem OR Conservative

Appointments Committee (3, 1, 1) Made up of the Chair, Vice Chairs, Opposition Party Leader &	1 (Chair) Labour 2 Labour 3 Labour 4 Conservative
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Spokesperson	5 Lib Dem
Appeals Committee (3,1,1) Made up of the Chair, Vice Chairs, Opposition Party Leader & Spokesperson	1 (Chair) Labour 2 Labour 3 Labour 4 Conservative 5 Lib Dem
Member Development Group (2,1,1)	1 Labour 2 Labour 3 Conservative 4 Lib Dem

LEAD MEMBER ROLES 2015/16

<u>Area</u>	<u>Lead Member</u>	<u>Support Officer</u>
<i>Operational Preparedness</i>	Cllr	AM Nick Searle –Operational Preparedness
<i>Operational Response</i>	Cllr	AM Dave Mottram –Operational Response
<i>Prevention and Protection</i>	Cllr	Currently GM Keen and GM Oakford –Prevention & Protection
<i>Finance, Assets & Efficiency</i>	Cllr	Kieran Timmins – Deputy Chief Executive (to be reallocated in August 2015)
<i>People & Organisation</i>	Cllr	Nick Mernock – Director of People & Organisational Development
<i>Strategy & Performance</i>	Cllr	Deb Appleton – Director of Strategy & Performance

MEMBER AMBASSADOR ROLES 2015/16

<i>Youth Engagement</i>	Cllr	Phil Garrigan - Deputy Chief Fire Officer
<i>Health and Well Being</i>	Cllr	Phil Garrigan - Deputy Chief Fire Officer

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MEMBER AMBASSADOR FOR YOUTH ENGAGEMENT

Role Profile

1. Initial Work (3-6 months)

To work with relevant officers as determined by the Chief Fire Officer to draft a paper outlining Merseyside Fire & Rescue Authority's (MFRA) current involvement in the youth engagement agenda across Merseyside, including, but not limited to:

- a) Identify current links with Local Authorities in Merseyside dealing with the youth engagement agenda.
- b) Identify the current links with statutory and/or voluntary agencies dealing with children/young people issues.
- c) Identify current initiatives in MFRA linking the Authority to any children/young people issues/initiatives in the community.
- d) Identify current MFRA links with any other statutory or voluntary agencies dealing with children/young people issues.

2. Further Ongoing Action

With the relevant officer:

- a) To make contact and build relationships in the other Local Authorities in Merseyside youth engagement committees or boards.
- b) Consider the youth engagement agenda initiatives in other Fire and Rescue Authorities and make recommendations about sharing best practise.
- c) Consider if it is possible/appropriate to attract any funding for youth engagement initiatives.
- d) To keep informed and support officers in dealing with safeguarding issues in relation to children and young people.
- e) To consider any implications for MFRA in relation to children and young people with mental health problems.
- f) To be involved in any public or community events arranged by MFRA and represent the Authority at the same.

3. Reporting and Feedback

Member Ambassadors will work closely with officers identified by the Chief Fire Officer and will liaise directly with the Chair of the Authority.

Six monthly feedback reports will be provided by the Member Ambassadors to the Authority in December and June each year.

MEMBER AMBASSADOR FOR HEALTH AND WELL-BEING

Role Profile

1. Initial Work (3-6 months)

To work with relevant officers as determined by the Chief Fire Officer to draft a paper outlining Merseyside Fire & Rescue Authority's (MFRA) current involvement in the Health and Well-Being Agenda across Merseyside, including, but not limited to:

- a) Identify current representation from MFRA on Local Authority Health and Well-Being Boards across Merseyside.
- b) Identify the current links for MFRA with Clinical Commissioning Groups (CCG's) across Merseyside.
- c) Identify current initiatives in MFRA linking the Authority to any health and/or well-being in the community.
- d) Identify current MFRA links with any other statutory or voluntary agencies dealing with health and well-being issues.

2. Further Ongoing Action

With the relevant officer :

- a) To make contact and build relationships in the other Local Authorities in Merseyside Health and Well-Being Boards.
- b) Consider the health agenda initiatives in other Fire and Rescue Authorities and make recommendations about sharing best practise.
- c) Consider if it is possible/appropriate to attract any funding for health and well-being initiatives.
- d) To encourage co-responding where relevant and appropriate and consider any appropriate links with the Ambulance Service.
- e) To consider the implication for MFRA arising from the Care Act 2014.
- f) To keep informed by and support officers in dealing with safeguarding issues in relation to older and/or vulnerable people.

- g) To be involved in any public or community events arranged by MFRA and represent the Authority at the same.

3. Reporting and Feedback

Member Ambassadors will work closely with officers identified by the Chief Fire Officer and will liaise directly with the Chair of the Authority.

Six monthly feedback reports will be provided by the Member Ambassadors to the Authority in December and June each year.

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	FIRE AND RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11TH MAY 2015	REPORT NO:	CFO/045/15
PRESENTING OFFICER	CLERK TO THE AUTHORITY		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	SARAH BOURNE, DEPUTY CLERK; IAN CUMMINS, HEAD OF FINANCE; STEPHEN ASHTON, ACTING HEAD OF PROCUREMENT; KELLY KELLAWAY, DEMOCRATIC SERVICES MANAGER		
TITLE OF REPORT:	MERSEYSIDE FIRE AND RESCUE AUTHORITY DRAFT CONSTITUTION		

APPENDICES:	APPENDIX A: DRAFT CONSTITUTION 2015/16
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Purpose of Report

1. To request that Members approve the draft amended Constitution for Merseyside Fire and Rescue Authority (the Authority) for 2015/16.

Recommendation

2. That Members;
 - a). Approve the draft amended Constitution for 2015/16 and;
 - b). Instruct the Monitoring Officer to the Authority to review the Constitution in the light of any changes in legislation and to bring a further report to the Authority in these circumstances

Introduction and Background

3. Members are aware that the Authority needs to have Standing Orders in place in relation to committee procedures, contracts and financial regulations under the Local Government Acts 1972, 1985, 1989 and 2000 as well as the Localism Act 2011.
4. Members will also be aware that guidance and Codes of Practice in relation to the Local Government Act 2000 require this document to be contained within one overall Constitution so that this can be easily accessed by the general public.

5. The Authority's Constitution contains a Summary and Information section, an Introduction, Terms of Reference for all the Authority's committees and sub committees, Procedural Standing Orders, Contract Standing Orders and Financial Regulations. Local and National Protocols and Codes relevant to Members are also included.
6. The draft now presented for approval by Members proposes the following amendments.

7. Part 1 and Part 2

Parts 1 and 2 of the Constitution relate to introductory issues and no substantial changes have been made to these Parts.

8. Part 3

- i. Part 3 relates to the roles of Chairs and Members' rights and duties, the functions of each Committee; the Scheme of Delegation and terms of Reference for the proposed Committee structure are brought into force.
- ii. The proposed changes other than minor typographical amendments are:
 - a) To remove the Consultation and Negotiation sub Committee as it has become clear that industrial relations are now being managed effectively via the Local Joint Secretaries. There will instead be reports on a quarterly basis to the full Authority on industrial relations to ensure that all Members are kept abreast of any such matters.
 - b) To add two new Members Ambassadors to take responsibility, with the relevant officer for the promotion of the Health and Wellbeing and Youth Engagement respectively.
 - c) Amendments have been made to the Authority's Scheme of Delegation to reflect the provisions of the Openness of Public Bodies Regulations 2014 in terms of recording of Authority meetings and of publishing delegations from the Fire and Rescue Authority.

9. Part 4

- i. Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.
- ii. Contract Standing Orders have been amended to reflect new procedures and thresholds European thresholds as contained the new Public Contracts Regulations 2014.
- iii. No significant changes have been made to the Financial Procedure Rules.

- iv. The Procedural Standing Orders have been reviewed and some minor typographical changes have been made along with changes to reflect the Openness of Public Bodies Regulations 2014 in terms of recording of meetings and delegations from the Fire and Rescue Authority.

10. Part 5

- i. Part 5 consists of Codes and Protocols, which includes the Members Code of Conduct and the Members' Allowance Scheme. The Officer and Member Relations Protocol has recently been reviewed by the Member Development Group. Members and Officers are encouraged to read this document carefully.
 - ii. There are separate papers on the Agenda for this AGM dealing with the Members Allowance Scheme for 2015/16.
11. In order to save printing costs electronic copies are provided to Members of the draft document. One copy will also be provided in each Group room prior to the AGM. Should the draft changes be approved they will be incorporated into the Constitution and copies of amended pages will be provided to each Member for incorporation into the bound copy of the Constitution which has already been provided to Members. The revised document will also be published on the Authority's website and the internal Portal.

Equality and Diversity Implications

12. The terms of reference for every Committee contain duties for Members to consider the Authority's public equality duties as part of their decision making

Staff Implications

13. There are no direct staffing implications resulting from this report.

Legal Implications

14. The Constitution and its constituent parts are required by Local Government legislation.

Financial Implications & Value for Money

15. The Constitution through its Committees must consider the financial implications of decisions and the Constitution reflects this.

Risk Management, Health & Safety, and Environmental Implications

16. The terms of reference for every Committee contain duties for Members to consider the Authority's Health, Safety and Environmental duties as part of their decision making - in order to support its mission to create Safer, Stronger Communities and Safe Effective Firefighters".

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

17. The Constitution provides a transparent mechanism to ensure that the communities of Merseyside can have full confidence in the decision making processes of this Authority.

BACKGROUND PAPERS

NONE

GLOSSARY OF TERMS

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	FIRE & RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11TH JUNE 2015	REPORT NO:	CFO/046/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	KELLY KELLAWAY - DEMOCRATIC SERVICES MANAGER
OFFICERS CONSULTED:	NICHOLAS PITCHERS – DEMOCRATIC SERVICES OFFICER		
TITLE OF REPORT:	AUTHORITY MEETING DATES FOR 2015/16; AND DRAFT DATES FOR 2016/17		

APPENDICES:	APPENDIX A	DRAFT APPROVED MEETING DATES 2015/16
	APPENDIX B	PROPOSED DRAFT MEETING DATES 2016/17

Purpose of Report

1. To request that Members confirm the draft dates for Authority Committee meetings and events for 2015/16, and approve draft dates for Authority Committee meetings for 2016/17.

Recommendation

2. That Members;
 - a. Consider the schedule of meeting dates and events for 2015/16 (attached at Appendix A and provisionally agreed at the AGM 26th June 2014) and confirm approval; and
 - b. Consider the schedule of meetings dates for 2016/17 for approval as draft dates, to be ratified at the 2016 Annual General Meeting (attached at Appendix B).

Introduction and Background

3. The draft schedules of Authority Committee dates and events for 2015/16 and 2016/17 (attached as Appendix A and B) have been produced on the premise that the proposed changes to the Committee Structure are approved. The Committee Structure will be considered as a separate item on the Agenda, for Authority approval.

4. The Authority is requested to consider and ratify the Schedule of Dates for the Municipal Year 2015/16. These were provisionally agreed at the AGM on 26th June 2014.
5. The meeting dates have been varied slightly from those provisionally approved, by removing meetings of the Consultation & Negotiation Sub-Committee, scheduling in meetings of the Member Development Group around existing meetings; and varying the date of the Audit Sub-Committee originally scheduled for 12th May to 9th June, to allow sufficient time for year-end reports to be completed.
6. Where Council meeting dates have been available, Full Council meetings have been taken into consideration, as well as religious holidays; and dates for Committees have been programmed sympathetically around those dates wherever possible.
7. In addition, the Authority is also requested to consider and approve a draft schedule of dates for Committee meetings to be held during the Municipal Year 2016/17. This will enable Democratic Services to programme the schedule of dates and corresponding deadlines into the electronic reporting system, which will assist with the planning of workloads and preparation of reports and agendas.
8. The proposed dates have been devised to aid the flow of business for the year through the Committee process; to enable the Authority to meet its deadlines in terms of setting the budget, consulting around and delivering its IRMP and other Strategic Plans; and to provide the opportunity for regular and effective scrutiny.
9. The proposed schedule of meeting dates does not include any meetings of Task & Finish Groups, which may be called at the request of any meeting of the Authority or its Committees. Similarly, it does not include any scheduled dates for meetings of the, Appointments or Appeals Committees, which will be called as and when required.
10. The draft schedules include proposed dates for the Authority's two Strategy Days. The initial annual Strategy Day, which forms part of Induction/training for Members, has been scheduled in July 2015 and 2016. The Budget Strategy Day is scheduled in January 2016 and 2017.
11. Should the Authority require additional Strategy Days during the year, these can be arranged in line with the business determined, as and when required.
12. "Learning Lunches" and other Member Development events have been programmed into the attached schedule of meeting dates.
13. In response to the outcomes of the Authority's recent staff survey concerning Authority Member engagement with staff, a series of Station Visits and MFRA staff engagement days have been added to the schedule of meeting dates.

14. The MFRA staff engagement days and Station Visits are intended to provide all staff with an opportunity to:
 - meet Authority Members and learn more about them; and the role of the Authority.
 - discuss their views on staff engagement activity with Elected Members; and
 - discuss current topics of interest with Elected Members and raise any questions they wish to ask.
15. These engagement events also provide a useful opportunity for Members to familiarise themselves with the Authority's premises and assets.
16. Members have previously requested that the number of meetings scheduled during April be kept to a minimum, to enable them to dedicate more time to canvassing and assisting their political groups in the run up to the local elections. This request has been adhered to when preparing the draft schedule of dates.
17. The proposed meeting dates also include a break throughout August to accommodate the peak holiday period and a break during the Christmas period.
18. Set meeting dates may be changed and other meetings convened as and when required, in accordance with Standing Orders.

Equality and Diversity Implications

19. There are no equality and diversity implications arising directly from this report.

Staff Implications

20. There are no staff implications arising directly from this report.
21. Once approved by the Authority, the dates of meetings will be published on the Portal for the information of all staff and on the Authority's Website for public record.

Legal Implications

22. Proposed meeting dates must be given in advance to Members in order to comply with the requirements of the Local Government Act 1972.

Financial Implications & Value for Money

23. The Authority considers Value for Money in all business reports. There are no financial implications arising directly from this report.

24. All meetings of the Authority are held at Authority premises, usually Headquarters at Bridle Road Bootle, unless otherwise advertised.
25. Training wherever possible is provided in house, however if external training is required, this will be met from existing budgets.

Risk Management, Health & Safety, and Environmental Implications

26. There are no risk management, health and safety or environmental implications arising directly from this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

27. The dates for meetings are set to ensure that Members of the Authority have adequate time and opportunity to fully consider and scrutinise the information provided, to enable them to make informed decisions; and provide the best possible service to keep the communities of Merseyside Safer and Stronger and ensure our employees are Safe and Effective.

BACKGROUND PAPERS

GLOSSARY OF TERMS

Dates of Meetings 2015/16	
AGM	11 th June 2015
Authority (followed by Member Development Group)	30 th June
Strategy Day	14 th July
Audit Sub-Committee	21 st July
Performance and Scrutiny Committee	23 rd July
Station Visit	28 th July
Community Safety and Protection Committee (preceded by a Learning Lunch)	30 th July
August Break	
Performance and Scrutiny Committee	3 rd September
MFRA Staff Engagement Day (TDA and SHQ)	10 th September
Policy and Resources Committee (preceded by a Learning Lunch)	17 th September
Community Safety and Protection Committee (preceded by a Learning Lunch)	8 th October
Station Visit	15 th October
Authority (followed by Member Development Group)	20 th October
Performance and Scrutiny Committee	5 th November
Station Visit	19 th November
Policy and Resources Committee (preceded by a Learning Lunch)	17 th December
Christmas Break	
Station Visit	7 th January 2016
Performance and Scrutiny Committee	12 th January
Budget Strategy Day	14 th January
Community Safety and Protection Committee (preceded by a Learning Lunch)	21 st January

Audit Sub-Committee	28 th January
Station Visit	9 th February
Budget Authority (followed by Member Development Group)	25 th February
MFRA Staff Engagement Day (TDA and SHQ)	10 th March
Performance and Scrutiny Committee	17 th March
Policy and Resources Committee (preceded by a Learning Lunch)	24 th March
Community Safety and Protection Committee (preceded by a Learning Lunch)	14 th April
Performance and Scrutiny Committee	19 th May
Authority	26 th May
Audit Sub-Committee	9 th June
AGM	14 th June

DRAFT - Dates of Meetings 2016/17	
AGM	14 th June 2016
Authority (followed by Member Development Group)	30 th June
Strategy Day	12 th July
Audit Sub-Committee	19 th July
Performance and Scrutiny Committee	21 st July
Station Visit	26 th July
Community Safety and Protection Committee (preceded by a Learning Lunch)	28 th July
August Break	
Performance and Scrutiny Committee	1 st September
MFRA Staff Engagement Day (TDA and SHQ)	8 th September
Policy and Resources Committee (preceded by a Learning Lunch)	15 th September
Community Safety and Protection Committee (preceded by a Learning Lunch)	6 th October
Station Visit	13 th October
Authority (followed by Member Development Group)	20 th October
Performance and Scrutiny Committee	3 rd November
Station Visit	17 th November
Policy and Resources Committee (preceded by a Learning Lunch)	8 th December
Christmas Break	
Station Visit	10 th January 2017
Performance and Scrutiny Committee	17 th January
Budget Strategy Day	19 th January
Community Safety and Protection Committee (preceded by a Learning Lunch)	26 th January

Audit Sub-Committee	31 st January
Station Visit	14 th February
Budget Authority (followed by Member Development Group)	23 rd February
MFRA Staff Engagement Day (TDA and SHQ)	9 th March
Performance and Scrutiny Committee	16 th March
Policy and Resources Committee (preceded by a Learning Lunch)	23 rd March
Community Safety and Protection Committee (preceded by a Learning Lunch)	13 th April
Performance and Scrutiny Committee	18 th May
Authority	25 th May
Audit Sub-Committee	8 th June
AGM	13 th June

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	MERSEYSIDE FIRE & RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11 TH JUNE 2015	REPORT NO:	CFO/049/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	KELLY KELLAWAY - DEMOCRATIC SERVICES MANAGER, EXT 4113
OFFICERS CONSULTED:	HELEN JONES, PAYROLL MANAGER		
TITLE OF REPORT:	MEMBERS ALLOWANCE PAYMENTS 2014/15		

APPENDICES:	APPENDIX 1:	MEMBERS ALLOWANCE PAYMENTS INCLUDING REIMBURSEMENTS FOR FINANCIAL YEAR 2014/15
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Purpose of Report

1. To advise the Authority of payments made to Members in the form of allowances during the financial year 2014/15.

Recommendation

2. That Members note the information contained within the report and Appendix 1.

Introduction and Background

3. Regulation 15 of the Local Authorities (Members Allowances) (England) Regulations 2003 requires that the total sums paid to each Member for Basic, Special Responsibility, Travel, Subsistence and Co-optees Allowance be published. Appendix 1 (attached) details the amount of such allowances paid to Members during the 2014/15 financial year.
4. This includes clarification notes where individual Members have left or joined the Authority during the course of the last Municipal Year.
5. For clarity Merseyside Fire and Rescue Authority appointed an Independent Person who, with effect from 1st October 2013, has carried out the duties of a Co-opted Member in relation to Independent Scrutiny. He is appointed to the Performance and Scrutiny Committee, as well as the role of an Independent Person to consider any complaints against a Member of the Authority (should any be made) in relation to a breach of the Members Code of Conduct. Invoices

are submitted by the Independent Person for any works conducted in relation to these roles, which are then checked by the Democratic Services Manager prior to approval being given for payment. Appendix 1 also includes payments for duties conducted by the Independent Person in performing these roles, which were paid at a daily attendance rate of £50.00 during 2014/15.

6. Appendix 1 also details total Basic and Special Responsibility Allowance (SRA) payments, made to Members appointed to special roles within Merseyside Fire and Rescue Authority, e.g. Chair of a Committee or Lead Member role.
7. Members appointed to specialist roles only receive an SRA payment for one role (usually the role with the largest responsibility), regardless of the number of specialist roles they are appointed to, in line with the Members Scheme of Allowances.
8. Included in Appendix 1 are reimbursements for mileage, overnight accommodation, travel and subsistence allowances, which have been claimed by individual Members through the Authority's Scheme of Allowances. It is important to note that these are reimbursements for time and expenses incurred by Members, and are not payments in relation to travel and event bookings made directly by MFRA.

Equality and Diversity Implications

9. There are no Equality or Diversity implications arising out of the report.

Staff Implications

10. Members Allowance Claims are checked against attendance at events, and approved by the Democratic Services Manager for payment.

Legal Implications

11. Members have an approved Members Allowance Scheme and are therefore entitled to payment of allowances and reimbursement of expenses as set out within that scheme.

Financial Implications & Value for Money

12. The rates of allowances are determined by the Authority and are reviewed periodically.
13. The cost of Members payments for 2014/15, under the Scheme of Members Allowances, was £221,898.78 (compared to £233,580.25 for 2013/14).

Risk Management, Health & Safety, and Environmental Implications

14. Members of the Authority are required to use the most efficient method of transport when travelling on Authority business.

15. Members of the Authority are provided with basic allowances to cover the costs of time, travel, subsistence and responsibility. This provides Members with the opportunity and ability to attend events to represent the Authority, which contributes to effective decision making for the benefit of the community.

BACKGROUND PAPERS

GLOSSARY OF TERMS

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Merseyside Fire and Rescue Authority Members Allowance Payments 2014-15 (Financial year)

Name	Basic £	Chair £	Vice Chair £	Group Leader £	Sub Chair £	Lead Member £	Cmttee Chair £	Opp Spoke £	Scale Subsist £	Trav & Subsist £	Overnight £	Mileage £	Co-optee (invoiced)	Independent (Invoiced)	Totals £	Notes
AYRES	8,070.00					2,018.04						329.93			10,417.97	
BEBB	1,345.00														1,345.00	Left Authority at AGM 2014 - Payment for 2 months April to May 2014 (Basic Only)
BLACKBURN	1,345.00			1,345.00											2,690.00	Left Authority at AGM 2014 - Payment for 2 months April to May 2014 (Basic and Group Leader Allowance).
BRENNAN	6,052.50											87.99			6,140.49	Appointed to Authority at AGM 2014 - Payment for 9 months July 2014 - March 2015 (Basic only)
BYROM	8,070.00		12,105.00						756.85	2,030.82		959.93			23,922.60	
GLADDEN	8,070.00					1,345.00				19.40		183.87			9,618.27	Appointed to Lead Member role from August 2014
GRANNELL	8,070.00						6,053.04			194.96					14,318.00	
HALPIN	4,035.00														4,035.00	Appointed to Authority from 1st October 2014 - Payment for 6 months Oct 2014 to March 2015
HANRATTY	8,070.00	16,140.00							581.60	1,008.51		15.06			25,815.17	
KELLY	8,070.00														8,070.00	
MAHON	8,070.00				4,035.00										12,105.00	
MALONEY	8,070.00		12,105.00							471.75		388.03			21,034.78	
MOLONEY	1,345.00					336.33									1,681.33	Left Authority at AGM 2014 - Payment for 2 months April to May (Basic plus Lead Member Allowance)
MURRAY	8,070.00					2,018.00									10,088.00	
NEWMAN	4,035.00					672.66									4,707.66	Left Authority on 1st October (replaced by Cllr Halpin) - Payment for 6 months April to Sep 2014 (Basic plus Lead Member allowance for April to July 2014)
NIBLOCK	8,070.00					504.50				400.40					8,974.90	Basic Allowance (plus Lead Member Allowance for 3 months April - June 2014)
RENNIE	8,070.00					1,513.50		1,008.75				229.24			10,821.49	Opposition Spokesperson Allowance paid at rate of £4035 pa for April - June - Lead Member Allowance paid from July 2014 - March 2015)
ROBERTS (D)	8,070.00				4,035.00										12,105.00	
ROBERTS (J)	6,052.50														6,052.50	Appointed to Authority at AGM 2014 - Payment for 9 months July 2014 - March 2015 (Basic only)
ROBERTSON	6,052.50							1,681.58							7,734.08	Appointed to Authority at AGM 2014 - Payment for 9 months July 2014 - March 2015 (Basic plus Opposition Spokesperson Allowance at rate of £2018 pa)
STAPLETON	8,070.00					1,513.50									9,583.50	Basic Allowance (plus Lead Member Allowance for 8 months July 2014 - March 2015)
LIVILLIVAN	8,070.00					2,018.04				50.00					10,138.04	
BOYLE	0.00												500.00		500.00	
Totals £	143,242.50	16,140.00	24,210.00	1,345.00	8,070.00	11,939.57	6,053.04	2,690.33	1,338.45	4,175.84	0.00	2,194.05	500.00	0.00	221,898.78	

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MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	FIRE AND RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11TH JUNE 2015	REPORT NO:	CFO/050/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	KELLY KELLAWAY - DEMOCRATIC SERVICES MANAGER EXT 4113
OFFICERS CONSULTED:	HELEN JONES: PAYROLL MANAGER		
TITLE OF REPORT:	SCHEME OF MEMBERS ALLOWANCES 2015/16		

APPENDICES:	<p>A: DRAFT MERSEYSIDE FIRE & RESCUE AUTHORITY SCHEME OF MEMBERS' ALLOWANCES</p> <p>B: MEMBERS ALLOWANCE PAY RATE 2014/15</p> <p>C: REVISED MEMBERS' ALLOWANCES PAY RATE 2015/16 IN LINE WITH PROPOSED STRUCTURE (AS PER SEPARATE REPORT ON THIS AGENDA)</p>
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Purpose of Report

1. To request that the Authority reviews the current Scheme of Members' Allowances; and makes recommendations over any changes it wishes to make to the Scheme.

Recommendation

2. That the Authority:
 - a. Confirms continuation with its current Members' Allowances Scheme or;
 - b. Identifies any variations to the Scheme it may wish to implement, in line with the structure of the Authority (which is being considered as a separate report on this agenda);
 - c. Note that any inflationary increase to Merseyside Fire and Rescue Authority's Scheme of Members Allowances is normally aligned to the previous year's Firefighters' pay, which was awarded an increase of 1% in July 2014. However, at the Authority's AGM on 26th June 2014, Members

confirmed their intention to reject any pay increase in line with Firefighters Pay award for 2014/15, which would have applied to the 2015/16 Allowances;

- d. Confirm their intention to either accept or reject any pay increase in line with Firefighters pay award for 2015/16 (subject to National agreement). This would apply to 2016/17 allowances;
- e. Consider and confirm if they are content for the combined roles of Co-opted Member (appointed to Performance and Scrutiny Committee as a none voting Member), and Independent Person (to consider any complaints against Members, alleged to have breached the Members Code of Conduct), to continue to be undertaken by Mr Anthony Boyle as 'Independent Person', and payment for conducting such roles be paid following submission and verification of invoices, at a daily attendance rate of £50 (as and when required);
- f. Given the current political balance of the Authority and in line with the Authority's decision to reduce its Members Allowances Budget by 10% over four years from 2013/14, approve that the Special Responsibility Allowance payment for Opposition Spokespersons, be paid to only one Opposition Member.
- g. Approve the deletion of the Deputy Group Leaders Allowance from the Scheme of Members Allowances for 2015/16.

Introduction and Background

3. The Authority's draft Scheme of Members' Allowances for 2015/16 is attached at Appendix A. The Scheme, adopted by the Authority on 22nd November 2004, was approved to take effect on 1st April 2005 and was subsequently confirmed at the Annual Meetings in 2005, 2006, 2007, 2008.
4. In 2009 the Authority agreed an amendment to the Scheme of Allowances to include the addition of a Special Responsibility Allowance (SRA) of 50% of the basic allowance, for Members appointed as Deputy Group Leaders, should their group wish to appoint a Member to that position, on the proviso that such allowance would not be payable where an SRA is also payable for performing the role of Vice Chair of the Authority.
5. The Authority also agreed that Members entitled to SRA's for the role of a 'Chair' or additional responsibilities such as a Lead Member would only be entitled to receive one SRA payment. Therefore if a Member holds the position of Chair of more than one Committee, they will only receive the SRA for one role as opposed to two. This rule also applies to those appointed with additional responsibilities such as a Lead Member.
6. The SRA Payment for a Deputy Group Leader has not been paid since 2011/12. As the proportion of Opposition Members appointed to the Authority

do not form any single political group, it is recommended that the Scheme of Members Allowances for 2015/16, is amended to remove the provision of an SRA Payment for a Deputy Group Leader.

7. Members will recall that the Localism Act 2011 requires that an Independent Person (IP) be appointed to consider any complaints made against elected Members. The Authority considered entering into a shared arrangement with another Authority in the area, however it was not possible for practical reasons to achieve this outcome.
8. At the Annual Meeting 2013 the Authority considered and approved a job description for the role of Independent Person, as although no complaints have been received over the past few years, they recognised the importance of having someone available to undertake this role if required.
9. Furthermore, Members will recall that the National Framework for England requires Fire and Rescue Authorities to involve their communities in planning and to have effective scrutiny arrangements in place with independence in the process. In 2012 the LGA Peer Challenge report recommended that more independent scrutiny would give increased public assurance. A number of options were considered to provide this type of independent view including sharing arrangements with other FRA's. However most other FRA's had their own arrangements in place and therefore the Authority approved at its Annual meeting 2013, the Role and responsibilities for an appointed Co-opted Member to sit on the Performance and Scrutiny Committee, without voting rights, to provide an impartial and independent view to this Committee.
10. Since October 2013, Mr Anthony Boyle has been undertaking the roles of Independent Person and Co-opted Member under the title of 'Independent Person'.
11. The Authority is requested to consider whether the combined undertaking of these roles by the appointed individual has had any significant effect upon the Authority, which may justify terminating the arrangement; and if there is no just cause, confirm the continuation of the combined arrangements for 2015/16.
12. The scheme provides for payment of a basic allowance to all Councillors calculated at £8,070 from 1st April 2010 (in line with Firefighters Pay Award of the previous July). There was a pay freeze for Firefighters from 2010 until 2012 and 1% increases to Firefighters pay in 2012 and 2013. However the Authority resolved not to take these 1% increases to their allowances at the Annual General Meetings on 11th June 2013 and 26th June 2014.
13. Furthermore, Firefighters were awarded a 1% pay increase in July 2014, however at its AGM on 26th June 2014, the Authority confirmed their intention to reject the expected pay award in relation to their Scheme of Allowances, which would have been applied to their allowances for 2015/16.
14. Members will consider the Structure of the Authority as a separate report on the Agenda. It is proposed however, that the structure for 2015/16 be amended

with the deletion of the Consultation & Negotiation Sub-Committee. This will reduce by one, the number of SRA payments for Sub-Committee Chairs, at a rate of £4,035 per year. However, it is proposed that this reduction be used to fund 2 additional “Member Ambassador” Roles, which will each be paid an SRA Payment of £2,018 per year. Therefore, the proposed changes above will be cost neutral.

15. It is also proposed that the SRA payment of £2,018 per year for Opposition Spokespersons, will only be paid to one Opposition Member, resulting in a saving of £2,018 per year.

Equality and Diversity Implications

16. All Members are entitled to the same Basic Allowance, and SRA's are paid to Members for performing approved special responsibilities by reference to proportions of basic allowances.

Staff Implications

17. There are no staff implications arising directly from this report. This report relates to Members Allowances only.

Legal Implications

18. The Local Government Act 1972 and the Members Allowances (England) Regulations 2003 provide that a Scheme of Allowances is required and reviewed every year.

Financial Implications & Value for Money

19. The Authority resolved to achieve a 10% saving over a 4 year period, of the Members Allowance Budget which was set at £240k, as part of the budget setting at the Budget Authority meeting on 26th February 2014. The Current Members Allowance Budget is currently set at approximately £230k
20. The proposed reduction in the number of Opposition Spokesperson payments will meet the 10% saving target for 2015/16.

Risk Management, Health & Safety, and Environmental Implications

21. There are no risk management, health and safety, or environmental implications arising directly from this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

22. Payment of allowances at reasonable rates will ensure that Members are able to effectively perform their functions, in leading and setting the mission, policies and objectives for the Authority to achieve.

BACKGROUND PAPERS

GLOSSARY OF TERMS

IP	Independent Person
FRA'S	Fire & Rescue Authorities
LGA	Local Government Association
SRA	Special Responsibility Allowance

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Scheme of Members Allowances

1. This Scheme is made on the 11th day of June 2015, in accordance with the Local Authorities (Members Allowances) England Regulations 2003 for the payment of Members Allowances.
2. This Scheme amends the previous Scheme made by the Authority with effect from the 1st day of April 2005, as subsequently amended on 1st November 2008, 15th June 2009, 11th June 2013 and 26th June 2014. This Scheme shall continue until subsequently varied or revoked by the Authority.
3. Basic Allowance
 - 3.1 The Authority shall pay a Basic Allowance to each Member of the Authority who is a Councillor for each year.
 - 3.2 Subject to paragraphs 3.3, 7, 8, and 12 the Basic Allowance payable in respect of each year commencing on 1st April, 2015, shall be £8,070.
 - 3.3 Where a Member's term of office begins or ends at any time other than at the beginning or end of a year, their entitlement shall be to a proportion of the Basic Allowance that represents the number of days within that year, to which they are appointed as a Member of the Authority.
4. Special Responsibility Allowance
 - 4.1 Subject to paragraphs 4.2, 7, 8, and 12 the Authority shall pay to a Member of the Authority who is a Councillor and who has the Special Responsibility specified in column one of Schedule 1 to this scheme, a Special Responsibility Allowance in respect of each year, commencing on the 1st April 2015, of a sum specified in the corresponding part of column 2 of Schedule 1.
 - 4.2 Should a Member be appointed to, or removed from a role carrying a Special Responsibility Allowance, at any point other than at the beginning or end of the year, their entitlement shall be to a proportion of the Special Responsibility Allowance, that represents the number of days within the year, to which they are appointed in that role.

5. Travelling and Subsistence Allowance

- 5.1 Subject to paragraphs 8, 9, and 12 the Authority shall pay to each Member of the Authority who is a Councillor, an allowance in respect of travelling and subsistence undertaken in connection with, or relating to the duties specified in paragraph 5.2, in respect of matters specified in column 1 of the second Schedule at the rates specified in the corresponding part of column 2 of the second Schedule.
- 5.2 The duties referred to in paragraph 5.1 (for which a travelling and subsistence allowance is payable) are:-
- (a) The attendance at a meeting of, the Authority, any sub – committee of the Authority, any other body to which the Authority makes appointments or nominations, or any committee or sub-committee of any such a body;
 - (b) The attendance at any other meeting, the holding of which is authorised by the Authority, or a committee or sub-committee of the Authority, or a joint committee of the Authority and one or more Local Authority within the meaning of section 270 (1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that:-
 - (i) Where the Authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
 - (ii) if the Authority is not so divided, it is a meeting to which at least two members of the Authority have been invited.
 - (c) The attendance at a meeting of any association of authorities of which the Authority is a member.
 - (d) The attendance at any conference or meeting approved by the Authority (or the Monitoring Officer, acting under delegated powers on behalf of the Authority).whether inside or outside of the United Kingdom, for the purpose of discussing any matter which relates to the interests or the functions of the Authority, or to any function of Local Authorities in which the Authority has any interest.
 - (e) The attendance at seminars and presentations arranged by the Chief Fire Officer, the Monitoring Officer, or the Authority, which relate to the interests or the functions of the Authority, or to any function of local authorities in which the Authority has an interest.
 - (f) Making official and courtesy visits, whether inside or outside the United Kingdom, on behalf of the Authority, as approved by the Authority, or a Committee of the Authority (or the Monitoring Officer acting under delegated powers on behalf of the Authority.)

6. Independent Persons Allowance

The Authority shall pay an Independent Person Allowance, in respect of attendance at conferences and meetings, to any individual who is not a Member of the Authority, but who is appointed as a co-opted member of a Committee (or Sub-Committee) of the Authority.

Subject to paragraphs 6.3, 7, 8, 9, and 12, the Independent Person's Allowance, payable in respect of each year commencing on 1st April 2015, shall be to a sum of £50 for each day of attendance at meetings or events.

7. Suspension of Allowances

Where a Member of the Authority (or of a Committee of the Authority (as the case may be)) is suspended from their responsibilities or duties as a Member of the Authority in accordance with part III of the Local Government Act 2000 or regulations made under that part, then the Authority may withhold:-

- (a) the part of the Basic Allowance payable to that Member in respect of the period for which they are suspended or partially suspended; and/or
- (b) the part of the Special Responsibility Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- (c) any Travelling and Subsistence Allowance payable to the Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- (d) any Independent Person's Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended.

8. Repayment of Allowances

Where payment of any allowance has already been made in respect of any period during which the Member concerned is:-

- (a) suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or
- (b) Ceases to be a Member of the Authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period.

The Authority may require that such part of the allowance as relates to any such period, be repaid to the Authority.

9. No Duplication of Payment

Where a Member of the Authority is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duty.

10. Elections to Forgo Allowances

A person may, by notice in writing given to the Monitoring Officer, elect to forgo their entitlement, or any part of their entitlement to allowances.

11. Claims and Payments

11.1 Claims for Travelling and Subsistence Allowances, and Independent Person's Allowances must be made by the person to whom they are payable within 6 months of the date from which entitlement to such allowances arises.

11.2 The Authority has the right to refuse payment where the allowance is not claimed within the period specified in paragraph 11.1.

12. Annual Adjustment of Allowances

The allowances specified in paragraphs 3 (Basic Allowance), 4 (Special Responsibility Allowance), 5 (Travelling and Subsistence Allowance) and 6 (Independent Person's Allowance), shall be increased annually with effect from the 1st day of April in each year, by the same proportion as the increase in salary of firefighting staff in the Service in the year prior to 1st April of the year for which an allowance under this scheme is payable, unless The Authority resolves otherwise.

13. Date from which Amendments to the Scheme are to apply

Where an amendment is to be made to this scheme by the Authority, which affects an allowance payable for the year in which the amendment is made, entitlement to such allowance as amended, shall apply with effect from the date of approval of the amendment by the Authority.

Schedule 1 – Special Responsibility Allowances

<u>Column 1</u> (Special Responsibility)	<u>Column 2</u> (Amount of Special Responsibility Allowance)
Chairman	£16,140
Vice Chairman (incl. Chair Of Committee)	£12,105
Opposition Spokesperson	£2,018
Committee Chair (excl. Authority Chair/ Vices & Leaders/Opposition Spokesperson)	£6,053
Sub-Committee Chair	£4,035
Additional Responsibility (except the Chairman, a Vice Chairman, Leader/Opposition Spokesperson, Chair of a Committee or Sub-Committee)	£2,018

Only one additional Responsibility Allowance payable regardless of how many additional responsibility roles held.

Schedule 2 – Travelling & Subsistence Allowances

1. Travel Allowance

<u>Column 1</u> (type of travel)	<u>Column 2</u> (rates of allowance)
Travel by public transport	A sum equal to the costs of the ordinary fare, or in the case of travel by rail the cost of first class travel
Travel by motor cycle	22.6p per mile
Travel by motor vehicle	56.4p per mile
Travel by taxi	A sum equal to the actual fare and any reasonable gratuity paid.
Travel by air	A sum equal to the cost of the ordinary fare, or where travelling on a flight scheduled to take at least 5 hours a sum equal to the cost of club class

2. Subsistence Allowance

<u>Column 1</u> (absence period)	<u>Column 2</u> (rates of allowance)
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2.1 Where the Authority does not pay for overnight accommodation direct and:

Absence overnight in UK from usual place of residence (other than in London)	£148.00
Absence overnight from usual place of residence in London (i.e. the city of London, Boroughs of London, Greenwich and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster)	£180.00
Absence overnight outside the U.K.	£180.00

2.2 Subject to paragraph 2.3. where the Authority pays for overnight accommodation direct and there is absence from the usual place of residence, a subsistence allowance of £56.82 in London and £44.77 elsewhere, is payable. Where the absence does not involve an absence overnight:-

(a) Breakfast Allowance

Absence of more than 4 hours £9.01
Before 11a.m.

(b) Lunch Allowance

Absence of more than 4 hours, £13.55
Including the period of 12noon and 2pm

(c) Tea Allowance

Absence of more than 4 hours £5.64
Including 3pm to 6pm

Or;

(d) Evening Meal Allowance

Absence of more than 4 hours £16.92
ending after 7pm

2.3 Where meal(s) are provided free of charge to the Member their entitlement to an allowance will not apply in respect of the meal period for which such meal or meals are provided without charge to the Member.

Member Allowances 2015/16

Original Source: CFO/117/05

Revised 'Scheme of Members Allowances' 01/11/08

Increased each 1st April in line with Firefighters Pay Award of previous July

Increase applied 01/04/10 = 1.25%

Basic Allowance	Annual	New Monthly
Members	£ 8,070	£ 672.50

Co-Optee / Independent Person	Daily Attendance Rate
	£50 payable via Invoice

Special Responsibility Allowance	Annual	New Monthly
(payable to certain Members in addition to Basic)		
Chair	£16,140	£ 1,345.00
Vice Chair (incl. Chair of Committee)	£12,105	£ 1,008.75
Opposition Spokespersons	£ 2,018	£ 168.17
Committee Chair (excl. Authority Chair/ Vices & Leaders)	£ 6,053	£ 504.42
Sub-Committee Chair	£ 4,035	£ 336.25
Additional Responsibility (unless in receipt of any other special responsibility)	£ 2,018	£ 168.17

Members Travel & Subsistence Allowances 2014/15

Travel	New Allowance
Motor Cycle (pence per mile)	22.6
Motor Vehicle (pence per mile)	56.4

Overnight Subsistence	
Overnight Stay – London & Approved Conferences	£180.00
Overnight stay outside London	£148.00

If accommodation is paid directly by the Authority the allowance is reduced to:

London & Approved Conferences	£56.82
Outside London	£44.77

Day Subsistence	
Breakfast	£ 9.01
Lunch	£13.55
Tea	£ 5.64
Evening Meal	£16.92
Full day subsistence	£39.49

Where any meal is provided free of charge, the corresponding allowance will not be payable

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Member Allowances Pay Rate 2014/15

- ◆ Original source : CFO/117/05
- ◆ Revised 'Scheme of Members Allowances' 01/11/08
- ◆ Increased each 1st April in line with Firefighters Pay Award of previous July
- ◆ Increase applied 01/04/10 = 1.25%
- ◆ Pay Increase in line with Firefighters Pay Award July 2012 Rejected by Authority 11th June 2013
- ◆ Pay Increase in line with Firefighters Pay Award July 2013 Rejected by Authority 26th June 2014

£

Basic Allowance	Annual	New Monthly
Members	£8,070	672.50
Co-optee (Performance & Scrutiny Committee)	£297	24.75

Special Responsibility Allowance

Annual New Monthly

Payable to certain Members in addition to Basic.

£

Chair	£16,140	1345.00
Vice Chair (<i>including Chair of Committee</i>)	£12,105	1008.75
A Political Group Leader (<i>Excluding Chairperson</i>)	£4,035	336.25
Opposition Spokesperson	£2,018	168.17
Committee Chair (<i>Excluding Authority Chair/Vices & Leaders</i>)	£6,053	336.25
Sub Committee Chair	£4,035	336.25
Additional Responsibility (<i>unless in receipt of any other special responsibility</i>)	£2,018	168.17

Members Travel & Subsistence Allowances 2013/14

Travel

New Allowance

Motor Cycle	p. per mile	22.6
Motor Vehicle	p. per mile	56.4

Overnight Subsistence:

£

Overnight stay London & approved conferences	180.00
Overnight stay outside London	148.00

If accommodation is paid directly by the Authority the allowance is reduced to:

£

London & approved conferences	56.82
Outside London	44.77

Day Subsistence:

£

Breakfast	9.01
Lunch	13.55
Tea	5.64
Evening Meal	16.92
Full day subsistence	39.49

Independent Person Expenses 2013/14

Hourly rate	£25.00 per hour
Travel Time	£12.50 per hour (pro rata)

Where any meal is provided free of charge, the corresponding allowance will not be payable.

Proposed Member Allowances Pay Rate 2015/16

- ◆ Original source : CFO/117/05
- ◆ Revised 'Scheme of Members Allowances' 01/11/08
- ◆ Increased each 1st April in line with Firefighters Pay Award of previous July
- ◆ Increase applied 01/04/10 = 1.25%
- ◆ Pay Increase in line with Firefighters Pay Award July 2012 Rejected by Authority 11th June 2013
- ◆ Pay Increase in line with Firefighters Pay Award July 2013 Rejected by Authority 26th June 2014
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2014 at AGM 26th June 2014

£

Basic Allowance	Annual	New Monthly
Members	£8,070	672.50

Special Responsibility Allowance

Annual New Monthly

Payable to certain Members in addition to Basic.

£

Chair	£16,140	1345.00
Vice Chair (<i>including Chair of Committee</i>)	£12,105	1008.75
Opposition Spokesperson	£2,018	168.17
Committee Chair (<i>Excluding Authority Chair/Vices & Leaders</i>)	£6,053	336.25
Sub Committee Chair	£4,035	336.25
Additional Responsibility (<i>unless in receipt of any other special responsibility</i>)	£2,018	168.17

Members Travel & Subsistence Allowances 2013/14

Travel

New Allowance

Motor Cycle	p. per mile	22.6
Motor Vehicle	p. per mile	56.4

Overnight Subsistence:

£

Overnight stay London & approved conferences	180.00
Overnight stay outside London	148.00

If accommodation is paid directly by the Authority the allowance is reduced to:

£

London & approved conferences	56.82
Outside London	44.77

Day Subsistence:

£

Breakfast	9.01
Lunch	13.55
Tea	5.64
Evening Meal	16.92
Full day subsistence	39.49

Independent Person Expenses 2013/14

£

Daily Attendance Rate	50.00
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Where any meal is provided free of charge, the corresponding allowance will not be payable.

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	FIRE AND RECUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11 JUNE 2015	REPORT NO:	CFO/051/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	KELLY KELLAWAY; DEMOCRATIC SERVICES MANAGER		
TITLE OF REPORT:	QUESTIONS ON THE DISCHARGE OF FUNCTIONS		

APPENDICES:	
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Purpose of Report

1. To request that the Authority nominates a Member from each of the five constituent District Councils as the Members responsible for answering questions in their Council on the discharge of the functions of the Fire & Rescue Authority.

Recommendation

2. That the Authority nominates five Members (one from each constituent District Council) as the Members responsible for answering questions within their Council on the discharge of the functions of Merseyside Fire & Rescue Authority.

Introduction and Background

3. There is a requirement under Section 41 of the Local Government Act 1985 for the Authority to nominate Members of the Authority from each constituent Council to answer questions within their Council on the discharge of the functions of the Fire & Rescue Authority.
4. It is at the discretion of the Authority who it appoints in each case for this purpose and there is no requirement that the nominee should be from the main political group either on the Authority or within the constituent Council.
5. The Members nominated in 2014/2015 under Section 41 were:-
 - Knowsley - Councillor Tony Newman
 - Liverpool - Councillor Dave Hanratty
 - Sefton - Councillor Les Byrom
 - St. Helens - Councillor Linda Maloney
 - Wirral - Councillor Denise Roberts

Equality and Diversity Implications

6. There are no direct equality and diversity implications from this report. However it is considered that having one Member from each district council appointed to answer questions on the discharge of functions, ensures accurate and consistent information is passed on to each district across Merseyside.

Staff Implications

7. There are no staff implications in relation to this report, as this report relates to Members of the Authority.

Legal Implications

8. By appointing Authority Members from each district council to answer questions on the discharge of functions, the Authority will be meeting their requirement under Section 41 of the Local Government Act 1985.

Financial Implications & Value for Money

9. There are no financial implications arising from this report.

Risk Management, Health & Safety, and Environmental Implications

10. There are no risks, health and safety or environmental implications arising from this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

11. Having Authority Members appointed to answer questions in their council ensures that accurate, relevant information is fed back to the community to confirm what the Authority does in support of achieving the Authority's mission.

BACKGROUND PAPERS

GLOSSARY OF TERMS

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	FIRE & RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11 JUNE 2015	REPORT NO:	CFO/052/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	KELLY KELLAWAY: DEMOCRATIC SERVICES MANAGER		
TITLE OF REPORT:	APPOINTMENT OF AUTHORITY MEMBERS TO OUTSIDE ORGANISATIONS		

APPENDICES:	
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Purpose of Report

1. To inform the Authority of the outside organisations to which it is currently affiliated and to request where appropriate, confirmation of continuing affiliation for 2015/16 and the appointment of representatives to those organisations.

Recommendation

2. That the Authority considers whether it wishes to confirm continuing affiliation with each of the organisations specified in this report, and as appropriate appoints Members to provide Authority representation on each of the outside organisations, as listed in paragraph 3 below.

Introduction and Background

3. (A) Local Government Association

At the 2014 Annual Meeting Councillors Hanratty, Byrom and Maloney (as an additional Member) were appointed as the representatives on the Fire Services Commission (which replaced the Fire Forum).

All Fire Authorities in full or corporate membership of the Association have the right to representation and voting on this Commission in accordance with Article 10 (and Schedule 1) of the LG Group Constitution, Standing Orders and Political Conventions. Additional members from fire and rescue authorities appointed as necessary by the political groups to ensure political balance as provided by Article 9.3.

For 2014, the LGA again offered a 2.5% loyalty discount to all Authorities renewing their Membership and a further 2.5% prompt payment discount. Therefore, continued affiliation to the LGA was approved by the Authority at its Budget Meeting on 26th February 2015 and a payment of £10,460 (including a 5% discount) was made as requested.

In addition, the Authority has agreed to meet any costs related to Members attendance at associated meetings.

(B) North West Employers' Organisation

The Authority is a Member of the North West Local Authorities Employers Organisation. For 2014/15 Councillor Roy Gladden was the appointed representative.

Confirmation of continuing membership and nomination for this position is now requested.

(C) National Joint Council

Currently Councillor Dave Hanratty is the appointed Spokesperson on the Employers side of the National Joint Council for Local Authorities Fire Brigades.

(D) North West Fire and Rescue Forum

The North West Fire and Rescue Forum was established in April 2014 following the disbanding of the North West Partnership Board. This Forum elected to have a Membership of Chairs, Vice Chairs Opposition Spokespersons and Chief Fire Officers.

The Members representing the Authority are Councillor Hanratty, Councillor Rennie and Councillor Maloney. Councillor Byrom attends as an observer.

(E) Fire Support Network

Councillor Jean Stapleton and Councillor Leslie Rennie are currently appointed as a Trustee and Members of the Fire Support Network. Any changes in Trusteeships must be approved by the Board.

(F) Toxteth FireFit Hub

Councillor Jean Stapleton is currently appointed as a Trustee and Member of the Fire Support Network and the Toxteth FireFit Hub as part of her current Lead Member role. Any changes in Trusteeships must be approved by the Company Board.

(G) Association of Metropolitan Fire & Rescue Authorities

The Authority appointed Councillors Hanratty and Maloney to the Association of Metropolitan Fire & Rescue Authorities in 2014/15. **Members are requested to confirm appointment to this Association for 2015/16.**

(H) Local Authorities Confronting Disasters and Emergencies - L.A.C.D.E.

At the Annual Meeting 2014, the Authority confirmed its affiliation to L.A.C.D.E. and appointed Councillor Ted Grannell as representative. The cost of affiliation is approximately 500 dollars and the affiliation period is January – December. The last occasion that the Authority was actually invoiced for this was 2006.

Members are asked to confirm if they wish to continue Membership of L.A.C.D.E; and if so, to appoint a Member as the representative.

(I) Merseyside Brussels Office

This organisation represents the interests of the local authorities in Merseyside and other public sector and voluntary organisations within the European Community offices in Brussels.

At the Annual meeting 2014, the Authority approved continued affiliation to the Merseyside Brussels Office and appointed Councillor Steve Niblock as the Authority's representative.

Members are asked to confirm if they wish to continue Membership of the Merseyside Brussels Office; and if so, to appoint a Member as the representative. The previous cost of affiliation was £6,000 per annum, however the operating costs of the Merseyside Brussels Office are now covered by Merseytravel and as a result there is no cost to the Fire and Rescue Authority. This represents an annual saving in the region of £6,000

(J) Liverpool City Region LEP

MFRS has membership of this Organisation which is attended by a Senior Officer of MFRA. The cost of membership is £6,300.00 which was approved for payment via the Authority's urgency procedure on 14th May 2015 as it was overdue for payment.

Equality and Diversity Implications

4. Appointments and participation in the above organisations will assist the Authority in developing diversity further.

Staff Implications

5. There are no staff implications in relation to this report

Legal Implications

6. At its AGM the Authority is required to appoint Members to any appropriate and approved outside bodies.

Financial Implications & Value for Money

7. The costs of membership of the above organisations can be met from existing budgets.

Summary of Estimated Costs of Subscriptions

	£'000
LGA	10.5
NW Employers	2.8
Merseyside Brussels Office	0.0
LACDE	<u>0.5</u>
	<u>13.8</u>

Risk Management, Health & Safety, and Environmental Implications

8. Members of the Authority are appointed to outside organisations to learn from them, lend support to them and encourage development for the Authority and the organisation, to help create as safe an environment as possible in the most environmentally friendly manner.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

9. The appointment of Members to outside organisations helps to develop the Authority's knowledge to ensure they continually learn and develop and continue to play an active key role in the development and safety of the community it serves.

BACKGROUND PAPERS

GLOSSARY OF TERMS

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MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	MERSEYSIDE FIRE & RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11 JUNE 2015	REPORT NO:	CFO/053/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	KELLY KELLAWAY – DEMOCRATIC SERVICES MANAGER, EXT 4113
OFFICERS CONSULTED:			
TITLE OF REPORT:	APPROVED CONFERENCES AND OUTSIDE MEETINGS		
APPENDICES:	APPENDIX A:	DRAFT OUTLINE OF APPROVED CONFERENCES/ OUTSIDE MEETINGS	

Purpose of Report

1. To consider the list of approved conferences and outside meetings and any revisions to the list that the Authority wish to make.

Recommendation

2. That the draft list of conferences attached to the report, be approved subject to any suggested revision.

Introduction and Background

3. Members' presence at conferences and outside meetings is vital to their role and development as Authority Members. It ensures that Merseyside Fire and Rescue Authority is included in and informed of local and national issues to enable Members to make the best decisions for the public of Merseyside.
4. In accordance with the Scheme of Members Allowances, the Authority annually reviews the conferences and outside meetings which are approved as standing events at which the Authority should be represented by appropriate numbers of Members and Officers. The existing list is appended to this report and Members are requested to consider any revisions they think necessary.
5. Member representation at approved conferences, outside meetings and at any other conferences, is determined and agreed by the Monitoring Officer in consultation with the Chair of the Authority and/ or Vice-Chair's and Party Leaders.

6. Where a conference or meeting is directly linked to a Lead Member or Ambassador role, the appropriate Member may be requested to attend to represent the Authority.

Equality and Diversity Implications

7. There are no equality and diversity issues arising directly from this report.

Staff Implications

8. There are no direct staff implications arising directly from this report, however Officers may be required to accompany Members at events relating to their areas of expertise.

Legal Implications

9. There are no legal implications arising directly from this report.

Financial Implications & Value for Money

10. A sum of £14,800 has been allocated in the Democratic Representation Budget for the payment of Conference Fees for Members. It is anticipated that costs will be contained within the agreed budgets.

Risk Management, Health & Safety, and Environmental Implications

11. Members use the most efficient method of travel when attending conferences and outside meetings.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

12. Members' attendance at conferences and outside meetings enables the Authority to be represented appropriately, providing an opportunity to put forward suggestions, share experience and gain further knowledge. This ensures that the Authority is best placed to make the most appropriate decisions; and provide the best service possible to the communities of Merseyside.

BACKGROUND PAPERS

GLOSSARY OF TERMS

MERSEYSIDE FIRE AND RESCUE AUTHORITY

DRAFT LIST OF APPROVED CONFERENCE/OUTSIDE MEETINGS

1. In accordance with the scheme of Members Allowances, the following conferences and meetings are recommended for approval as standing events at which the Authority should be represented, subject to the Monitoring Officer determining precise representation, following consultation with the Chair and Opposition Spokespersons and also having ascertained that sufficient budgetary provision is available:-

LGA Annual Meeting (General Assembly) and Conference;
LGA Fire Services Commission (replaced Fire Forum);
LGA Urban Commission Meetings;
LGA Annual "Fire" Conference (normally preceded by Fire Services Management Committee)

North West Employers Meetings;
Meetings of North West Fire and Rescue Forum
Meetings with the District Auditor;
Budget consultation meeting with the Chamber of Commerce;
Meetings with Merseyside Co-ordinating Committee;
Meetings with Merseyside Brussels Office;
Meetings of Metropolitan Chief Fire Officers;
Chief Fire Officers Association (CFOA) Annual Conference
Meetings with Ministers
Meetings with MP's

2. There is also a Fire Services Management Committee (FSMC) which the Authority Members are appointed to by the LGA's political groups through their own appointments process.
3. In accordance with the terms of the scheme, Members attending the above conferences and meetings are entitled to claim the appropriate attendance, travel and subsistence allowances. The Monitoring Officer, following consultation with the Chair and Opposition Spokespersons, subject to budgetary resources being available, also has delegated power to determine the attendance of Members at other conferences and meetings of outside organisations.

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MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	FIRE AND RESCUE AUTHORITY ANNUAL GENERAL MEETING		
DATE:	11 JUNE 2015	REPORT NO:	CFO/054/15
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	KELLY KELLAWAY: DEMOCRATIC SERVICES MANAGER		
TITLE OF REPORT:	MEETINGS WITH NATIONAL POLITICIANS AT PARTY POLITICAL CONFERENCES		

APPENDICES:	
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Purpose of Report

1. To consider the possible attendance of Members at meetings held at the location of party political conferences, in order to make Authority related representations in line with the Members Scheme of Allowances.

Recommendation

2. That:
 - a. appropriate representatives of the political groups of the Authority be authorised to attend meetings with Ministers, Opposition Spokespersons and other relevant national politicians to be held at the location of their own party political conferences to discuss issues relating to the business of the Authority; and
 - b. appropriate travel and subsistence expenses for such meetings be met but no payment of conference fees be made,
 - c. Members are requested to report back to the Authority regarding issues raised and responses; and progress on information received.

Introduction and Background

3. The Authority has in previous years approved the attendance of representatives of its party political groups at meetings held at the venue of their respective autumn party conferences. The purpose of such attendance has been to meet with national politicians whenever possible during conference week to act as advocates for the work of the Service and to discuss issues of importance to the Authority from a national perspective.

4. Members are requested to consider if they wish to approve the recommendation in this report, to enable the attendance of Authority Members at meetings convened at party conferences, to make representations on behalf of the Authority at a significant political level.

Equality and Diversity Implications

5. There are no Equality or Diversity implications contained within this report.

Staff Implications

6. There are no staff implications contained within this report.

Legal Implications

7. It is important that the right representation is agreed by Members so that the relevant allowances can be paid pursuant to the Members Allowance Regulations 2003.

Financial Implications & Value for Money

8. There will be some costs in relation to Members attendance at events which will depend on particular circumstances of attendance and regularity of such events. However these costs can be contained within the existing Democratic Representation budget and the benefits of such representation can be significant.

Risk Management, Health & Safety, and Environmental Implications

9. Members are required to use the most efficient method of travel to such events.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

10. Representation with National politicians at party political conferences is imperative to ensure the views of the Authority, Service and Community are expressed and considered at key political level.

BACKGROUND PAPERS

GLOSSARY OF TERMS

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY		
DATE:	11 JUNE 2015	REPORT NO:	CFO/055/15
PRESENTING OFFICER	DCFO GARRIGAN		
RESPONSIBLE OFFICER:	NICK MERNOCK	REPORT AUTHOR:	AMANDA CROSS
OFFICERS CONSULTED:			
TITLE OF REPORT:	UPDATED PARENTAL LEAVE SERVICE INSTRUCTIONS		

APPENDICES:	APPENDIX A:	MATERNITY SERVICE INSTRUCTION
	APPENDIX B:	PATERNITY SERVICE INSTRUCTION
	APPENDIX C:	ADOPTION SERVICE INSTRUCTION
	APPENDIX D:	PARENTAL LEAVE INSTUCTION

Purpose of Report

1. To request that Members note the changes to the Service Instructions pertaining to parental leave which have been altered to reflect amendments to Regulations in relation to the sharing of maternity and paternity leave.

Recommendation

2. That Members approve the amendments to the Service Instructions attached to this report at Appendixes A - D

Introduction and Background

3. The Government has published the Shared Parental Leave Regulations 2014 which enables parents to share maternity or adoption leave between themselves in order to enable both parents to benefit from time off with the new born baby or adopted child.
4. The Regulations also offer rights to the parents of babies born through a surrogacy arrangement and these new rights have been incorporated into the Service Instructions.
5. In the light of the legislative changes Service Instructions and guidance for prospective parents and Managers of those employees has been included in order to explain and then implement these rights should parents wish to exercise them.
6. Existing Service Instructions relating to parental leave have also been refreshed to ensure that they reflect current best practice.

Equality and Diversity Implications

7. The current EIA is relevant and has not required any amendment to reflect these changes.

Staff Implications

8. All employees now have the right to share maternity or adoption leave between the parents. A mother or primary carer can elect to curtail her leave and share the remaining time with her partner. This can be taken in a single period of time or in three separate blocks of time. In practice both parents can be off together or stagger their leave to ensure a parent is always with the baby or child.

Legal Implications

9. The amendments to the Service Instructions ensure they are compliant with the Shared Parental Leave Regulations 2014.

Financial Implications & Value for Money

10. There is no impact on the Authority in the adoption of this legislation. Where a parent wishes to exercise their right to shared parental leave the mother or adopter has to end her maternity leave and pay. If a mother or adopter is still receiving enhanced maternity or adoption pay, they have to forfeit this and reduce their benefit to the statutory amount extant at the time. It is unlikely that many Authority employees will therefore wish to exercise this right because of the financial implications of this decision.

Risk Management, Health & Safety, and Environmental Implications

11. The mother has to take 2 weeks compulsory maternity leave before she can exercise the right to share her remaining leave with her partner.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

12. By sharing leave both parents can benefit of time off at the early stages of a child's developments and allow the parents a choice over the balance of child caring responsibilities.

BACKGROUND PAPERS

NONE

GLOSSARY OF TERMS



“An Excellent Authority”

Service Instruction 0658 Maternity

Document Control

Description and Purpose

This document is intended to give guidance to Managers and Employees regarding the maternity benefits the Authority provides

Active date	Review date	Author	Editor	Publisher
July 2010	24.06.15	Amanda Cross	Nick Mernock	Sue Coker
Permanent	X	Temporary	If temporary, review date must be 3 months or less.	

Amendment History

Version	Date	Reasons for Change	Amended by
1.1	03.05.13	Update to document control & review date	Amanda Cross
1.2	09.05.14	Updated with relevant case law	Amanda Cross
1.3	Jan 2015	Updated with new statute law	Amanda Cross

Risk Assessment (if applicable)

Date	Assessed by	Document location	Verified (H&S)
June 2010	K Longshaw	Portal/Ops Response/H&S/Risk Assessments/Non-Op	Yes

Equalities Impact Assessment

Initial	Full	Date	Reviewed by	Document location
	X	June 2010	DAG	E&D Portal/EIA forms 2014/POD

Related Documents

Doc. Type	Ref. No.	Title	Document location
Policy	PODPOL03	Work life balance	Portal/POD/Policies
SI	SI 0654	Adoption	Portal/Service Instructions
SI	SI 0659	Paternity	Portal/Service Instructions
SI	SI 0661	Parental Leave	Portal/Service Instructions

Contact

Department	Email	Telephone ext.
POD	amandacross@merseyfire.gov.uk	0151 296 4358

Target audience

All MFS	X	Ops Crews	Fire safety	Community FS		
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Relevant legislation (if any)

Equality Act 2010, The Children’s and Families Act 2014, The Shared Parental leave Regulations 2014

MATERNITY

This Service Instruction sets out the procedures for women employees and their line managers when the employee is pregnant, on maternity leave or when returning from maternity leave. It sets out the health, safety and welfare requirements in relation to the pregnant employee and the entitlements for the pregnant employee in terms of maternity leave, pay and other conditions. It also provides guidance on the options for returning to work.

This document applies to all employees and nothing contained within the policy shall be construed as providing rights less favourable than statutory rights.

Notification

The Authority would prefer to have as much notice as possible of a woman's pregnancy. This enables the Authority to plan resource allocation, but more importantly allows the Authority to undertake full and proper continuous specific risk assessments of the woman and her role. The Authority recognises that every woman, every role and every pregnancy is different and that this needs to be factored into the risk assessment.

A woman should advise her line manager and/or Time and Resource Management (TRM) as soon as reasonably practical that she is pregnant. If the female employee does not wish to inform her line manager as the first point of contact, she may instead inform an HR Manager. This may be done off-duty if preferred. Whilst the Service's policy will be observed, the person they have contacted will meet with the individual and discuss the best way of keeping the matter as confidential as possible and set out the options for the way forward. The employee may be accompanied by a colleague/representative at this meeting.

In order to qualify for statutory maternity pay and leave, the woman must provide the Authority, **on or before the 15th week before her Expected Week of Childbirth (EWC)** with the following information:

- Confirmation that she is pregnant by submitting her MatB1 certificate from a registered medical practitioner or a certified midwife. The MATB1 is normally provided after the 21 week.
- The date she intends to start her period of Maternity Leave. This date cannot be earlier than the 11th week before the EWC; and
- The Expected Week of Childbirth.

Upon receipt of this notification, TRM will advise the Pay and Pensions team to make the necessary arrangements. TRM will also notify the Health and Safety department in order that a specific risk assessment may be undertaken.

Within 28 days of receiving this notice, the Authority will write to the employee setting out her entitlements and stating the date she will be expected to return including ordinary (paid) and additional (unpaid) maternity leave.

The date the employee is expected to return to work will be one day after her maternity leave ends. However, it remains the choice of each woman whether or not she takes up all of her available maternity leave entitlement to 52 weeks. The employee may change the date that she intends her period of Maternity Leave to start or finish providing that she provides notice of this. Details of the notice required can be found later in this document.

Health and Safety

The Management of Health and Safety at Work Amendment Regulations (1999) require employers to carry out risk assessments for all employees. The regulations specifically require particular account to be taken of the risks to the health and safety for new and expectant mothers.

The Authority has a generic risk assessment available on the intranet or on request from the Health and Safety department that identifies the risks for employees who may become pregnant.

Any employee who is considering becoming pregnant or who believes she might be pregnant should review the specific risk assessment applicable to their role and take such steps as immediately necessary to remove or reduce any risks. The list of current risk assessments is included at the end of this Service Instruction.

As soon as the employee notifies her line manager or TRM of her pregnancy, the line manager or TRM will notify the Health and Safety department to arrange for a specific risk assessment to be carried out. The employee will be provided with a copy of the risk assessment and encouraged to discuss it with her medical advisors. The views of the employee and her medical advisors will be factored into subsequent risk assessments throughout the employee's pregnancy.

For operational fire fighters and subject to the risk assessment, the employee will not be permitted to attend any further emergency incidents but will remain on her watch and continue normal training and development activities.

Where an operational employee notifies her line manager or HR Management of her pregnancy in circumstances where the Health and Safety department are unavailable, for example on a weekend or on a night duty, the line manager should detail the employee to undertake non operational duties. In so doing the line manager should consider that the employee may wish to keep the fact that she is pregnant confidential and should exercise as much discretion as possible in the circumstances. The line manager should immediately arrange for a risk assessment to be conducted by a Manager with a NEBOSH qualification in order to assess the extent of the duties that the woman can do until such time as the Health and Safety department can undertake a full assessment. The underlying principles will be, in conjunction with the employee, to assess the duties that she is able to do, not just what she is not able to do in order to ensure that wherever possible she will be provided with work that enables her to retain her operational skills levels and that she stays on duty with her watch.

Risk assessments will be ongoing through the pregnancy. Ongoing risk assessments will be conducted as close after antenatal appointments as practicably possible. All employees should keep their line manager informed of any medical issues identified by a GP or midwife.

Where risks are identified the Authority will take practical steps to remove or reduce any risks identified. If this is not possible, the Authority will meet with the employee along with her colleague/representative and seek to agree with the employee to reduce the hours of work without any reduction in existing salary such that monthly pay will remain as that prior to the reduction in hours; or offer her alternative work. After all other avenues have been explored, and as a last resort, the Authority may place the employee on safety leave with full pay on maternity grounds for as long as it is necessary to protect her, i.e. until such time as there are no longer risks to her health and safety. The underlying principle is that the employee's pay and where practicably possible her terms and conditions of employment (for example in terms of location) during her pregnancy shall not be less favourable than her normal employment.

Maternity leave

After providing notification to the Authority the employee may change her mind about the intended start date of her Maternity Leave as long as she notifies the Authority of the new start date. She must do this in writing, by whichever is the earlier of:

- 28 days before the date she originally intended to start her leave
- 28 days before the new date she wants to start her leave

There may be situations where this is not always possible and request that as much notification is provided as the employee is able to provide.

Maternity leave will start automatically if the employee is absent from work for a pregnancy related illness during the 4 weeks before the start of her EWC regardless of when she has said she wishes for her maternity leave to commence.

Statutory Maternity Leave

All employees, regardless of length of service are entitled to 52 weeks Statutory Maternity leave (SML). All employees must take a minimum of two weeks' compulsory maternity leave following the birth of their child.

Maternity leave can start at any time from the beginning of the 11th week before the expected week of childbirth or the time of childbirth if that is earlier.

SML will remain at 52 weeks regardless of the number of children resulting from a single pregnancy. Mothers may reduce their maternity leave in order to share the unused portion of the maternity leave with the father via Shared Parental Leave (see below)

Time Off for Ante-Natal Care etc

Employees will be given reasonable time off with pay (including travelling time) to attend ante-natal care appointments. Except for the first appointment, women may be asked to produce proof that appointments have been made.

Partners of pregnant women may also be permitted time off with pay to attend up to 2 parent craft/relaxation classes/exercise classes provided they produce evidence of enrolment and details of future appointments. However, every attempt should be made to arrange attendance at such classes outside normal duty hours.

Annual and PH Leave prior to going on Maternity Leave

Where possible the Authority encourages expectant mothers to plan to use their leave time prior to commencing maternity leave. It is advisable that the employee contacts the TRM team to ensure that the correct leave entitlements are clarified

Pay during Maternity Leave

The Authority is committed to being a family friendly employer and has an enhanced maternity pay scheme over and above the statutory minimum.

Statutory Maternity Pay (SMP)

In order to qualify for SMP an employee should have:

- At least 26 weeks' continuous employment with the Authority extending into the 15th week before the EWC
- Average weekly earnings at or above the lower earnings limit for NI contributions that applies at the end of the qualifying week.

SMP is made up of: -

- 6 weeks at the higher rate (90% of salary), followed by
- 33 weeks SMP at the lower rate, followed by
- 13 weeks unpaid leave

The lower rate of SMP changes annually and is governed by DWP, details regarding the current lower earnings limit and current SMP rate can be obtained from Gov.uk.

Occupational Maternity Pay

In addition, employees with 1 year or more of continuous service with the Authority (at the beginning of the 11th week before the EWC) are entitled to half their pay from week 7 to week 39 of their maternity leave. This means that they receive:

- 6 weeks SMP at the higher rate (90% of earnings)
- 33 weeks SMP at the lower rate **PLUS** 50% of Salary
- 13 unpaid leave

Employees with less than 26 weeks service as at the 15th week prior to the Expected week of Childbirth:

Employees will not be entitled to Statutory Maternity Pay (SMP) or Occupational Maternity pay. However, they may apply directly for Maternity Allowance from the Benefits Agency.

Where the employee receives contractual maternity pay, it is on the understanding that they will return to employment for a period of at least three months (which may be varied by the Authority on good cause). In the event of her not doing so, the employee may be required to repay the monies paid above the level of SMP, however this remains at the discretion of the Fire Authority.

Contact with Employees whilst on Maternity Leave

The Authority may make contact with the woman employee from time to time during the maternity leave period (for example to discuss her return to work)

Prior to commencing maternity leave the employee will meet with the Pay and Pensions team for a pre-maternity meeting and will additionally be offered an opportunity to meet with the Occupation Health Nurse who will provide them with additional information relating to maternity, the birth and her health and wellbeing.

The services of the Occupational Health Nurse can be accessed by the employee when she is on maternity leave if support, advice and guidance are required, or if the employee wishes to discuss any health concerns they may have prior to resuming work. Where appropriate and with consent of the employee, the Occupational Health Dr may liaise with the employee's GP to ensure that there is a suitable support to assist the employee to return to her role.

Whilst employees are absent on maternity leave, the Pay and Pensions Team will send them copies of any relevant literature concerning job advertisements and information circulars etc. They will also be entitled to apply for promotion opportunities that may arise during this time.

Keeping In Touch Days

The Authority may make contact with the woman employee from time to time during the maternity leave period (for example to discuss her return to work).

An employee on maternity leave may carry out up to and including 10 days work for the Authority during her statutory maternity leave period without bringing the leave to an end and without any loss to maternity pay. This may be worked as single days or consecutive days at any time during maternity leave after the 2 weeks compulsory maternity leave, regardless of the length of maternity leave taken. Any days worked will not extend the total duration of the statutory maternity leave period.

There is no right or any requirement for the woman to work during her maternity leave. Any work undertaken will be agreed in advance between the woman and her line manager. "Work" may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Any work done on a KIT day counts as one KIT day. Therefore, if an employee comes in for a one-hour training session and does no other work that day, she will have used up one of her KIT days.

Payment is at the employee's normal daily rate of pay. Following completion of a KIT Day, a KIT Day Claim Form should be forwarded to the Pay and Pensions Team in order for the time worked to be included in her monthly pay.

Benefits during Maternity Leave

Annual Leave

Whilst absent on Ordinary Maternity and Additional Leave, expectant and new mothers will accrue leave. It is likely that during an employee's absence on maternity leave, one annual leave year will end and a new one will commence.

For employees whose leave is scheduled to be taken at fixed points during the year and where this leave is scheduled to take place when the employee is absent on maternity leave, it may be carried into the following leave year, where it must be taken upon their return to work. This will normally be taken as an extension to the employee's period of maternity/additional leave

For employees whose annual leave entitlement is not scheduled to be taken at fixed points, holiday may be carried over with agreement with TRM. The employee can also opt to take any annual leave for the new leave year immediately on their return to work. (Annual leave scheduled for later in that year can be brought forward for this purpose).

If the employee gives birth before the date she intended to begin her maternity leave, maternity leave will commence on the following day. Where this occurs any leave that was intended to be taken but was not, it will be carried forward and taken upon their return to work.

Where the employee has been absent from work due to illness during her pregnancy and missed periods of scheduled leave, the Authority may, with agreement, re-instate this leave. Each case will be treated on its merits. The Authority has a duty of care to ensure that all employees take meaningful leave each year and therefore all re-instated leave must be taken prior to the individual taking maternity leave where there is opportunity to do so.

Essential Car User Allowance or use of an Authority vehicle

Where an employee is entitled to Essential Car User Allowance, this will be paid for the period of the Maternity Leave.

Where an employee has use of an Authority vehicle as part of their everyday duties and some private use of the vehicle is accepted as part of the arrangement, the use of this vehicle may continue through the period of maternity leave. The Authority does have the right to provide an alternative vehicle should the particular vehicle be required for operational or other purposes or pay the employee essential user allowance for the period of ordinary maternity leave if a vehicle cannot be provided.

Any fuel used for non-business related purposes must be paid for by the employee.

Uniform/Corporate Wear for Pregnant Employees

Where the employee is provided with a uniform as part of her job, the Authority will ensure that maternity wear is available in line with corporate identity. Where appropriate the Authority will provide a maternity version of the uniform or corporate wear on request. Where this is not possible, the Authority may reimburse any costs (up to £200) incurred for the purchasing of suitable maternity wear which is subject to tax. Such claims should be forwarded, with the relevant receipts, to the Operational Equipment Manager for authorisation.

Returning from Maternity Leave

Unless the mother advises that she wishes to end her maternity leave early **and opt into Shared Parental leave;** the date on which an employee will return to work will normally be the first working day 52 weeks after her maternity leave began.

An employee exercising her right to return to work after absence because of pregnancy or childbirth will continue to be employed in the same role/grade as before.

The Authority recognises that circumstances change and is prepared to waive the legal requirement to alter a return date from an 8 week notification period. However employees wish to return to work before or after the originally agreed date **MUST** provide the Authority with at least **21** days' notice.

If an employee gives notice that she intends to return to work but:

- subsequently fails to do so, the Authority will be entitled to operate its normal procedures for unauthorised absence or sickness absence as appropriate, or
- Subsequently decides to resign, she will have no right to return to work with the only exception relating to still births. Please see that section for more details.

Employees who do not wish to return to work after maternity leave

Employees who do not wish to return to work after her maternity leave must give the Authority notice as required by her contract of employment. Please refer to the section regarding the repayment of contractual maternity pay if an employee does not return to work following maternity leave.

The current notice periods required are as follows:

Grey Book Employees

Operational Fire fighters and Control room employees 28 days

Green book Employees

Grade 1 to Grade 9 (Scale 1 to SO2) 1 month
Grade 10 to Grade 13 (PO1 to PO3) 2 months

Grade 13 and above (PO4 and above)

3 months

Red Book Employees

All employees working under the Red book their notice period that they are required to provide the Authority is 1 month

Risk Assessments

On return to work from maternity leave a woman must have a risk assessment carried out by the Health and Safety Department to ensure that all reasonable adjustments can be made to facilitate a timely return to work.

Medical Examination - Operational Employees

Before the date on which the employee is due to return to work, the Authority will make arrangements for an appointment with the Medical Officer, the employee can also request this appointment. If the employee is considered by the Authority's Medical Officer to be able return to work, but not to resume full operational duties, arrangements will be made for alternative work, commensurate with role etc. Where possible, this will involve returning to the work and location that the employee carried out prior to maternity leave.

Breast Feeding

If the mother advises that she is breastfeeding, the Authority will undertake an individual risk assessment. It may be necessary to restrict her from returning to full operational duties. The Authority will continue to liaise with the employee to ensure that she is able to continue breastfeeding. The Authority will ensure that suitable facilities are available for expressing and storing milk during working hours. Further information is available from the Diversity Team or representative bodies.

Fit to Ride

Once notified of the return to operational duties, the Station Manager with operational responsibility for the employee should, with the employee, consider any particular training needs arising. This may depend on the length of absence and be in line with Service procedures in place at the time.

Flexible Working

The Authority will consider flexible working requests in line with Service procedures and legislative requirements and will endeavour to facilitate these where it is practicable and meets the exigencies of the Authority. An employee may make a request to work flexibly prior to returning from Maternity Leave. Further information about requesting flexible working are set out in the Flexible Working Service Instruction [SI 0657 Flexible working](#).

Parental Leave

Parents of children under the age of 18 are entitled to 18 weeks unpaid Parental leave. Further information can be found in the Parental leave Service Instruction.

Additional information

IVF ICSE or IUI

The Authority wishes to be supportive of employees and partners going through the IVF or other fertility treatment and recognises that this can be a difficult and stressful time for those concerned. Each case will be treated individually and the Authority will seek to be flexible with regards to facilitating time off or

flexible working for employee and partners during this time if they confidentially inform their Manager or an HR Manager that they are going through this treatment.

Premature Births

Should a woman give birth prematurely and her child remains in hospital after she has been discharged, the Authority will consider extending the woman's maternity leave by a period of special leave which may be unpaid to allow her to care for her child when the baby is allowed home. Each case will be considered on its merits.

Death of a baby and stillbirth

In the unfortunate event that the baby dies or is still born after 24 weeks pregnancy, the employee, if eligible, will remain entitled to maternity pay and leave as outlined above and full support will be provided by the Authority.

If the employee has resigned and there is an unexpected change of circumstances, such as stillbirth, the Service will normally allow the employee to return to work by offering re-employment.

If a miscarriage occurs before 24 weeks, sympathetic consideration will be given to individual circumstances and where appropriate discretionary leave or sick leave will be granted after the needs of the employee and medical opinion have been considered.

Specific Risk Assessments.

The Health and Safety Department have produced separate risk assessments pertaining to individual groups of workers. The risk assessments are located in Public Folders>Risk Assessments and will be regularly reviewed to ensure that all relevant groups are covered by a specific assessment:

1. NO 0029 Operational Personnel – New and Expectant Mothers.
2. NO 0030 Office/Admin Personnel – New and Expectant Mothers.
3. NO 0031 Cleaning Staff – New and Expectant Mothers.
4. NO 0032 Kitchen Staff – New and Expectant Mothers.
5. NO 0033 Instructional Staff – New and Expectant Mothers.
6. NO 0034 Driver/Delivery Personnel – New and Expectant Mothers.
7. NO 0035 Advocate Personnel – New and Expectant Mothers.

Shared Parental Leave (SPL)

Shared parental leave is a way that parents can share statutory leave and pay on the birth of their child and replaces the current paternity processes for babies due on or after 5 April 2015. The mother can choose to end her maternity leave early, at any time after the compulsory two weeks leave period following the birth of the child has been taken. The parents can then choose how to split up the remaining weeks of leave between them. Shared parental leave can be taken by each parent separately or at the same time.

Eligibility criteria

If a woman decides not to take her full maternity leave entitlement, she and the father will be able to opt into shared parental leave. Both parents must meet a set of eligibility criteria, which are:

- They must have been continuously employed for at least 26 weeks by the end of the 15th week before the expected week of childbirth.

- Their partner must meet the “Work and Earnings” criteria- (their partner must have been in 26 weeks of employment/self-employment in the 66 weeks before the expected week of childbirth (EWC) and have earned an average weekly salary of £30 over 13 weeks in the 66 weeks before the EWC).
- They must remain continuously employed until the week before any period of shared parental leave starts.
- They already have or expect to have main responsibility for caring for the child.
- The mother is entitled to statutory maternity leave.
- The mother has reduced her entitlement to maternity leave or has returned to work “curtailing”.
- They have provided their employers with notice of entitlement and intention to take SPL (see below).

They should provide evidence requested by the Service within 14 days of the request. This may include,

- a copy of the birth certificate,
- or a declaration from the parents confirming the date and place of the child’s birth if the birth certificate is not yet available,
- the name and address of the other parent’s employer.

Amount of shared parental leave available

The maximum amount of leave that can be shared between the parents is 50 weeks. The leave can be taken during the 12 months following the birth of the child, but cannot begin earlier than two weeks following the child’s birth.

SPL only becomes available once the mother has given notice to curtail her entitlement to maternity leave, this is binding. Therefore, any period of maternity leave taken by the mother will be deducted from the period of 50 weeks’ SPL, with the balance available to be shared between the parents.

If both parents take SPL off together they need to be aware that they will use up the remaining leave time at twice the rate. For example, if one parent takes 1 week of SHL off this counts as one week, if both parents are off together they have used 2 weeks from their allowance.

The leave can be taken separately or at the same time, subject to the following requirements:

- the minimum period of leave must be one week,
- the leave must be taken in multiples of complete weeks, and

- The leave may be taken as one continuous period or discontinuous periods. However, where a temporary employee has been employed to back fill a maternity leave it might not be possible to grant discontinuous leave

Notice to end maternity leave

The mother must give the Service eight weeks' notice to end her entitlement to maternity leave early. This notice can be given before or after the birth. If it is given after the birth, the notice is binding. However, if notice is given before the birth, the mother is able to revoke the notice up to six weeks after the birth – this is in case an unplanned situation arises following the birth of the child.

Notice of entitlement and intention to take shared parental leave

If one or both parents wish to take SPL they must submit a written 'notice of entitlement' at least eight weeks before the start of the first period of shared parental leave. The notice should include the information,

- the mother's and father's names and national insurance numbers,
- the start and end date of any period of statutory maternity leave taken/to be taken by the mother, and therefore the total amount of shared parental leave available,
- the amount of any statutory maternity pay or maternity allowance received or to be received by the mother,
- the expected week of childbirth and/or actual date of birth of the child,
- confirmation that the mother/father is sharing child care responsibilities with their partner,
- a non-binding indication of how much shared parental leave both parties intend to take and the proposed start and end dates of such leave, and
- a declaration from each parent confirming that:
 - the mother satisfies the eligibility criteria,
 - the father satisfies the eligibility criteria,
 - that the information given is accurate, and
 - That if either parent ceases to meet the conditions of entitlement to shared parental leave then they will immediately notify the Service.

The parents may vary the amount of SPL they intend to take by giving written notice to their employers.

The Service will provide a checklist to assist the parents in providing all the information that is legally required from them.

Period of leave notice

Parents must also provide their employers with a written 'period of leave' notice by giving the requested start and end dates of the periods of leave. The period of leave notice triggers a discussion with the Service to agree the leave. It

- Must be given not less than eight weeks prior to the requested start date.
- Can be given at the same time as the notice of entitlement referred to above, or can be given later.
- The notice can request one or more periods of leave.
- If the notice has been given before the child is born then the start date may be expressed as a number of days from the date the child is born.

Only three period of leave notices in total can be given by each parent, including requests to vary a period of leave that has already been arranged.

Continuous periods of shared parental leave:

If an employee simply requests one period of continuous shared parental leave, they are entitled to take that period of leave.

Discontinuous periods of shared parental leave:

Agreement is necessary if an employee requests discontinuous periods of shared parental leave – meaning two or more periods of leave separated by periods at work. Within two weeks of the date of the period of leave notice the Service may:

- agree to the periods of leave requested,
- propose alternative dates, or
- refuse the leave without proposing alternative dates.

If the parties can agree the periods of leave within this two week period then the employee is entitled to take that leave on the agreed dates. If the parties cannot agree the periods of leave then the employee may either withdraw the request or take the total amount of leave requested as one continuous period of leave. The default position is that leave should be taken in a single block commencing on a date specified by the employee but with at least eight weeks' notice to the Service.

Where employees have been recruited as cover for maternity leave, the Service may not be able to grant discontinuous leave to the mother.

Entitlement to shared parental pay (ShPP)

A maximum of 37 weeks of shared parental pay will be available to be shared between the parents, depending on what entitlement the mother has left from her maternity pay.

Statutory shared parental pay is paid at the **lower** of the statutory prescribed rate (which is advised on Gov.uk) or 90 per cent of the relevant parent's normal weekly earnings (subject to the lower earnings limit as advised by Gov.uk).

The remaining 13 weeks of SPL are unpaid.

However, statutory shared parental pay is paid at the lower level throughout the leave period, even if the mother returns from maternity leave after only two weeks, during the period where the higher level of maternity pay would have been available to her. Employees should therefore considered whether it is financially sensible to forfeit enhanced maternity pay for Shared parental pay.

Pension Considerations

The parents should contact pay and pensions to discuss how SPL affects their pension contributions. For example, if a parent takes SPL during the 13 weeks unpaid window they will need to make up their contributions and those that the employer would normally make.

Shared Parental Leave in Touch Days (SPLIT)

An employee can agree to attend work or work related training for up to 20 days during their SPL without bringing their SPL to an end. Any work carried out on a day or part of a day constitutes a day's work for these purposes.

Returning to work after SPL

The employee will have agreed a return to work date with the Service. If they are unable to attend work due to an absence they are expected to comply with the Authority's Absence Management process. In any other case later return without prior permission will be treated as unauthorised absence.

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Service Instruction 0659 Paternity

“An Excellent Authority”

Document Control

Description and Purpose

This document is intended to give guidance to managers and parents regarding the benefits provided by the Authority in relation to paternity leave and pay.

Active date	Review date	Author	Editor	Publisher
Jan 2015		Amanda Cross	Nick Mernock	Sue Coker
Permanent	X	Temporary	If temporary, review date must be 3 months or less.	

Amendment History

Version	Date	Reasons for Change	Amended by
Old WLB booklet	unknown	Updated because of equality legislation	A cross
1.1	14.07.11	Updated in line with the APL	A Cross
1.2	09.05.14	Update to Govt website names and future developments	A Cross
1.3	Jan 2015	Updates to SHPL regulations	ACross

Equalities Impact Assessment

Initial	Full	Date	Reviewed by	Document location
	X	June 2010	DAG	E&D Portal/EIA 2014/POD

Related Documents

Doc. Type	Ref. No.	Title	Document location
Policy	PODPOL03	Work life balance	Portal
SI	SI 0658	maternity	Portal
SI	SI 0661	Parental	Portal
SI	SI 0654	Adoption	Portal

Contact

Department	Email	Telephone ext.
POD	amandacross@merseyfire.gov.uk	4358

Target audience

All MFS	Ops Crews	Fire safety	Community FS
X			
Principal officers	Senior officers	Non uniformed	

Relevant legislation (if any)

Equality Act 2010, Children and Families Act, Shared Parental Leave Regulations 2014, Maternity and d adoption Leave(Curtailment of Statutory Rights to Leave) Regulations 2014 The Shared Parental Pay (General) Regulation's 2014

Paternity Leave

Introduction

There are 2 types of paternity leave: ordinary and shared parental leave (SHPL).

Ordinary Paternity Leave is a period of one week's leave or two weeks taken together for fathers or partners (including same sex partners) to take following the birth or adoption of a child. It may also be granted to the partner or nominated carer of an expectant mother at or around the time of birth or adoption.

Shared Parental Leave allows parents to have flexibility in when to take time off to care for the new baby or child, if placed via adoption. Shared parental leave replaces the current paternity processes for babies due on or after 5 April 2015 or children placed with adopters after this date. The mother can choose to end her maternity or adoption leave early, at any time after the compulsory two weeks leave period following the birth of the child, the time the child has been placed has been taken. The parents can then choose how to split up the remaining weeks of leave between them. Shared parental leave can be taken by each parent separately or at the same time.

For the ease of reading : "mother" is used to denote the birth mother or primary adopter regardless of the sex of this partner, "father" is used to denote the biological father, or other parent regardless of the sex of this partner.

Eligibility

Births

An employee will qualify for Paternity Leave on the birth of a baby, regardless of length of service, if they:

- Have or expect to have responsibility for the baby's upbringing.
- Are the biological father of the baby and/or the mother's husband/ partner (including same-sex partner or civil partner). A partner is someone who lives with the mother of the baby in a family relationship but is not an immediate relative.
- Have notified the Service of their intention to take Paternity Leave – please see section below

Adoptions

All employees will qualify for **two weeks** Paternity Leave when adopting a child, regardless of length of service, if they:

- Are either one of two parents jointly adopting a child or the partner of someone adopting a child individually.
- Have or expect to have responsibility for the child's upbringing with the other joint adoptive parent or the individual adopter
- **Are Surrogate parents who have been granted a "parental order"**
- Continue to work for the Authority up to the date of the child's placement or entry to the UK
- Have given the correct notification as detailed below.

Exigencies of the Service may mean that there may be practical difficulties for operational employees to take this leave at particular times. Each case will be viewed on its particular circumstances and discussed with the individual along with their trade union representative if they so wish.

Notification and Applying for Paternity Leave

An application form is available on the portal. Employees should send their complete form via e-mail to the "Attendance Management" email address.

Births

An employee must apply as above no later than the end of the 15th week before the expected week of childbirth (EWC), or inform the Service as soon as is reasonably practicable of:

- The expected date of the baby's birth
- Whether they wish to take one or two weeks' leave
- When they intend to take their leave.

Applications should be accompanied by a certificate from a registered medical practitioner or a certified midwife stating the EWC. This is known as a Mat B1 form. If only 1 copy is issued, a second copy can be requested from the midwife.

Adoptions

- **UK Adoptions**

An employee must apply, as above, no more than 7 days after the adopter is notified they have been matched with a child by an adoption agency giving details of:

- their intention to take Paternity Leave
- Whether they wish to take one or two weeks
- When they want their leave to start
- The date the adopter was notified they had been matched with the child
- The date, from the matching certificate, that the child is expected to be placed for adoption

- **Overseas Adoptions**

Employees adopting from overseas must give the Authority notice in writing three stages

- From the date the child enters the UK
- From a fixed date which is later than the date the child enters the UK
- Leave must be taken within 56 days of the date the child enters the UK.

Surrogate Parents

The intended parents should supply a copy of the parental order in line with the MatB1 timescales above.

Nominated Carers

Employees who are applying for Paternity Leave as a nominated carer will be required to follow the procedure to apply for leave following the same process for Births.

NB For further advice and guidance please see Service Instruction 0654 Adoption.

How much Paternity Leave am I entitled to?

All eligible employees are entitled to two weeks Ordinary Paternity Leave and can choose to take a single block of either one or two weeks leave. It cannot be taken as odd days or as two separate weeks

When can an employee start their leave?

- **Births**

An employee cannot start their leave until the birth of the baby. Otherwise, an employee can choose to start their leave:

- On the actual date of the baby's birth
- On a date – as the employee has notified– falling a specified number of days after the actual birth date
- On a date – as the employee has notified– falling after the first day of the EWC. If the baby is born later than this date, they must delay their leave until the date of the actual birth.

Leave must be taken within 56 days of the actual birth date

- **Adoptions**

- **UK Adoptions**

An employee who has adopted a child from the UK can choose to start their leave on one of the following:

- The date on which the child is placed with the adopter, even if this is earlier or later than the expected date of placement
- A predetermined date after the expected date of placement.
- A date falling a specified number of days after the expected date of placement.
- Leave must be taken within 56 days of the date that the child is placed with the parent.

- **Overseas Adoptions**

An employee who has adopted a child from overseas can choose to start their leave on one of the following:

- From the date the child enters the UK
- From a fixed date which is later than the date the child enters the UK
- Leave must be taken within 56 days of the date the child enters the UK.

Changing the Start Date for leave

A baby may arrive prematurely or late. If an employee wishes to change the start date for leave to commence, they must give the Authority as much notice as practicably possible.

Definition of a weeks leave for Paternity

For Uniformed operational employees on the Wholetime duty system, one week will be classed as four consecutive duty shifts or equivalent for employees working an agreed flexible duty system.

For uniformed operational employee's working self rostering duty systems one week will equate to 48 hours or 4 duty shifts of work.

For uniformed day staff one week will be 5 consecutive days.

For Non Uniformed employees, one week will be one contracted week of your employment pattern. For part time employees one week will be for the number of contracted days.

Paternity Pay

Paternity Leave will be paid as follows:

Week One

All employees are entitled to the first week of leave on full pay.

Week Two

The second week of Ordinary Paternity Leave will be paid at rate of Statutory Paternity Pay (SPP) rate which **is revised by the Government each year.**

The second week of Paternity Leave must be taken immediately following the first week of Paternity Leave. For shift-based employees this will be the next tour of duty. **Paternity leave must be taken before the parents can utilise Shared Parental Leave.**

Benefits during Paternity Leave

An employee's contract of employment continues throughout the leave period.

During leave, an employee has a statutory right to continue to benefit from all the terms and conditions of employment which would have applied to them had they been at work – except for the terms relating to wages or salary during the second week.

Other Information

Multiple births

Paternity Leave is two weeks regardless of the number of children resulting from a single pregnancy.

Death of a baby and stillbirth.

In the unfortunate event that the baby dies or is still born after 24 weeks pregnancy, the scheme will apply and the Authority will offer appropriate additional support. If a miscarriage occurs before 24 weeks, sympathetic consideration will be given to individual circumstances and where necessary, discretionary leave or sick leave will be granted in respect of the individual needs of the employee and medical opinion have been considered.

Shared Parental Leave (SPL)

If a mother decides not to take her full maternity/adoption leave entitlement, she and the father will be able to opt into shared parental leave.

Eligibility criteria

The Service is required to ask employees who wish to take shared paternity leave to provide evidence that both parents meet the eligibility criteria.

- They must have been continuously employed for at least 26 weeks by the end of the 15th week before the expected week of childbirth.
- Their partner must meet the “Work and Earnings” criteria- (their partner must have been in 26 weeks of employment/self-employment in the 66 weeks before the expected week of childbirth (EWC) and have earned an average weekly salary of £30 over 13 weeks in the 66 weeks before the EWC).
- They must remain continuously employed until the week before any period of shared parental leave starts.
- They already have or expect to have main responsibility for caring for the child.
- The mother is entitled to statutory maternity leave.
- The mother has reduced her entitlement to maternity leave or has returned to work “curtailing”.
- They have provided their respective employers with notice of entitlement and intention to take SPL (see below).

The employee should provide any evidence requested by their respective employer within 14 days of the request. Depending on the reason for paternity leave this may include:

- a copy of the birth certificate,
- or a declaration from the parents confirming the date and place of the child’s birth if the birth certificate is not yet available,
- a matching certificate or the parental order
- the name and address of the other parent’s employer.

SPL will also be available to a father where the mother works, but does not qualify for statutory maternity leave, such as where she is self-employed. Where the mother has received statutory maternity pay or maternity allowance during a period of not working, the father can still qualify for shared parental leave if this maternity pay period is ended early.

Amount of shared parental leave available

The maximum amount of leave that can be shared between the parents is 50 weeks. The leave can be taken during the 12 months following the birth of the child, but cannot begin earlier than two weeks following the child’s birth.

SPL only becomes available once the mother has given notice to end “curtail” her entitlement to maternity leave, this is binding. As a result, any period of maternity leave taken by the mother will be deducted from the period of 50 weeks’ SPL, with the balance available to be shared between the parents.

The leave can be taken by the parents separately or at the same time, subject to the following requirements:

- the minimum period of leave must be one week,
- the leave must be taken in multiples of complete weeks, and
- The leave may be taken as one continuous period or discontinuous periods. However, where a temporary employee has been employed to back fill a maternity leave it might not be possible to grant discontinuous leave.

If both parents take SPL off together they need to be aware that they will use up the remaining leave time at twice the rate. For example, if one parent takes 1 week of SHL off this counts as one week, if both parents are off together they have used 2 weeks from their allowance.

Notice to end maternity leave

The mother must give the Service (or her employer) eight weeks' notice to curtail her entitlement to maternity leave early. This notice can be given before or after the birth. If it is given after the birth, the notice is binding.

However, if notice is given before the birth, the mother is able to revoke the notice up to six weeks after the birth – this is in case an unplanned situation arises following the birth of the child.

Notice of entitlement and intention to take shared parental leave

If one or both parents wish to take SPL they must submit a written 'notice of entitlement' at least eight weeks before the start of the first period of shared parental leave. This forms part of the audit trail and may be shared with the other employer for accuracy.

The notice should include the following information, including:

- the mother's and father's names and national insurance numbers,
- the start and end date of any period of statutory maternity leave taken/to be taken by the mother to calculate the remaining leave allowance and therefore the total amount of shared parental leave available,
- the amount of any statutory maternity pay or maternity allowance received or to be received by the mother .
- the expected week of childbirth and/or actual date of birth of the child,
- confirmation that the mother/father is sharing child care responsibilities with their partner,

- a non-binding indication of how much shared parental leave both parties intend to take with the proposed start and end dates of such leave, and
- a signed declaration from each parent confirming that:
 - the mother satisfies the eligibility criteria,
 - the father satisfies the eligibility criteria,
 - that the information given is accurate, and
 - That if either parent ceases to meet the conditions of entitlement to shared parental leave then they will immediately notify the Service.

Due to the complexity of information required the Service will provide a checklist for the parents to complete and sign to ensure all the criteria are provided.

The parents may vary the amount of SPL they intend to take by giving written notice to their employers.

Period of leave notice

Parents must also provide their employers with a written 'period of leave' notice by giving the requested start and end dates of the periods of leave. This notice triggers a discussion with the Service to agree the leave. It,

- Must be given not less than eight weeks prior to the requested start date.
- can be for one or more periods of leave.
- If the notice has been given before the child is born then the start date may be expressed as a number of days from the date the child is born.

Only three period of leave notices in total can be given by each parent, including requests to vary a period of leave that has already been arranged.

Continuous periods of shared parental leave:

If an employee simply requests one period of continuous shared parental leave, they are entitled to take that period of leave.

Discontinuous periods of shared parental leave:

Agreement is necessary if an employee requests discontinuous periods of shared parental leave – meaning two or more periods of leave separated by periods at work. Within two weeks of the date of the period of leave notice the Service may:

- agree to the periods of leave requested,
- propose alternative dates, or

- Refuse the leave without proposing alternative dates.

If the parties can agree the periods of leave within this two week period then the employee is entitled to take that leave on the agreed dates.

If the parties cannot agree the periods of leave then the employee may either withdraw the request or take the total amount of leave requested as one continuous period of leave.

The default position is that leave should be taken in a single block commencing on a date specified by the employee but with at least eight weeks' notice to the Service.

Where employees have been recruited as cover for maternity leave, the Service may not be able to grant discontinuous leave to the mother.

Entitlement to shared parental pay (ShPP)

A maximum of 37 weeks of shared parental pay will be available to be shared between the parents, depending on what entitlement the mother has left from her maternity pay.

Statutory shared parental pay is paid at the **lower** of the statutory prescribed rate (which is advised on Gov.uk) or 90 per cent of the relevant parent's normal weekly earnings (subject to the lower earnings limit as advised by Gov.uk).

The remaining 13 weeks of SPL are unpaid.

Statutory shared parental pay is paid at the lower level throughout the leave period, even if the mother returns from maternity leave after only two weeks, during the period she could have received the higher level of maternity pay. Employees should therefore consider whether it is financially prudent to forfeit enhanced maternity pay for Shared parental pay.

The Service reserves the right to contact the other parent's employers to ensure that the correct amount of pay and leave is being administered.

Pension Considerations

The parents should contact pay and pensions to discuss how SPL affects their pension contributions. For example, if a parent takes SPL during the 13 weeks unpaid window they will need to make up their contributions and those that the employer would normally make.

Shared Parental Leave in Touch Days (SPLIT)

An employee can agree to attend work or work related training for up to 20 days during their SPL without bringing their SPL to an end. Any work carried out on a day or part of a day constitutes a day's work for these purposes.

Returning to work after SPL

The employee will have agreed a return to work date with the Service. If they are unable to attend work due to an absence they are expected to comply with the Authority's Absence Management process. In any other case later return without prior permission will be treated as unauthorised absence.



Service Instruction 0654 Adoption

Document Control

Description and Purpose

This document is intended to give guidance to managers and adopters regarding the benefits provided by the Authority

Active date	Review date	Author	Editor	Publisher
April 2015		Amanda Cross	Nick Mernock	Sue Coker
Permanent	<input checked="" type="checkbox"/>	Temporary	If temporary, review date must be 3 months or less.	

Amendment History

Version	Date	Reasons for Change	Amended by
Old WLB booklet	unknown	Updated in line with Equality legislation	Amanda Cross
1.1	03.05.13	Update of Review date	Amanda Cross
1.2	Jan2015	Addition of new rights and amendments to SAP	Amanda Cross

Equalities Impact Assessment

Initial	Full	Date	Reviewed by	Document location
	<input checked="" type="checkbox"/>	June 10	DAG	Strategic Planning/E&D/Approved EIA forms/POD

Civil Contingencies Impact Assessment (if applicable)

Date	Assessed by	Document location

Related Documents

Doc. Type	Ref. No.	Title	Document location
Policy	PODPOL03	Work Life Balance	Portal/POD/Policies
SI	SI 0658	Maternity	Portal/Service Instructions
SI	SI 0659	Paternity	Portal/Service Instructions
SI	SI 0661	Parental Leave	Portal/Service Instructions

Contact

Department	Email	Telephone ext.
POD	amandacross@merseyfire.gov.uk	0151 296 4358

Target audience

All MFS	<input checked="" type="checkbox"/>	Ops Crews	<input type="checkbox"/>	Fire safety	<input type="checkbox"/>	Community FS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Principal officers	<input type="checkbox"/>	Senior officers	<input type="checkbox"/>	Non uniformed	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Relevant legislation (if any)

Equality Act 2010, Children and Families Act 2014, Paternity and Adoption Leave (Amendment) Regulations 2014

ADOPTION

Introduction

Merseyside Fire and Rescue Authority offer comprehensive benefits for employees going through the adoption process. This Service instruction sets out the entitlements for the adopting employee in terms of adoption leave, pay and other conditions. It also provides guidance on the options for returning to work.

An adopter means a person who has been considered by an adoption agency to be a suitable parent for a child for adoption or, in a case where two people have been matched jointly, whichever of them has elected to be the child's adopter for the purpose of leave and pay. **The SI is now extended to surrogate parents who are designated as the parents of a child under a parental order.**

Adoption leave and pay is not available when a child is not newly matched for adoption (for example when a stepparent adopts a partner's child), **when there is a private adoption arranged, or if the adults take the role of a special guardian.** In the case of foster parents who go onto adopt their foster child; the policy only applies where the individuals have been matched with the child for adoption by a UK adoption agency.

Notification

The Authority would prefer to have as much notice as possible of an adoption however the employee shall notify the Fire and Rescue Authority of his or her intention to take adoption leave within seven days of being notified by the adoption agency that he or she has been matched with a child for adoption, unless that is not reasonably practicable. The notification must state when the child is expected to be placed with the employee and when the employee wants the adoption leave to start.

There are different notification time scales dependent on whether the child is being adopted from within the UK or overseas.

Adoption Leave

Adoptive parents and surrogate parents (who have been granted a parental order) can nominate a parent to act as the main parent for the purpose of leave, or they can share the adoption leave between leave in line with Shared Parental leave. This is detailed in a separate section below.

UK Adoptions

An employee who has adopted a child from the UK can choose to start their Statutory Adoption Leave on one of the following: -

- The date on which the child is placed with the adopter, even if this is earlier or later than the expected date of placement
- A predetermined date after the expected date of placement.
- A date falling a specified number of days after the expected date of placement.
- Leave must be taken within 56 days of the date that the child is placed with the parent.
- up to 14 days before the date you expect the child to start living with you.

Overseas Adoptions

An employee who has adopted a child from overseas can choose to start their leave on one of the following: -

- From the date the child enters the UK
- From a fixed date which is no later than 28 days of receiving the notification of the date the child enters the UK
- Leave must be taken within 56 days of the date the child enters the UK.

This information will be supplied by the Adoption agency to the employee on a Matching Certificate, or for surrogate parents the "parental order" a copy of which should be provided to the Authority. An employee may change the start date of their leave, please see the section below on changing the adoption leave date.

The Authority will write to the employee within 28 days confirming the employees date for commencement of adoption leave.

SAL can start on any day of the week. Only one period of leave will be available if more than one child is placed for adoption at the same time.

The other partner may be entitled to **two weeks** statutory paternity leave regardless of gender. This must be taken within 56 days, beginning on the date in which the child is placed with the adopter, or at a later date if agreed, as long as it is taken within 56 days of the placement date. Further information regarding paternity leave is included in Service Instruction 0659.

Changing the start date for Adoption leave

The employee can change their intended start date if they notify the Authority of the new start date. They must do this in writing and it must be done by whichever is the earlier of the following: -

- 28 days before their adoption start date
- 28 days before their new adoption start date

There may be situations where this is not always possible and the Authority requests that as much notification is provided as the employee is able to provide.

Time off for matching sessions

Adopters are entitled to time off to meet the child they are set to adopt before the adoption placement begins. The purpose of the right is to ensure the child's transition to the new family is as smooth as possible. Paid leave for up to 5 appointments is given and the adopter's partner is eligible to take unpaid leave for 2 such appointments. All leave is subject to exigencies of the Authority.

Annual and PH Leave prior to going on Statutory Adoption Leave

Where possible the Authority encourages adopters to plan to use their leave time prior to commencing adoption leave. It is advisable that the employee contacts the T&RM team to ensure that the correct leave entitlements are clarified.

Adoption Pay

The Authority is committed to being a family friendly employer and has an enhanced maternity pay scheme over and above the statutory minimum.

Statutory Adoption Pay (SAP)

In order to qualify for SAP an employee should have:

- At least 26 weeks' continuous employment with the Authority
- Average weekly earnings at or above the lower earnings limit for NI contributions that applies at the end of the qualifying week.

SAP is made up of

- During the first week of ordinary adoption leave the employee will be entitled to full pay, offset by Statutory Adoption Pay (SAP). For the remainder of the ordinary adoption leave period the employee will be entitled to SAP if eligible. Additional adoption leave will be unpaid.
- Statutory Adoption Pay will be paid for up to 39 weeks which breaks down to: -
 - 6 weeks at the higher rate (90% of salary), followed by
 - 33 weeks SAP at the lower rate, followed by
 - 13 weeks unpaid leave

The lower rate of SAP changes annually and is governed by DWP, Details regarding the current lower earnings limit and current SAP rate can be obtained from Pay and Pensions Team.

Occupational Adoption Pay

In addition, employees with 1 year or more of continuous service with the Authority are entitled to half their pay from week 7 to week 39 of their adoption leave. This means that they receive:

- 6 weeks SAP at the higher rate (90% of earnings)
- 33 weeks SAP at the lower rate **PLUS** 50% of Salary
- 13 unpaid leave

Contact with employees on Adoption leave

The Authority may make contact with the employee from time to time during the adoption leave period (for example to discuss their return to work)

Whilst employees are absent on adoption leave, the Authority will send them copies of any relevant literature concerning job advertisements and information circulars etc. They will also be entitled to apply for promotion opportunities that may arise during this time

Keep In Touch Days

An employee on adoption leave may carry out up to and including 10 days work for the Authority during their statutory adoption leave period without bringing the leave to an end and without any loss to adoption pay. This may be worked as single days or consecutive days at any time during adoption leave, regardless of the length of adoption leave taken. Any days worked will not extend the total duration of the statutory adoption leave period.

There is no right or any requirement for the employee to work during their adoption leave. Any work undertaken will be agreed in advance between the employee and their line manager. "Work" may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Any work done on a KIT day counts as one KIT day. Therefore, if an employee comes in for a one-hour training session and does no other work that day, he/she will have used up one of their KIT days.

Payment is at the employee's normal daily rate of pay. Following completion of a KIT Day, a KIT Day Claim Form should be forwarded to the Pay and Pensions Team in order for the day's work to be included in the monthly pay.

Benefits during Adoption Leave

Annual Leave

Whilst absent on Adoption Leave, adopters will accrue annual leave. It is likely that during an employee's absence on adoption leave, one annual leave year will end and a new one will commence.

For employees whose leave is scheduled to be taken at fixed points during the year and where this leave is scheduled to take place when the employee is absent on adoption leave, it may be carried into the following leave year, where it must be taken upon their return to work. This will normally be taken as an extension to the employee's period of adoption/additional leave

For employees whose annual leave entitlement is not scheduled to be taken at fixed points, normal carry over rules will apply. The employee can also opt to take any annual leave accrued for the new leave year immediately on their return to work. (Annual leave scheduled for later in that year can be brought forward for this purpose).

Returning from Adoption Leave

Unless previously notified by the employee, the date on which an employee will return to work will normally be the first working day 52 weeks after the adoption leave began.

The Authority recognises that circumstances change and is prepared to waive the legal requirement to alter a return date from an 8 week notification period. However employees wish to return to work before or after the originally agreed date **MUST** provide the Authority with at least **21** days notice.

If an employee gives notice that they intends to return to work but: -

- Subsequently fails to do so, the Authority will be entitled to operate its normal procedures for unauthorised absence or sickness absence as appropriate, or
- Subsequently decides to resign, they will have no right to return to work.

Employees who do not wish to return to work after adoption leave must give the Authority notice as required by their contract of employment.

What if the placement ends?

Unfortunately there may be situation where an employee commences adoption leave but there is a change in circumstances, this may include: -

- The adoption agency informing the employee that the placement will not be made after they have commenced their leave

- during the adoption leave the child unfortunately dies
- The child is returned to the adoption agency

Please speak to a member of the People and Organisational Development department as soon as possible if this situation arises as employees may remain on adoption leave for up to eight weeks after the week the change in circumstances took place.

Fit to Ride

Once notified of the return to operational duties, the Station Manager with operational responsibility for the employee should, with the employee, consider any particular training needs arising. This may depend on the length of absence.

Flexible Working

The Authority will consider flexible working requests and will endeavour to facilitate these where it is practicable and meets the exigencies of the Authority. An employee may make a request to work flexibly prior to returning from Adoption Leave. Further information about requesting flexible working are set out in the Flexible Working Service Instruction 0657.

Parental Leave

Parents of children under the age of 18 are entitled to 18 weeks unpaid Parental leave. Please see the relevant [Service Instruction 0661](#) for additional information.

Shared Parental Leave (SPL)

If the primary adopter decides not to take the full adoption leave entitlement, both adoptive parents will be able to opt into shared parental leave.

Eligibility criteria

The Service will ask employees who wish to take shared parental leave to provide evidence that both parents meet the eligibility criteria.

- He/she must have been continuously employed for at least 26 weeks in the week in which the adopter is notified of having been matched with a child for adoption and is still employed in the week before any shared parental leave is due to start. For a parental order parent in a surrogacy arrangement, the employee must have a continuous 26 weeks service up to and including the 15th week in which the baby is born
- Their partner meets the "Work and Earnings" criteria- their partner must have been in 26 weeks of employment/self-employment in the 66 weeks before the expected week of childbirth (EWC) and have earned an average weekly salary of £30 over 13 weeks in the 66 weeks before the EWC.
- They already have or expect to have main responsibility for caring for the child.
- The primary adopter is entitled to statutory adoption leave.
- The primary adopter has reduced his/her entitlement to adoption leave or has returned to work.

- They have provided their respective employers with notice of entitlement and intention to take SPL (see below).
- They have provided evidence from the adoption agency to the Service within 14 days of the request. This may include a matching certificate or the parental order, and the name and address of the other adopter/parent's employer.
- They have given the Service a period of leave notice (see below).

Amount of shared parental leave available

The maximum amount of leave that can be shared between the parents is 50 weeks. The leave must be taken before the first anniversary of the date that the child was placed with the adopter, but the primary adopter must take two weeks adoption leave before the leave can be curtailed.

Where a partner is taking statutory paternity leave, they must take this two weeks before exercising the right to shared paternity leave.

SPL only becomes available once the primary adopter has given notice to end his/her entitlement to adoption leave, this is binding. Therefore, any period of adoption leave taken by the primary adopter will be deducted from the period of 50 weeks' SPL, with the balance available to be shared between the parents.

The leave can be taken by the parents separately or at the same time, subject to the following requirements:

- the minimum period of leave must be one week,
- the leave must be taken in multiples of complete weeks, and
- The leave may be taken as one continuous period or discontinuous periods. However, where a temporary employee has been employed to back fill a post it might not be possible to grant discontinuous leave.

If both parents take SPL off together they need to be aware that they will use up the remaining leave time at twice the rate. For example if one parent takes 1 week of SHL off this counts as one week, if both parents are off together they have used 2 weeks from their allowance.

Notice to end adoption leave

The primary adopter must give the Service eight weeks' notice to end her entitlement to adoption leave early. This notice can be given before or after the child is placed with the family .If it is given after the child is placed with the family, the notice is binding.

However, if notice is given before the placement, the primary adopter is able to revoke the notice up to six weeks after the expected placement date – this is in case an unplanned situation arises.

Notice of entitlement and intention to take shared parental leave

If one or both adopters/ parents wish to take SPL they must submit a written 'notice of entitlement' at least eight weeks before the start of the first period of shared parental leave. This will form part of our audit trail and may be shared with the other employer for accuracy.

The notice should include certain information, including:

- Both adopters' names and national insurance numbers,
- the start and end date of any period of statutory adoption leave taken/to be taken by the adopter to calculate the remaining leave allowance.
- the amount of any statutory adoption pay received or to be received by the primary adopter .
- the date s/he was notified by the adoption agency of matching with a child
- the expected date/ the child will be placed with the parents,
- confirmation that the primary adopter is sharing child care responsibilities with their partner,
- a non-binding indication of how much shared parental leave both parties intend to take and the proposed start and end dates of such leave, and
- a declaration from each parent to confirm that:
 - the primary adopter satisfies the eligibility criteria as detailed above,
 - the second adopter satisfies the eligibility criteria,
 - that the information given is accurate, and
 - That if either parent ceases to meet the conditions of entitlement to shared parental leave then they will immediately notify the Service.

The parents may vary the amount of SPL they intend to take by giving written notice to their employers.

Period of leave notice

Adoptive parents must also provide their employers with a written 'period of leave' notice by giving the start and end dates of the periods of leave requested. The period of leave notice triggers a discussion with the Service to agree the leave.

- The notice must be given not less than eight weeks prior to the requested start date.
- The notice can be for one or more periods of leave.
- If the notice has been given before the child is placed then the start date may be expressed as a number of days from the date the child is placed.

Only three period of leave notices in total can be given by the adoptive parent, including requests to vary a period of leave that has already been arranged.

The Service will provide a checklist to the adoptive parents to assist them in supplying all the relevant information.

Continuous periods of shared parental leave:

If an employee simply requests one period of continuous shared parental leave, they are entitled to take that period of leave.

Discontinuous periods of shared parental leave:

Agreement is necessary if an employee requests discontinuous periods of shared parental leave – meaning two or more periods of leave separated by periods at work. Within two weeks of the date of the period of leave notice the Service may:

- agree to the periods of leave requested,
- propose alternative dates, or
- Refuse the leave without proposing alternative dates.

If the parties can agree the periods of leave within this two week period then the employee is entitled to take that leave on the agreed dates.

If the parties cannot agree the periods of leave then the employee may either withdraw the request or take the total amount of leave requested as one continuous period of leave.

The default position is that leave should be taken in a single block commencing on a date specified by the employee but with at least eight weeks' notice to the Service.

Where employees have been recruited as cover for adoption leave, the Service may not be able to grant discontinuous leave to the primary adopter.

Entitlement to shared parental pay (ShPP)

Up to a maximum of 37 weeks of shared parental pay will be available to be shared between the parents, depending on what entitlement the primary adopter has left from his/ her adoption pay period.

However, statutory shared parental pay is paid at the lower level throughout the leave period, even if the primary adopter returns from adoption leave after only two weeks, during the period he/she could have received the higher level of adoption pay. Employees should therefore considered whether it is financially sensible to forfeit enhanced adoption pay for Shared parental pay.

The remaining 13 weeks of SPL are unpaid.

The Service reserves the right to contact the other parent's employers to ensure that the correct amount of pay and leave is being administered.

Pension Considerations

The parents should contact pay and pensions to discuss how SPL affects their pension contributions. For example, if a parent takes SPL during the 13 weeks unpaid window they will need to make up their contributions and those that the employer would normally make.

Shared Parental Leave in Touch Days (SPLIT)

An employee can agree to attend work or work related training for up to 20 days during their SPL without bringing their SPL to an end. Any work carried out on a day or part of a day constitutes a day's work for these purposes.

Returning to work after SPL

The employee will have agreed a return to work date with the Service. If they are unable to attend work due to an absence they are expected to comply with the Authority's Absence Management process. In any other case later return without prior permission will be treated as unauthorised absence.



Service Instruction 0661 Parental Leave

Document Control

Description and Purpose

This document is intended to give guidance to parents who need to make arrangements for the welfare of their child

Active date	Review date	Author	Editor	Publisher
April 2015		Amanda Cross	Nick Mernock	Sue Coker
Permanent	X	Temporary	If temporary, review date must be 3 months or less.	

Amendment History

Version	Date	Reasons for Change	Amended by
Old booklet	unknown	To reflect changes in Employment and case law	Amanda Cross
1.1	03.05.13	Update of Review date/ref to form FS38G	Amanda Cross
1.2	Dec 13	Reflect changes in statutory time off	Amanda Cross
1.3	May 14	Refresh of language , recognition of independent payments	Amanda Cross
1.4	Jan 15	Changes to the Children and Families Act	Amanda Cross

Equalities Impact Assessment

Initial	Full	Date	Reviewed by	Document location
	X	24.03.14	Wendy Kenyon	E&D Portal / EIA forms 2014 / POD

Civil Contingencies Impact Assessment (if applicable)

Date	Assessed by	Document location

Related Documents

Doc. Type	Ref. No.	Title	Document location
Policy	PODPOL3	Work life balance	Portal/POD/Policies
SI	SI 0659	Paternity	Operational Information System
SI	SI 0658	Maternity	Operational Information System
SI	SI 0661	Adoption	Operational Information System

Contact

Department	Email	Telephone ext.
POD	Amandacross@merseyfire.gov.uk	0151 296 4358

Target audience

All MFS	X	Ops Crews	Fire safety	Community FS
Principal officers		Senior officers	Non uniformed	

Relevant legislation (if any)

Equalities Act 2010
Parental Leave Directive (2010/181/EC) **Children and Families Act 2014**

PARENTAL LEAVE

Introduction

This section sets out the Authority's guidance relating to Parental Leave. Parental Leave is unpaid leave to assist parents to care for their child or to make arrangements for the welfare of a child.

Eligibility

Employees are entitled to 18 weeks' unpaid parental leave up to the child's 18th birthday regardless of length of service if:

- Have a child who was adopted within the past 5 years and is under the age of 18.
- Have a child under the age of five.
- Have a child who is disabled and under the age of 18.
- Have a child who was adopted within the past five years and is under the age of 18.
- Any other nominated carer where the fire and rescue authority is satisfied that that person is taking parental responsibility.

This policy includes:

- a parent named on the child's birth certificate or
- named on the child's adoption certificate or
- have legal parental responsibility for a child
- if you are separated and you do not live with the children, you have the right to parental leave if you keep formal parental responsibility for the children.

Foster parents do not have a right to parental leave.

An employee who is the parent or adoptive parent of a disabled child who is in receipt of Disability Living Allowance or **personal independent payment** is entitled up to 18 weeks' unpaid parental leave, which can be taken up to the child's 18th birthday.

Parental Leave

Employees can take a maximum of 4 weeks' leave in any year in respect of any individual child. Periods of leave must be taken in blocks of 1 week – unless the child is disabled, in which case it may be taken as individual days.

The right applies to a single child, therefore if an employee has twins they are entitled to 36 weeks parental leave.

The parent does not have to be living with the child to qualify and both parents are entitled to the leave; however leave cannot be transferred between parents.

An employee can take a period of Parental Leave immediately following the end of maternity, paternity or adoption leave.

The entitlement applies to an individual child not to individual employment. Therefore, for example, if an employee has taken 8 weeks Parental Leave with their previous employer, they are only entitled to take their remaining 18 weeks while working for the Authority. They must have also met the qualifying period detailed above to be eligible.

Records will be kept on the individual's personal file on the amount of leave they have taken for each child.

The Authority should request evidence that the employee has parental responsibility (a birth certificate or confirmation of adoption etc). In the case of a disabled child a record of disability living allowance or personal independence payments could be submitted. It will not be necessary for the employee to provide this evidence for subsequent applications for that child.

Definition of a week's leave

1 weeks leave will be the length of time an employee is contracted to work in 1 week, however the Authority will consider shorter lengths of time without the employee losing entitlement to the remainder of the week on a case by case basis.

For Uniformed operational employees on the Wholetime duty system, 1 week will be classed as 4 consecutive duty shifts. For Non Uniformed employees, 1 week will be as determined by your contract of employment.

For uniformed operational employee's working self rostering duty systems 1 week will equate to 48 hours or 4 duty shifts of work.

For uniformed day staff 1 week will be 5 consecutive days free from duty.

For Operational/Control room staff one full tour of duty equates to 1 week of their 18 week parental leave entitlement.

Unless their child is disabled, an employee can choose to take less than 1 week of parental leave, but this will account as 1 full week of their 18 week entitlement. Parents of a disabled child can take their leave in days. For example if an employee chose to take 2 days off this would be one week of their entitlement. However, for pay purposes the employee would only lose 2 days pay and not a week.

Pay during Parental Leave

Parental Leave is unpaid. Employees should ask for advice from the Pay and Pensions Team regarding the impact parental leave will have on their pension contributions if this is of concern to them. Parental Leave can only be used to assist with childcare commitments. Therefore, employees cannot undertake any form of work for another employer (paid or unpaid) whilst they are absent on Parental Leave

Applying for Parental Leave

Employees wishing to apply for Parental Leave should complete the Application for Parental Leave form available on Public Folders via [Portal / Operational Response / Time & Resource Management / Shared documents / TRM Management forms / FS38G Application for Paternity Leave form](#)

All employees should send the form to the "Attendance Management" e-mail address.

Notice Periods

Employees are required to provide 21 days notice of the intention to take leave. However the Authority recognises that by its nature employees may wish to take one week's Parental Leave at shorter notice in order to cover for unforeseen circumstances with their childcare arrangements.

Employees wishing to take Parental Leave for 2 weeks or more must provide the Authority with a minimum of 7 days prior notice before the Parental Leave is due to commence.

Postponing Parental Leave

The Authority reserves the right to postpone Parental Leave for up to 6 months if granting the leave would cause significant disruption. Pressing organisational reasons would include, for example, if the requested time off was at the same time as other employees have requested leave or where a replacement cannot be found during the notice period for a post that has to be filled.

Where the Authority postpones Parental Leave it will consult with the employee. The employee will then be advised, in writing, within 7 days of the Authority receiving the employee's application why the leave needs to be postponed offering new dates for consideration, if unsuitable the employee will be requested to submit alternative dates for consideration.

The length of leave will be equivalent to the employee's original request.

If no agreement can be agreed following consultation the Authority reserves the right to determine the appropriate date. It will strive to ensure that this is no later than 3 months after the original start date except for exceptional circumstances. The employee will be allowed to take the postponed Parental Leave even if it is postponed beyond the age limit.

The Authority cannot postpone Parental Leave where an employee has given 21 days notice prior to the beginning of Expected Week of Confinement or the expected week of placement in the cases of adoption.

Returning to Work

Where parental leave lasts for four weeks or less and follows additional maternity leave the employee is entitled to return to the same post as they would have been entitled to return to after additional maternity leave.

Where parental leave is for a longer period than four weeks the employee can return to the same post as they would have been entitled to return to at the end of the additional maternity leave, unless it is not reasonably practicable to keep that post open. If that is the case, the employee is entitled to a similar post that is both suitable and appropriate in the circumstances and are no less favourable than those that would have applied had he or she not been absent.

Dependent Leave

This may be taken to deal with urgent distress concerning a dependent. The purpose of the leave is to deal with the immediate problem and to put any other necessary care arrangements in place.

An employee is entitled to reasonable unpaid time off,

- To deal with an unexpected disruption or breakdown of care arrangements for a dependant
- To deal with an unexpected incident involving your child during school hours
- To deal with the death of a dependant

A dependent is a spouse, partner, child or parent or a person who lives with the employee (but not a lodger) A dependent can also be someone who reasonably relies on the employee for help ,for example if they are a neighbour or friend with a disability.

It is recognised that notice cannot be provided in genuine emergencies; however the employee should contact the T&RM team as soon as possible to advise them of the situation. There may be exceptional circumstances where an employee returns to work before it is possible to contact the authority. In such cases, the authority should still be advised of the reason for absence on return.

These leave rights do not apply to other domestic emergencies such as break-ins, fire and floods. If leave is required to deal with a domestic emergency or for other absences relating to unusual circumstances, the employee may apply for discretionary leave or request the use of PH or annual leave by contacting TRM as soon as is practicably possible. It is not expected that leave to deal with a situation would be taken in excess of one working day, unless in exceptional circumstances.

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MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	MERSEYSIDE FIRE AND RESCUE AUTHORITY		
DATE:	11TH JUNE 2015	REPORT NO:	CFO/056/15
PRESENTING OFFICER:	CHIEF FIRE OFFICER		
RESPONSIBLE OFFICER:	CHIEF FIRE OFFICER	REPORT AUTHOR:	CHIEF FIRE OFFICER
OFFICERS CONSULTED:	STRATEGIC MANAGEMENT GROUP		
TITLE OF REPORT:	MANAGEMENT REVIEW OUTCOMES		

APPENDICES:	APPENDIX A	2015/16 BUDGET RESOLUTION
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Purpose of Report

1. To advise Members of the outcomes of the management review undertaken by the Chief Fire Officer (CFO) following on from the Authority budget resolution for 2015/16 and the request for voluntary severance from the Deputy Chief Executive (DCE).

Recommendation

2. That Members note and approve the management restructure proposed by the CFO and detailed within this report and specifically that the current Deputy Treasurer is assigned to the role of Treasurer (Section 151 Officer).

Introduction and Background

3. At the Authority meeting on 26th February 2015 the Authority unanimously approved the budget resolution (attached at Appendix A) which included a commitment to 'review its overall management structures to identify efficiencies and on an ongoing basis it expects the Chief Fire Officer to consider the managerial structure and capacity required to manage the Service at a time of such significant change'.
4. Following on from the Authority budget meeting the CFO commenced a management review. The objective of the review was twofold. Firstly to deliver further savings while attempting to maintain sufficient managerial capacity to meet the most significant financial challenge faced by the Authority in its history. Secondly to provide the minimum numbers of operational senior officers to meet the requirements of the Incident Command System (ICS) utilising where possible Grey Book compliant duty systems.
5. The scope of the review has encompassed the strategic and middle management tiers of the organisation.

6. Members will be aware that the CFO has approved a request for voluntary severance from the DCE. One role undertaken by the DCE is Authority Treasurer. This role is required under Section 151 of the Local Government Act 1972. It is proposed that the current Deputy Treasurer be assigned to the role of Treasurer in order to discharge this statutory function. The remaining corporate responsibilities of the DCE role (ICT and Estates) will be absorbed across the Strategic Management Group (SMG).
7. The management structure proposed by the CFO will result in a move from geographic to functional delivery and will result in the deletion of the post of DCE and the designation of the Deputy Treasurer to the role of Treasurer. The restructure will also deliver a reduction in the first instance of 6 operational middle management roles.
8. The current operational structure has 2 Principal Officers, 3 Area Managers, 10 Group Managers, 1 Group Manager (Control) 16 Station Managers on the flexible duty system (SMB) and 8 Station Manager A non-flexible duty (total 40).
9. The revised structure will have 2 Principal Officers, 4 Area Managers, 8 Group Managers, 16 Station Managers on the flexible duty system (SMB) and 4 Station Manager A non-flexible duty (total 34). This is believed to be one of the leanest management structures of any FRA in the Country and is based on the minimum numbers of Officers necessary to achieve a Grey Book compliant flexible duty system for Area, Group and Station Managers.
10. As stated in paragraph 7 implementation of the structure will result in a move from a geographic to functional delivery model. In practice this will necessitate the removal of the 5 existing District Manager posts and will create challenges around representation on the 5 Districts.
11. As a consequence it is highly likely that the Service will be not be able to resource all of the partnership meetings and forums currently supported. Unfortunately this is a direct consequence of the cuts to the Authority budget but is not something that will be unique to the Service. The Service will prioritise those partnerships that deliver the most significant contributions to improving community safety and will endeavour to make best use of supervisory manager and non-uniform equivalent roles to ensure the positive influence of the Authority is maintained in all aspects of our partnership working.
12. A further review of supervisory management roles will be undertaken following the emergency budget in July and any future Comprehensive Spending Review. The structural changes proposed in this report will be implemented by 1st April 2016.

Equality and Diversity Implications

13. An initial Equality Impact Assessment (EIA) has indicated that there could be a potential negative impact on some protected groups as a result of removing the district based approach to partnerships. Because partnerships are important to

the Authority and the achievement of its objectives, further detailed work will take place to ensure that any impact is minimised.

14. This work will consider the impact of the proposed move from District to Functional management. Detailed analysis of the current partnership arrangements on Districts and their impact on service delivery (particularly to protected groups) will take place to inform the EIA in the coming weeks. This will involve engagement with staff, community safety partners and communities to mitigate any negative disproportional impact from this change.

Staff Implications

15. The proposed structure realigns a number of areas of responsibility to ensure management continuity with those accountabilities placed with Officers of an appropriate level.
16. The proposed structure will deliver savings to the Authority, whilst allowing the flexibility of further role realignment and cost review should any other members of SMG leave the organisation.

Legal Implications

17. It is important to note that the Local Government Act 1972 and the Local Government and Housing Act 1989 places a duty on the Authority to provide three statutory officer posts: a Head of Paid Services (occupied by the Chief Fire Officer); a Monitoring Officer (occupied by the Director of Legal Services) and a Chief Finance Officer. The latter was occupied by the DCE and this report proposes to assign this responsibility to the new Treasurer role in order to comply with the relevant legislation. It is proposed that the existing Deputy Treasurer be assigned to that post

Financial Implications & Value for Money

18. The proposed restructure will deliver savings of approximately £500k subject to job evaluation of the new Treasurer role and the supervisory management review. These savings will be required to contribute towards setting a balanced budget for 2016/17 and future years following the outcomes of the budget and spending reviews.

Risk Management, Health & Safety, and Environmental Implications

19. Members should note that dealing with austerity significantly increases workload. The delivery of the structural changes approved by the Authority thus far have been very resource intensive. The Service still has to progress the proposed St Helens merger and implement the Authority decision due in June over West Wirral and those already made over Knowsley. The inevitable additional cuts to the Authority budget arising from the next spending review will only serve to further exacerbate the situation.

20. This is in addition to the day to day running of the Service which is very dynamic in itself. Further reductions in the numbers of managers self-evidently reduces managerial capacity and increases workload for those managers who remain within the Service. There is a limit to that which can be reasonably delivered therefore expectations need to be realistic in this regard. The Integrated Risk Management Plan and Service Delivery Plan for 2016/17 and beyond will be amended to reflect the new reality.
21. The structure proposed by the CFO assumes the continuation of a Grey Book compliant duty system for Group and Station Managers and a move towards a Grey Book compliant system for Area Managers. Risk and fatigue control measures are fundamental elements of the Grey Book systems.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

22. Maintaining an effective management structure by the most efficient means possible will ensure that the Authority can still discharge its statutory functions for prevention, protection, preparedness and response.

BACKGROUND PAPERS

GLOSSARY OF TERMS

BUDGET RESOLUTION 2015/16

Merseyside Fire and Rescue Authority Budget and Medium Term Financial Plan Resolution 2015/2016 - 2019/20

1. Merseyside Fire and Rescue Authority (the Authority) has suffered the largest cut in Government grant of any Fire and Rescue service in the country – over 35% since 2010.
2. The Authority has planned prudently to minimise the impact on frontline services. The Authority has made significant efficiency savings, cut management costs and reduced support services.
3. However, as a direct consequence of the scale of Government cuts there has been an inevitable impact on frontline services and already the Authority has seen the number of fire appliances in Merseyside reduce from 42 to only 28 which equates to 33% overall reduction in appliance availability since 2010.
4. The Authority had already planned prudently to deal with the cuts and established a two year financial plan which despite identifying £2.9m from support and technical savings still required an unavoidable reduction of £3.4m from the operational front line
5. The Government has confirmed the level of grant cut for 2015/16 as £3.7m in a single year.
6. The Authority is therefore extremely saddened to have to continue with its current financial plan which is based upon:-
 - (i) The loss of a further 90 firefighter posts
 - (ii) Leading to the loss of 4 immediately available fire appliances
 - (iii) Delivered by a programme of station mergers and closures.
 - (iv) Further reductions in support services to the detriment of the service
7. In order to minimise the impact on the Fire & Rescue Service the Authority has agreed a council tax increase of 2%.
8. The effect of the budget on council tax will be a **Band D Council Tax of £71.47, an increase of less than 3p per week, which equates to a total of £1.37 per week** towards the Fire & Rescue Service.
9. Most people in Merseyside will pay **Band A Council Tax of £47.65 or 92p per week towards their Fire & Rescue Service.**
10. The Authority recognises that any future Government are likely to apply further cuts to the Fire and Rescue Service beyond 2015/16 although it is extremely difficult to assess at this time the scale of those financial challenges. The Authority will continue to lobby the Government against such a position and highlight the consequences that further cuts will have on effectively delivering an emergency service. It is recognised further cuts to funding will mean additional

station closures, reductions in front line Firefighter's posts, fire appliances and cuts to its support services. The Authority will prepare plans for meeting these financial challenges during 2015/16 and beyond.

11. The Authority recognises that the Fire & Rescue Service is emergency risk based and not demand led. During this period of austerity we would urge this Government to reflect on the impact these cuts are having on the Fire & Rescue Service and properly review all risks facing the country in the light of emerging risks (for example a heightened terrorist threat or responding to increased flooding events through climate change) and would hope that resources are located in a way that allow Merseyside to continue to respond effectively to local and national threats.

The Financial Plan

12. The Authority has previously approved the financial plan as outlined in CFO/014/15 (*summarised in the attached Appendix A to this resolution*) and endorses the recommendations a. to j. in that report. The plan has a two year strategy for delivering a balanced budget over the 2014/15 – 2015/16 period and contains a package of £6.3m savings.
13. The Authority notes the progress in consulting with its communities delivering mergers of:-
 - (i) Huyton/Whiston at Prescot
 - (ii) Upton/West Kirby at Saughall Massie Road
 - (iii) Eccleston/St Helens at St Helens town centre

And the outright closure of Allerton.

14. The Authority requests that the Chief Fire Officer continue to bring back individual reports, including equality impact assessment, as soon as possible on specific business cases for mergers as detailed information and costs become available.
15. The Authority notes that to deliver any savings in Firefighter posts requires a reduction in the number of staff. The Authority is committed to seeking to try and avoid compulsory redundancy. It notes that to deliver the required reduction in Firefighter posts will take until 2016/17 based on natural retirement rates. The Authority has established a cost smoothing reserve to be used to avoid redundancy.
16. The Authority is committed to reducing its own costs as a consequence of government cuts and what that means for local services. The Authority has already made reductions in its member allowances of £24,000 as part of a four year target of reducing costs by 10%. Whilst that review is ongoing the Authority will in any case freeze all member allowances for the seventh consecutive year.
17. The Authority is also committed to reviewing its overall management structures to identify efficiencies and on an ongoing basis it expects the Chief Fire Officer to

consider the managerial structure and capacity required to manage the Service at a time of such significant change.

18. The Authority notes that the capital programme at present only includes a provision for one station merger proposal, Prescott, as only station mergers that have been approved following public consultation are included in the programme. Whilst it is hoped that the availability of capital receipts, Government grant funding and the potential availability of reserves may assist in funding any building schemes it recognises that if this is not sufficient there may be a need to borrow to build which will impact on capital financing costs.
19. The Authority recognises that the exact timing of new station delivery and firefighter retirements is difficult to forecast and recognises that the Chief Fire Officer will need to continue to manage appliance availability on a dynamic basis using “whole-time retained” crewing where necessary under his delegated powers as the financial plan proceeds to delivery.
20. The Authority recognises that if suitable sites cannot be identified for mergers then station closures would be the next ‘least worst’ option.

IRMP

21. The Authority agrees to reflect this financial plan in its future IRMP and will consult with the local community and stakeholders on the IRMP and the impact current and future Government cuts will have upon them.

Implementation

22. The Authority recognises to fully deliver the savings required will take until the early part of 2016/17 if it wishes to minimise the likelihood of compulsory redundancy. It will reflect this phased approach in its reserve strategy.
23. The Authority requests the Chief Fire Officer to use every available measure and management tool to avoid compulsory redundancy and therefore it grants delegated power to utilise the Voluntary Severance / Voluntary Early Retirement Programme in line with the broad framework agreed by the Authority previously.
24. In relation to Firefighter post reductions the Authority will seek to use natural turnover rates recognising this will take until 2016/17 requiring the use of reserves in the intervening period if compulsory redundancies are to be avoided.
25. The Authority believes that a fully wholetime professionally trained workforce is the most robust and effective way of delivering a Fire & Rescue Service to its communities and is fully committed to maintaining this approach.

Council Tax

26. In identifying a financial deficit of £6.3m the Authority had already assumed a council tax increase at the maximum level allowed by the Government before a referendum of just below 2%.

27. Because of the scale of the financial challenge likely in future the Authority has agreed, with a heavy heart, to stick to this plan and increase council tax in 2015/16 by just below 2% to minimise the impact on the services to Merseyside in the future
28. The impact of the budget on council tax will be a ***Band D Council Tax of £71.47, an increase of less than 3p per week to a total of £1.37 per week*** towards the Fire & Rescue Service.
29. Most people in Merseyside will pay ***Band A Council Tax of £47.65 or 92p per week towards their Fire & Rescue Service.***

Recruitment

30. Despite the need to reduce Firefighter numbers in the short term as part of the budget plan this Authority recognises that over the next decade that without any recruitment Firefighter numbers will reduce to just over 250 due to retirements. The loss of such experience and knowledge will bring major challenges for the Authority and the need to recruit 250-400 firefighters by about 2024. In addition it takes almost a year to train a firefighter across the full range of competencies.
31. In order to meet this challenge in a prudent and structured fashion the Authority has set aside a strategic reserve of £1m to support limited firefighter recruitment to manage effectively succession planning. The Authority looks forward to welcoming the first of those new recruits in the near future.
32. The Authority directs the Chief Fire Officer to explore the opportunities for succession planning including apprenticeship models and more flexible recruitment contracts and to report back to the Authority with proposals for strategic recruitment.

Interoperability with Blue Light Partners

33. This Authority is fully committed to securing efficiency and improvement and to making Merseyside safer by close working with Blue Light colleagues across the county. Many successes have been achieved so far including:-
- (i) The successful delivery of the JCC with the police
 - (ii) Sharing 7 sites with the Ambulance Service including NWAS HART working alongside the Search and Rescue team
 - (iii) Extensive joint planning and exercising
34. The Authority instructs the Chief Fire Officer to continue to build upon this success and in particular to actively seek out opportunities of working with NWAS and Merseyside Police around sharing buildings and other assets and resources.

Working with other Partners

35. The Authority will continue to work in partnership with each District Council in order to explore opportunities in which will mutually benefit each Authority in dealing with these and future financial challenges.
36. The Authority will examine the impacts of the devolution agenda and how best we can understand and develop constructive dialogue with the newly constituted Merseyside Combined Authority and requests the Chief Fire Officer and Chair to report back to the Authority when further information and details become available.

Planning for beyond the Election

37. The Authority is seriously concerned that this phase of cuts is likely to be followed by further cuts in 2016/17 and beyond. If any future Government follows through with proposals for public spending cuts (based upon how poorly local government, Fire and Rescue Service's and the Authority have fared in the current CSR) then future years would see further cuts in emergency cover across Merseyside unless council tax payers in Merseyside are willing to pay more for their Fire and Rescue Service.
38. The Authority, whilst continuing with its strong and direct approach to lobbying, recognises that it needs to plan prudently for what it would do if that approach is not successful.

Reserves

39. The Authority has prudently planned to meet its financial challenges over the medium term. The plan the Authority proposes is based upon the key assumptions around changes to grant, pay, tax and pension costs.
40. The Authority recognises that there are substantial risks associated with these assumptions and that, particularly in light of the current economic climate; it is not unreasonable to expect a significant degree of financial uncertainty and risk which will vary across the life of the financial plan. The Authority will therefore set a medium term financial plan based upon these key assumptions recognising that it may need to vary that plan to cope with changes arising.
41. In light of the risks within the financial plan the Authority therefore agrees to maintain the reserves as set out in Appendix B to this resolution and in particular maintain a general revenue reserve of £2.0m.

Capital Programme

42. The Authority approves the Capital Programme as set out in CFO/014/15 which includes a total investment of over £27.268m over 2015/16 – 2019/20 period. The programme for 2015/16 shall be approved as £13.780m.
43. The Authority notes the prudential indicators that this programme produces and recognises that the proposed capital investment programme is prudent, sustainable and the borrowing affordable. This programme makes use of the

freedoms available to the Authority under the prudential regime and proposes 'prudential' borrowing of £10.405m in 2015/16 as part of a total borrowing of £21.443m across the life of the plan.

44. In the light of the capital programme and the prudential indicators agree the Treasury Management Strategy and the indicators set out in that strategy for:-

- (i) External Debt
- (ii) Operational Boundary for Debt
- (iii) Upper limits on fixed interest rate exposure
- (iv) Upper limits on variable rate exposure
- (v) Limits on the maturity structure of debt
- (vi) Limits on investments for more than 364 days

Basic calculations

45. Following consideration of the report of the Deputy Chief Executive (CFO/005/15 & CFO/014/15) and having taken into account views expressed in consultations, and all other relevant matters, pursuant to the Local Government Finance Act 1992, as amended, (the "Act"), the Authority determines its budget requirement for the financial year 2015/16 as follows.

46. Approves the capital expenditure programme for the financial year 2015/16 for the total of £13.780m as set out in report CFO/014/15 and the five year programme totalling investment of £27.268m, and in this respect notes the advice of the Deputy Chief Executive that the programme is prudent, sustainable and the borrowing affordable.

47. The Authority resolves as follows:

(a) It be noted that on 26th February 2015, the Authority calculated the Council Tax Base 2015/16 for the whole Authority area as 342,548.40 [Item T in the formula in Section 42B of the Local Government Finance Act 1992, as amended (the "Act")].

(b) That the following amounts be calculated for the year 2015/16 in accordance with sections 40 to 47 of the Act:

The Authority calculates the aggregate of: (A)

- calculates the expenditure which it estimates it will incur in the financial year 2015/16 in performing its functions and will charge to the revenue account for the year in accordance with proper practices under S42A (2) (a) of the Act as £69.593m,
- calculates the allowance as the Authority estimates will be appropriate for contingencies in relation to amounts to be charged or credited to the revenue account for the year 2015/16 in accordance with proper practices under S42A (2) (b) of the Act as £0.000m,

- calculates the financial reserves which the Authority estimates it will be appropriate to raise in the year for meeting its estimated future expenditure for 2015/16 under S42A (2) (c) of the Act as £0.074m,
- calculates the financial reserves as are sufficient to meet so much of the amount estimated by the Authority to be a revenue account deficit for any earlier financial year as has not been already provided for under S42A (2) (d) of the Act as £0.000m.

The Authority must also calculate the aggregate of: (B)

- the income which it estimates will accrue to it in the year 2015/16 and which it will credit to a revenue account for the year in accordance with proper practices, other than income which it estimates will accrue to it in respect of any precept issued by it under S42A (3) (a) of the Act as £45.185m,
- The amount of the financial reserves which the Authority estimates that it will use in order to provide for the items mentioned in S42 (2) (a and b) under S42A (3) (a) of the Act as £1.303m.

If the aggregate calculated under A above exceeds that calculated under B above, the Authority must calculate the amount equal to the difference; and the amount so calculated is to be its council tax requirement for the year under S42A (4) (Item R in the formula in S42B of the Act).

The Authority calculates the basic amount of its council tax by dividing the aggregate amount of S42A (4) (item R) divided by the council tax base (item T) above. The council tax requirement for 2015/16 is £24,481,934 and the council tax base is 342,548.40, which is equal to £71.47 precept for a Band D property. This calculation meets the requirements under S42B of the Act.

48. The Authority calculates the council tax sums pursuant to s 47 of the Act as follows:

2015/16	Property Band		Increase
£			£
£47.65	For properties in Band	A	0.94
£55.59	For properties in Band	B	1.09
£63.53	For properties in Band	C	1.25
£71.47	For properties in Band	D	1.40
£87.35	For properties in Band	E	1.71
£103.23	For properties in Band	F	2.02
£119.12	For properties in Band	G	2.34
£142.94	For properties in Band	H	2.80

49. The Authority calculates the precept amounts payable by each constituent district council pursuant to S48 of the Act as follows:-

PRECEPT		AUTHORITY
£		
6,751,020	Payable by	LIVERPOOL
6,385,480	Payable by	WIRRAL
3,416,838	Payable by	ST.HELENS
5,597,459	Payable by	SEFTON
2,331,137	Payable by	KNOWSLEY
24,481,934		

50. The Authority requests the Deputy Chief Executive to arrange for precepts to be issued to the constituent district councils pursuant to S40 of the Act before 1st March 2015, such sums to be payable by 10 equal instalments on or before the following dates:

21st April 2015
 29th May 2015
 6th July 2015
 11th August 2015
 17th September 2015
 23rd October 2015
 30th November 2015
 8th January 2016
 15th February 2016
 17th March 2016

51. The Authority notes that The Deputy Chief Executive has advised that the 2015/16 budget is based upon robust estimates.

APPENDIX A

2015/16 - 2019/20 DRAFT MTFP

	2015/16	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000	£'000
2014/15 Approved Financial Plan	61,113	62,889	64,589	66,089	67,589
2015/16 Issues					
Increase in Sec 31 Grant for restricted NNDR increase	-77	-77	-77	-77	-77
New Sec 31 Grant to cover 2014/15 other NNDR adjustments (NNDR1 Part 1C In 25-29)increase in Autumn	-190				
Adjust Planned Drawdown from smoothing Reserve?	1,323				
Minimum Revenue Provision (MRP) & Interest Payable on loans			250	500	750
2015/16 Financial Plan Net Expenditure Forecast	62,169	62,812	64,762	66,512	68,262
FUNDING					
Government Funding					
Baseline Funding					
Council Tax Benefit Grant					
Top Up Grant (Post 15/16 uplift by previous yr change)	-13,765	-14,027	-14,294	-14,566	-14,843
CLG Estimate of Local Business Rate Share (Post 15/16 uplift by previous yr change)	-4,228	-4,310	-4,394	-4,480	-4,568
Allocation Within Baseline Funding Level	-17,993	-18,337	-18,688	-19,046	-19,411
2011/12 Ctax Freeze Grant uplift by previous yr change	-282	-287	-292	-297	-302
Total Baseline Funding Level	-18,275	-18,624	-18,980	-19,343	-19,713
RSG					
2013/14 - 2015/16 RSG Grant	-18,336				
2016/17-2018/19 uplift by previous yr change (-17.5%)		-15,073	-12,391	-10,186	-8,373
2011/12 Ctax Freeze Grant uplift by previous yr change	-393	-385	-377	-369	-361
	-18,729	-15,458	-12,768	-10,555	-8,734
Settlement Funding Assessment	-37,004	-34,082	-31,748	-29,898	-28,447
Adjustment for Business Rate income forecast from Districts	95	0	0	0	0
NNDR Collection Fund (surplus)/deficit	235	0	0	0	0
Council Tax -					
Base Precept Income	-23,430	-24,482	-24,972	-25,471	-25,980
Council Tax Base (increase) / decrease	-572	0	0	0	0
Assume 2% rise 2013/14 to 2015/16	-480				
Assume 2% rise 2016/17 to 2019/20		-490	-499	-509	-520
Precept Income yield, rounding adjustment					
Council Tax Collection Fund (surplus)/deficit	-1,013				
Forecast Council Tax Income	-25,495	-24,972	-25,471	-25,980	-26,500
Updated Income Forecast	-62,169	-59,054	-57,219	-55,878	-54,947
Potential Future Saving Requirement	0	3,758	7,543	10,634	13,315

Appendix B- Reserves

FORECAST USE OF RESERVES							
	EXPECTED USE						
	Estimate Balance 31.03.15	2015/16		2016/17	2017/18	Future Years	Balance
		Used in 2015/16 Budget	Forecast in year Use				
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<u>Emergency Related Reserves</u>							
Bellwin Reserve	147					-147	0
Insurance Reserve	370					-370	0
Emergency Planning	75					-75	0
Catastrophe Reserve	500					-500	0
<u>Modernisation Challenge</u>							
Smoothing Reserve	1,695	-372	-1,323	646		-646	0
Severance Reserve	600		-600				0
Ill Health Penalty Reserve	440		-220	-220			0
Recruitment Reserve	1,000		-400	-600			0
Capital Investment Reserve	10,786	-882	176	-4,500		-5,580	0
PFI Annuity Reserve	2,225	-49	-51	-100	-100	-1,925	0
Equality / DDA Investment	285		-285				0
Firefighter Safety Investment	800		-800				0
<u>Specific Projects</u>							
Community Sponsorship	4		-4				0
Equipment Reserve	111		-111				0
Contestable Research Fund	25		-25				0
FSD Reserve	6		-6				0
Healthy Living	35		-35				0
Water Rescue Reserve	1		-1				0
Inflation Reserve	500	0	572	0	0	-1,072	0
<u>Ringfenced Reserves</u>							
F.R.E.E. Reserve	41					-41	0
Princes Trust Reserve	279					-279	0
Community Youth Team	53					-53	0
Beacon Peer Project	50					-50	0
Innovation Fund Reserve	170					-170	0
Regional Control Reserve	0					0	0
Energy Reserve	84	74				-158	0
St Helens District Reserve	6					-6	0
New Dimensions Reserve	793					-793	0
Total Earmarked Reserves	21,081	-1,229	-3,113	-4,774	-100	-11,865	0
General Revenue Reserve	2,000	0	0	0	0	0	2,000
Total Reserves	23,081	-1,229	-3,113	-4,774	-100	-11,865	2,000