



Copy to ETAP meeting 10 February 2021

Item No. 4 (iv)

Report to the Police Fire and Crime Panel

15th February 2021

Reserve Strategy Update

Report of the Staffordshire Commissioner

Introduction

Statutory provision is made within the Local Government Finance Act 1992 that requires precepting authorities in England and Wales to have regard to the level of reserves needed for meeting estimated future expenditure. The S151 Officer and Treasurer for the Staffordshire Commissioner Fire and Rescue Authority has a duty to report on the robustness of estimates and adequacy of reserves (under section 25 of the Local Government Act 2003) when the authority is considering its annual budget requirement.

This paper gives due consideration to the overall level of reserves held by the Authority as at 31 March 2020, and the Police Fire and Panel are asked to comment and review the overall position as scheduled within **Appendix 1** and **2** and the overall impact on Reserves as incorporated within the approved Medium Term Financial Strategy (MFTS).

The Reserves Strategy was last approved in November 2019 by the Strategic Governance Board and has now been updated to incorporate and reflect:

- The revised MFTS for 2021/22 to 2025/26
- The actual Reserves position as per the Audited Statement of Accounts for 2019/20
- The impact of approved reserve utilisation and agreed capital programme utilisation requirements

The timing of this report has also now been updated so that it is aligned with the budget setting and revision to the Medium Term Financial Strategy.

A number of different reserves are held by the Staffordshire Commissioner Fire and Rescue Authority (both useable and unusable) in line with the CIPFA guidance, however this paper focuses on the two key areas of reserves that impact on the future financial strategy:

- A **General Reserve**, to allow for unexpected / emergency events – balance as at 31 March 2020, £1.9m (see **Appendix 1**),
- A **Earmarked (Specific) Reserve** – to meet future known or predicted requirements – balance as at 31 March 2020, £7.1m (see **Appendix 2**), Forecast 31 March 2021, £6.8m

Overall the level of Earmarked Reserve has reduced by over £2m during the last four years and is forecast to reduce to around £4.1m by 2025/26 based upon the latest MTFS.

RECOMMENDATIONS

The Police, Fire and Crime Panel is asked to:

- a) Note the overall reserves position for both General and Earmarked Reserves as contained within this report,
- b) consider the adequacy and proposed earmarking of the Earmarked Reserve that will be incorporated into the budget setting exercise for 2021/22, and utilisation of reserves as incorporated within the approved MTFS
- c) Note the updated Reserves Strategy

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BACKGROUND AND ADDITIONAL INFORMATION

Introduction

1. This paper gives due consideration to the overall level of reserves held by the Authority as at 31 March 2020, and the Panel are asked to comment and review the overall position as scheduled within **Appendix 1** and **2**.
2. This reserves strategy must also support, as required, any future savings and contribute funding as agreed for the capital programme, which includes a 50% contribution for the three year vehicle replacement programme.

Prudential Code and Capital Spend

3. CIPFA's (The Chartered Institute of Public Finance and Accountancy) Prudential Code requires chief finance officers in local authorities to have full regard to affordability when making recommendations about the local authority's future capital programme. Such consideration includes the level of long-term revenue commitments. Indeed, in considering the affordability of its capital plans, the Staffordshire Commissioner is required to consider all of the resources available, together with the totality of its capital plans and revenue forecasts for the forthcoming year and into the medium term.
4. The statutory reporting regime discussed within this paper and effective financial management underpin the need for clear, transparent reporting arrangements for reserves and CIPFA recommend that there should be clear protocol setting out the following:
 - the reason for / purpose of the reserve;
 - how and when the reserve can be used;
 - procedures for the reserve's management and control; and
 - a process and timescale for review of the reserve to ensure continuing relevance and adequacy.
5. Whilst it is primarily the responsibility of the Staffordshire Commissioner and its S151 Officer and Treasurer to maintain a sound financial position, our external auditors Grant Thornton annually review for any material uncertainties and test to ensure that the Authority remains a going concern. Even where as part of their wider role Grant Thornton report on the Authority's financial position, it is not however, their responsibility to prescribe the optimum or minimum level of reserves for authorities in general.
6. There has been significant criticism of the Fire and Rescue Sector regarding the overall high level of reserves held, reported to be around £538 million as at 31 March 2019. This is equivalent to 39% of their core spending power. Staffordshire FRA were reported by the Home Office to hold total reserves of £16.1m (40% of core spending power see paragraph 9 below) but this included reserves such as PFI Reserve and CIC Reserve that could not be accessed by the Service. Excluding these other reserves the amount of £9.1m represented 23% of core spending power.
7. In Staffordshire, the level of Earmarked reserves has been stable at around £7m for the year ended 31 March 2019 and 31 March 2020. Earmarked Reserves were at their maximum level of £9.2m, as at 31 March 2017.

Types of Reserve

8. When considering the Medium Term Financial Strategy and preparing annual budgets the Staffordshire Commissioner should consider the establishment and maintenance of reserves. Reserves can be held for three main purposes:
- a working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing – this forms part of general reserves;
 - a contingency to cushion the impact of unexpected events or emergencies – this also forms part of general reserves (see **Appendix 1**);
 - a means of building up funds, often referred to as earmarked reserves, to meet known or predicted requirements. This is also referred to as the Specific Reserves/Earmarked Reserves (See **Appendix 2**)

Reporting of Reserves

9. The IFRS-based Code of Practice on Local Authority Accounting in the United Kingdom (the Code) introduced the Movement in Reserves Statement to local authority financial statements in the 2010/11 financial year. This Statement presents the movement in the year of the reserves of the Authority analysed into **usable** reserves, (e.g. General and earmarked reserves) and unusable reserves. The Movement in Useable Reserves Statement can be found on page 55 of the Statutory Accounts for 2019/20, and is shown below:

31-Mar-19 £,000		31-Mar-20 £,000
1,906	General Fund (1)	1,906
5	Capital grants unapplied	1
1,030	Earmarked reserves - grants	1,109
5,591	Earmarked reserves - PFI grant	5,616
452	CCU Reserve	528
7,146	Other Reserves (2)	7,101
14,219	Earmarked Reserves	14,354
16,130	Total Usable Reserves	16,261

10. The total Useable Reserves as per the statement of accounts is £16.3 million, however only the General Fund £1.9m and Other Reserves £7.1m are considered within this report. The other grant areas are not for general use as they have already identified for a particular use or business area. For example, the £5.6m Earmarked PFI Grant will unwind at the end of the two PFI concessionary periods.
11. Unusable reserves arise out of the interaction of legislation and proper accounting practice either to store revaluation gains or as adjustment accounts to reconcile accounting requirements (i.e. reconciliation of reporting standards to statutory requirements)
12. Section 26 of the Local Government Act 2003 gives Ministers in England and Wales a general power to set a minimum level of reserves for local authorities. However, the Government has undertaken to apply this only to individual authorities in the circumstances where an authority does not act prudently, disregards the advice of its chief finance officer and is heading for serious financial difficulty.

Reserves Strategy and Future Outlook

13. This paper gives due consideration to the overall level of reserves held as at 31 March 2020, and the Panel are asked to comment and review the overall position as scheduled within **Appendices 1 and 2**.

- The Financial Strategy implemented during the early years of austerity (2010 to 2017) resulted in an important and deliberate increased the overall level of reserves held, but it is even more important that full scrutiny of our reserves is undertaken, particularly when considering
 - There are no future capital grants proposed by the Government, which means that all capital spend will increase debt and borrowing unless internally funded by either ongoing savings or the use of reserves
 - The future investment required to fund further changes to the Service currently being considered as part of the Project 2025.
 - The use of Reserves to support Revenue Spend into the medium term.

General Reserve

14. The General Reserve scheduled within **Appendix 1** has remained unchanged for a number of years and at £1.9m represents around 4.5% of the annual revenue budget). It is recommended by the Home Office that General Reserves held by Fire Authorities do not exceed 5% of overall funding level. The National Framework Document requests that the Reserves Strategy should clearly justify the reasons for holding a general reserve above five percent of budget.

Earmarked / Specific Reserve

15. The Balance on this reserve as at 31 March 2020 was £7.1m, is scheduled below and is based upon the categorisation approved by the Staffordshire Commissioner in November 2019:

Earmarked / Specific Reserve Categorisation	Balance 31/03/2019 £m
PFI Reserves (Project Reserve Balance and Deductions)	0.7
Budget Holder Earmarked Reserves	0.4
MTFS Reserves Utilisation 2019/20	0.5
Provision for Fire Station Refurbishment (Abbots Bromley)	0.5
Capital Reserves – Vehicle Replacement Programme to 2022 (at 50% of approved programme) includes ALP	1.4
Firefighters' Pension Schemes contingency provision (1 year full cost)	1.8
Future Integration, Collaboration and Change Programme	0.5
Future Funding Provision as per MTFS	1.3
Total Reserve Categorisation Approved	7.1

16. The Earmarked/Specific Reserve provision is required not only to fund future projects and investments but also to provide funding, as follows:
- to support the recurring revenue budget upto 2023 as incorporated within the medium term financial strategy and Efficiency Plan,
 - to provide a provision for future capital investment to avoid additional long term borrowing need,
 - to provide for costs that may be required to support future change and business transformation
 - to provide for any funding uncertainty as discussed within this paper (e.g. pay awards and Pensions)
 - to provide for future contingent liabilities that have been identified within the statutory accounts
17. **Appendix 2** incorporates and update of the assumptions for each of the above reserve provisions for discussion by the Panel; including:
- a. The approved revenue budget set for 2021/22
 - b. The revised use of reserves incorporated with the approved MTFS
 - c. Planning for future transformation costs of the Service within the Service 2025 Project
 - d. Any contingent liabilities that needs to be provided for as incorporated within the Statutory Accounts
 - e. Any amounts where budget holders have been authorised to earmark a specific expenditure item
 - f. Any upward pressures that are anticipated to be placed upon budgets e.g. higher than expected pay awards
18. In the instance where a particular reserve needs to be accessed that has not be previously formally approved approval from The Staffordshire Commissioner would be sought in advance to ensure that plans can be adequately challenged and full transparency exists within the Authority.
19. Whilst it remains the responsibility of the S151 Officer and Treasurer for the Staffordshire Commissioner to advise the Authority about the overall level of reserves that is held; the Service and Staffordshire Commissioner should assist by providing clear protocols for the establishment and use of reserves, as reserves should not be held without a clear purpose.

General Reserves Balance for 2021/22

CIPFA guidance indicates that a well-managed authority with a prudent approach to budgeting should be able to operate with a relatively low level of general reserves and that chief financial officers should take account of the strategic, operational and financial risks facing the authority.

A risk assessment for general reserves was undertaken as part of the budget setting process for 2021/22 and the overall provision of £1.9m has remained unchanged for a number of years and represents 4.5% of the revenue budget set for the year.

Whilst not a complete list of all the financial risks, the assessment focused on those most likely (High and Medium risks) to have a significant impact on the budget year.

Area of Expenditure	Level of Risk *	Explanation of risk/justification of reserves	2021/22 Provision £000
Loss of Employees / additional pay costs	High	Spate conditions caused by for example; prolonged severe weather conditions (e.g. hot weather or flooding), unexpected loss of staff through COVID-19, Avian Flu / Ebola etc.	500
Failure to achieve efficiency savings	Medium	Risk of not achieving future savings requirements	500
Insurance loss / impact of data breach	Medium	Risk of incurring uninsured losses Risk of breach due to inappropriate information sharing / failure to implement EU GDPR	200
Ill health retirement costs	Medium	Risk of the number of ill health retirements being greater than anticipated due to ageing workforce	300
Other unforeseen costs	Medium	Risk of unforeseen event: emergency incident, waste fires / tipping	300
Other costs	Medium	Risk of failure of strategic partnership / collaboration initiatives	100
TOTAL			1,900

Total Reserves including
Earmarked / Specific Reserves Balance for 2021/22

In addition to general reserve balances, useable earmarked reserves that are created for specific purposes. Useable earmarked reserves should be held to meet future liabilities and the following table incorporates a suggested categorisation of the balance held for this reserve to be considered by the Staffordshire Commissioner.

Below is a suggested categorisation only, but importantly this must remain flexible based upon future funding settlements, delivery of agreed savings and certainty around MFTS assumptions.

	2019/20 Approved £m	2020/21 Fcast £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m	2024/25 Estimate £m	2025/26 Estimate £m
General Fund	1.9	1.9	1.9	1.9	1.9	1.9	1.9
<u>Earmarked Reserves</u>							
PFI Reserve (Project Reserve Deductions)	0.7	0.8	0.6	0.6	0.6	0.6	0.6
Operational Budget Holder Reserves	0.4	0.4	0.3	0.3	0.3	0.3	0.3
Budget and MFTS Support Reserve	0.5	0.3	0.3	0.3	0.3	0.3	0.3
Refurbishment Reserve Abbots Bromley	0.5	0.4					
Capital Reserves	1.4	1.1	0.6				
Pension Reserve	1.8	1.8	1.8	1.8	1.1	1.1	1.1
Collaboration Rserve	0.5	0.5	0.5	0.5	0.5	0.5	0.5
LCTS Covid Grant Balance		0.2	0.2				
Future Funding Reserve	1.3	1.3	1.3	1.3	1.3	1.3	1.3
Total Earmarked Reserve	7.1	6.8	5.6	4.8	4.1	4.1	4.1
Total Reserves Available	9.0	8.7	7.5	6.7	6.0	6.0	6.0