



South Tyneside Council

Council

18 May 2021

Report of the Independent Remuneration Panel

Report of the Head of Paid Services – George Mansbridge

Cabinet Portfolio/Lead Member: Leader of the Council - Councillor Tracey Dixon

Purpose of Report

1. The Report sets out the recommendations of the Independent Remuneration Panel on allowances to be paid to Elected Members in accordance with legal requirements under the Local Authorities (Members' Allowances) (England) Regulations 2003.

Contact Officer: Nicola Robason, Head of Corporate and External Affairs (Monitoring Officer)

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Background

2. South Tyneside Council has its own Independent Remuneration Panel that makes recommendations to the Council on allowances to be paid to Elected Members in accordance with legal requirements under the Local Authorities (Members' Allowances) (England) Regulations 2003.
3. The Panel is made up of three local people who are appointed to ensure that the setting of members' allowances is open to robust, independent and local scrutiny and is accountable and transparent to local people.
4. The Panel has produced a report that makes recommendations for the Council to consider in regard to:
 - the level of Basic Allowance for all Councillors;
 - the categories of special responsibility for which a Special Responsibility Allowance (SRA) should be paid;
 - the rate of childcare/dependency allowance;
 - travel and subsistence allowance;
 - annual uplift;
 - the level of allowance for independent Members and statutory Co-opted Members.
5. The Council's obligation is to have regard to the Panel's recommendations. Whilst the Council does not have a duty to follow the recommendations it must have good, justifiable reasons for departing from them.
6. The Panel met (virtually) on two separate occasions during April and May 2021 following its appointment at the end of March to produce a report for consideration by Full Council on 18 May 2021.

Financial and Value for Money Implications

7. There are no identified direct financial implications arising from this report. The Independent Remuneration Panel are not remunerated for providing this role. However, the Panel's report does raise a number of value for money implications for consideration by Full Council.

Equality and Diversity Implications

8. There are no identified equality and diversity implications arising from this report.

Environmental and Sustainability Implications

9. There are no identified environment and sustainability implications arising from this report.

Legal Implications

10. The Council must comply with the legal requirements under the Local Authorities (Members' Allowances) (England) Regulations 2003.
11. The Council's legal obligation is to have regard to the Panel's recommendations. Whilst the Council does not have a duty to follow the recommendations it must have good, justifiable reasons for departing from them.

Risk and Opportunities Implications

12. There is a risk that without seeking the views of an Independent Remuneration Panel the setting of members' allowances would not be open to robust, independent and local scrutiny and would not be accountable and transparent to local people.

Recommendation

13. Council is recommended to have regard and consider carefully the attached report of the Independent Remuneration Panel and the recommendations contained therein before proceeding to consider the revised Scheme of Allowances for 21/22.

background papers background papers background papers

Report of the Independent Remuneration Panel

The following is a list of the background papers (excluding exempt papers) relied upon in the preparation of the above report:

Background Paper	File Ref:	File Location
N/A		

Contact Officer: Nicola Robason, Head of Corporate and External Affairs (Monitoring Officer)

background papers background papers background papers

Independent Remuneration Panel Report 2021

Contents

1. Introduction
 - a. Membership of the Panel
 - b. Terms of Reference
 - c. Context and Current Scheme of Allowances

2. Rationale
 - a. Basic Principles
 - b. Benchmarking
 - c. Evidence Base

3. The Panel's Recommendations
 - a. Basic Allowance
 - b. Special Responsibility Allowances
 - c. Additional Recommendations

4. Annexes
 - a. Current Scheme of Allowances (19/20)
 - b. Proposed Scheme of Allowances (21/22)
 - c. Benchmarking Information

Independent Remuneration Panel 2021 Report

1. Introduction

- 1.1 The Council is required, under the Local Authorities (Members Allowances) (England) Regulations 2003 to have regard to the report of an Independent Remuneration Panel (Panel) before making its annual Scheme Allowances for Elected Members.
- 1.2 The Panel was convened to advise South Tyneside Council on its Member's Scheme of Allowances. The Panel is a newly established Panel appointed by Full Council on 23 March 2021. The Panel met formally with the Head of Corporate and External Affairs (Monitoring Officer) on 27 April 2021 and 11 May 2021.
- 1.3 In South Tyneside, Councillors are elected for a 4-year term by thirds (at each local election a third of the Council Members are elected). Elections are held every year except the fourth year. The fourth year is a 'fallow' year when there are no elections.
- 1.4 The Panel will carry out a review of the Council's Member's Allowances Scheme every year. At the end of the review, the panel will make recommendations to Full Council about the allowances to be paid to Elected Members. Local Authorities can also convene a Panel meeting at any time to respond to a specific issue.

Membership of the Panel

- 1.5 The Members of the Independent Remuneration Panel 2021 are as follows:
 - **Ms. Samantha Tague** - Funding Manager at National Lottery Community Fund and highly experienced in the review of detailed information about the remit of roles, salaries and financial policies.
 - **Ms. Jane Cuthbertson** - Chief Finance Officer at Tyne Coast College and Tyne Coast Academy Trust and an elected member of CIPFA Council and is the Vice Chair of the Remuneration Committee.
 - **Mr Stephen Elliott** - Managing Director of HVR International Ltd, Jarrow and a member of the region's Advanced Manufacturing Forum.

Terms of Reference

- 1.6 The Panel's terms of reference is to make recommendations to Full Council on:

Independent Remuneration Panel 2021 Report

- the amount of Basic Allowance that should be payable to its Elected Members paying regard to regional/national salary rates or average allowances paid in similar authorities, etc;
 - the responsibilities or duties which should lead to the payment of a Special Responsibility Allowance and as to the amount of such an allowance;
 - the duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance;
 - the amount of co-optees' allowance;
 - whether the Council's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a recommendation, the amount of this allowance and the means by which it is determined;
 - whether any allowance should be backdated to the beginning of a financial year in the event of the scheme being amended;
 - whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run;
 - any other allowances payable by the Council to Elected Members.
- 1.7 The Panel has met twice since its appointment on 23 March 2021 to consider information gathered by the Head of Corporate and External Affairs (Monitoring Officer) and views of the Council's Constitution Committee. Ideally, the Panel would have liked to receive written and oral representations from a range of Elected Members, including Executive Members, Chairs and Ward Members, representative of all political parties and this will be a priority for the Panel for 2022/23.

Context and Current Scheme of Allowances

- 1.8 The Panel has been provided with the current Scheme of Allowances (19/20) and also the proposed Scheme of Allowances for 21/22 that has been recommended to Full Council for adoption at its meeting on 18 May 2021.

Independent Remuneration Panel 2021 Report

- 1.9 The Panel notes that the revised Scheme is a much-improved Scheme and believes that the current Scheme may no longer be fit for purpose.
- 1.10 All Councillors, irrespective of particular offices held on the Council, are entitled to the same level of Basic Allowance. Basic Allowances are intended to recognise the expected time commitment of all Councillors. This includes, but is not limited to:
- attendance at Council meetings and committees
 - meetings with residents and Council officers
 - responding to and dealing with casework and enquiries
- 1.11 Basic Allowances are not there to cover incidental costs such as travel within the Borough or internet and phone provision. Currently, travel expenses can be claimed within and outside of the Borough and when the purpose involves representing the Council at an external meeting or undertaking duties specifically associated with the role (for example as an Executive Member).
- 1.12 There appears to have been very little movement in the level of the Basic Allowance for Councillors. Members' Basic Allowances have remained relatively unchanged over a significant period of many years, with a small increase from £7,226 to £7,667 per annum.
- 1.13 As a consequence, the real value of the Basic Allowances has fell well below that of comparative authorities and is the lowest payable in the North East region.
- 1.14 The figure agreed by Full Council in 2019 as a Basic Allowance was £7,667 per annum. The Panel believes this figure is to reflect the workload involved in being a Councillor whilst also recognising the role of a Councillor is to serve the public and therefore, not all of what a Councillor does, should be remunerated.
- 1.15 The panel understands that there is an increasing workload and demand on the time of a Councillor and that the ever-growing presence of social media and electronic communication will have no doubt led to a significant increase in the level of engagement between Councillors and their residents.
- 1.16 There is no automatic increased in either the Basic Allowance or Special Responsibility Allowances in line with staff pay awards or otherwise.

2. Rationale

Basic principles

- 2.1 The Panel agreed the following principles on which the recommendations for its review should be based:
- The level of allowances within the Scheme should not discriminate or create barriers for those who may wish to stand for office.
 - The level and availability of travel allowances should not act as an obstacle to appropriate travel outside the Borough to promote the Council's interests.
 - The Scheme of basic and special responsibility allowances should provide for an adequate level of reward that neither encourages nor discourages those who may wish to stand for office.
 - The Scheme should be easily understood by Councillors and members of the public.
 - The scheme should be easy to administer.

Benchmarking

- 2.2 Details of benchmarking information and statistics considered by the Panel are attached at Annex A. This included evidence of allowances paid in other local authorities chosen based on a mixture of population size and locality. These figures were compared with those paid by South Tyneside Council.
- 2.3 The Panel also received information on good practice, including an LGIU Local Government Information Unit article on Councillors Allowances and Expenses and consider IRP Reports that have been submitted elsewhere.
- 2.4 The Panel would like to do more work in readiness for the 2022/23 review to better understand the pay figures in South Tyneside. A median figure for people working in South Tyneside could be a basis for calculating allowances for Councillors. In the interests of consistency and clarity, the median pay figure for people working in South Tyneside may be the most appropriate basis from which to calculate allowances in the future.

Evidence Base

- 2.5 Whilst the Panel was not able to meet with Councillors, the Panel heard from the Head of Corporate and External Affairs (Monitoring Officer) who suggested there has been an increase in the level of responsibility attached to the role of Councillors. The frequency of Council meetings has continued to increase. The nature of the role of a Councillor has always been public facing. Elected Members are the spokespersons for their communities, and this has not changed. The ever-growing presence of social media and electronic communication has led to a significant increase in the level of engagement between Councillors and their residents and Councillors and officers. It was also noted that there has been an increase in the range of issues that are being reported through Councillors and the day-to-day activities of the role are perhaps increasingly time-consuming and complex.
- 2.6 The panel noted from the Head of Corporate and External Affairs (Monitoring Officer) the increased level of expertise and knowledge expected of Councillors and the need for this knowledge to be current and maintained through Member training and development. The complexity of issues being presented in committees will have no doubt required an increased number of briefings and a more detailed understanding of legislation and policy. The Panel also heard that the role of a Committee Chair continued to be a very important but often unappreciated role.

3. The Panel's Recommendations

Basic Allowance

- 3.1 Taking into account the statistical information reviewed, the Panel are concerned that the Basic Allowance may not be comparative in South Tyneside and may need to increase. The Panel is also concerned that the workload associated with being a Councillor may have increased since the last detailed review. In response, the Panel will do a deep dive exercise and in-depth review of the Basic Allowance in readiness for 2022/23 financial year to ensure it is comparative and to ensure there is enough evidence to make considered recommendations next year.
- 3.2 Until this work is concluded, the Panel is comfortable with a Basic Allowance of £7,667 per annum to continue.

Special Responsibility Allowances (SRAs)

Independent Remuneration Panel 2021 Report

- 3.3 The Panel believes that SRAs should be calculated carefully against the Basic Allowance. The Panel believes an assessment of SRAs is required once a deep dive is complete on the Basic Allowance payable. The Panel would like to consider a range of representations from Councillors over the course of the next year as part of this exercise.
- 3.4 One reflection of the Panel is that the frequency of meetings, the level of responsibility and accountability and the Committee required outcomes may well differ from Chair to Chair, Committee to Committee and the associated work required could all perhaps impact upon the level of SRA payable. For example, the SRA for Vice Chairs, needs to be better understood, do Vice Chairs chair only a minimal number of meetings on an ad-hoc basis?
- 3.5 Additionally, the Panel concluded that, subject to any legal or financial considerations, any annual or other pay award increases should not be automatically applied to the Basic Allowance or the Special Responsibility Allowances. Any increase should be linked to the review work of the Panel.
- 3.6 Until this work is concluded, the Panel is comfortable with the SRAs to continue unchanged.

Independent Members

- 3.7 The Panel is encouraged by the use of independent membership on committees such as Audit Committee and Standards Committee and believes it is very important that this continues. The Panel notes however that the amounts payable to independent representatives may not make these positions attractive and may be a barrier for those who may otherwise wish to apply for the role.

4. Additional Recommendations

Subsistence

- 4.1 The Panel were surprised by the very low levels of Subsistence Allowance payable to Councillors working on approved Council duties in respect of Breakfast, Lunch, Tea and Evening Meal and find the current amounts payable unreasonable. The Panel recommend that the amounts are increased to a more realistic sum with an absolute maximum amount payable for each included within the Scheme to provide some flexibility to Councillors, depending on location, for example:

Independent Remuneration Panel 2021 Report

Breakfast Allowance	Not exceeding £15
Lunch Allowance	Not exceeding £15
Tea Allowance	Not exceeding £15
Evening Meal Allowance	Not exceeding £30

- 4.2 The Panel also recommend that the gap in between 'tea' (between 3pm and 6pm) and 'dinner' (after 7pm) be closed to allow Councillors to have an early dinner from 6.00pm, if considered more appropriate.

Travel

- 4.3 The Panel is concerned to note that as a matter of course, all Councillors will normally travel by business-class rail (or First Class, as Business Class does not exist as far as the Panel are aware). Whilst the Panel recognise that it may be difficult to prepare for meetings whilst travelling by standards class train, the Panel believes there must be real justification as to why a Councillors believes they should travel First Class. The Panel recommend that First Class travel by rail (or indeed by air) should never be an automatic right and should never be appropriate for a short journey. The Panel are concerned that reputationally, automatic First-Class travel may be damaging for the Council and Councillors.
- 4.4 The Panel believes Note 1 in relation to Clause 7.3C (Private Car) should include reference to electric and hybrid vehicles also.

Telephone

- 4.5 The Panel is confused as to the inclusion of a landline telephone allowance. The Panel notes that this is not an automatic allowance payable to all Councillors but is surprised it is required on the basis that all Councillors receive a Council mobile telephone, which will have answering machine facilities. The Panel acknowledge that a landline may be required for broadband facilities but do not believe it is necessary to have an active home phone as a consequence. The Panel believe Councillors should have the freedom of choice between a landline or a mobile telephone, but that both are not required.

Overnight Accommodation

- 4.6 With regards to overnight accommodation, the Panel believes that many hotels do not adhere to the 'star' rating system and therefore, the Panel recommend that there is a limit provided on the monetary spend for overnight accommodation for Councillors rather than relying on a 3 star or 4 star rating method.

Receipts

- 4.7 The wording within the Scheme should be strengthened around the need for receipts to be provided by Councillors on all and every occasion. The

Independent Remuneration Panel 2021 Report

Panel recommend that this must be explicit. Local council funds are of course public money and the Panel believes Councillors must be accountable for every penny of public money spent by them.

Hospitality

- 4.8 The Panel note that there appear to be no boundaries with regards to hospitality spend. The Panel recommend that there should be. The Panel suggest that a hospitality budget for the financial year is agreed for the Council as a whole for the Mayor or the Leader of the Council to access, and that a hospitality policy and procedure be created to ensure adequate boundaries are in place. In addition, the Panel suggests at least an annual report on hospitality spend is provided to Full Council.

Independent Remuneration Panel 2021 Report

Appendix A

Basic Allowances – Council’s in the North East Region

Authority	Basic Allowance per Member 18/19 £	Basic Allowance per Member 19/20 £	Basic Allowance per Member 20/21 £
Darlington	8,188	8,188	8,519
Durham	13,300	13,300	13,000*
Gateshead	10,550	10,977	11,279 (Index linked to NJC increases)
Hartlepool	7,948	8,107	8,330
Middlesbrough	6,378	6, 378	7,608 (Index linked to NJC increases)
Newcastle	8,775	9,000	9,200 Not linked to NJC (CPI and RPI rates have been considerations previously)
North Tyneside	10,155	10,358	10,643 (Index linked to NJC increases)
Northumberland	12,625	13,329	13,329 (Index linked to NJC increase and reviewed ad hoc as required)
Redcar and Cleveland	9,550	9,550	9,550
South Tyneside	7,370	7,667	7,667
Stockton-on-Tees	9,300	9,300	9,300
Sunderland	8,369	8,369	8,369

*Durham IRP suggested an increase in the Basic Allowance, linked to inflation over the previous year for 20.21 but this was not agreed by Durham Council. This would have seen payments rise by 0.7 per cent, from £13,300 to £13,393.

Independent Remuneration Panel 2021 Report

Special Responsibility Allowances – Council’s in the North East Region

Darlington

Leader	22,933.00
Deputy Leader (60 per cent of Leader)	13,759.00
Cabinet Member (50 per cent of Leader)	11,467.00
Scrutiny - Chair (40 per cent of Leader)	9,173.00
Chair - Planning (40 per cent of Leader)	9,173.00
Vice-Chair - Planning (25 per cent of Chair of Planning)	2,293.00
Chair - Licensing (40 per cent of Leader)	9,173.00
Vice-Chair - Licensing (25 per cent of Chair of Licensing)	2,293.00
Leader of Opposition (40 per cent of Leader)	9,173.00
Deputy Leader of Opposition (5 per cent of Leader)	1,147.00
Chair - Audit Committee	2,293.00
Mayor	11,000
Deputy Mayor	929

Durham

<https://democracy.durham.gov.uk/documents/s117740/Independent%20Remuneration%20Panel.pdf>

Gateshead

Leader 33,846

Deputy Leader 22,560

Cabinet Members (8) 16,924

Chairs – Overview and Scrutiny Committees (4) 16,924

Chair – Audit and Standards Committee 14,099

Chair – Health and Wellbeing Board 14,099

Chair – Planning and Development Committee 14,099

Chair – Regulatory and Licensing Committee 14,099

Chair – Appeals Committee 14,099

Vice-Chairs – Overview and Scrutiny Committees (4) 7,053

Vice-Chair – Audit and Standards Committee 7,053

Vice-Chair – Health and Wellbeing Board 7,053

Vice-Chair – Planning and Development Committee 7,053

Vice-Chair – Regulatory and Licensing Committee 7,053

Vice-Chair – Appeals Committee 7,053

Leader of the Main Opposition Group 16,924

Independent Remuneration Panel 2021 Report

Deputy Leader of the Main Opposition Group 6,969
Co-opted Members of Council Committees (3) 747

Hartlepool

Leader of Council/Chair of Finance and Policy Committee 24,990
Chair of Council 8,330
Chair of Children's Services Committee 8,330
Chair of Adult Services Committee 8,330
Chair of Regeneration Services Committee 8,330
Chair of Neighbourhood Services Committee 8,330
Chair of Planning Committee 8,330
Chair of Audit and Governance Committee 8,330
Chair of Licensing Committee 4,998
*Principal Group Leader 4,998

*this SRA is allocated in proportion with number of Councillors in each political group

Middlesbrough

Mayor £55,952
Deputy Mayor £20,518
Executive Members (6) £11,190
Chair of Overview & Scrutiny Board £11,190
Chair of Licensing Committee £8,393
Chair of Planning & Development Committee £8,393
Chair of Corporate Affairs and Audit Committee £5,595
Chairs of Scrutiny Panels (6) £5,595
Chair of Standards Committee £2,798
Chair of Staff Appeals Committee £2,798
Chair of Teesside Pension Fund Committee £2,798
Political Group Leaders: Majority Group (currently not claimed) £8,393
Largest Minority Groups – maximum x 2 providing they have 10% of Council membership (2) £2,798

Newcastle

https://www.newcastle.gov.uk/sites/default/files/Part%206%20-%20Members%20Allowances%202020-21_0.pdf

North Tyneside

Elected Mayor 67,321
Deputy Mayor 7,407
Cabinet Members 3,275
Chair of Overview, Scrutiny and Policy Development Committee, Planning Committee, Standards Committee and Health and Wellbeing Board 3,275
Deputy Chair of Overview, Scrutiny and Policy Development Committee, Planning Committee, Standards Committee and Health and Wellbeing Board

Independent Remuneration Panel 2021 Report

2,290

All other Committee Chairs 2,290

Deputy Chair of all other Committees 1,607

Leaders of Groups* 3,275

Chair of Council 12,003

Deputy Chair of Council 4,358

*On condition that their group has a minimum of 10% of the total number of Councillors (i.e. 6 at present).

Northumberland

<https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Councillors-and-Democracy/Members-Allowance-Scheme-2018.pdf>

Redcar and Cleveland

<https://www.redcar-cleveland.gov.uk/about-the-council/councillors/Pages/Members-Allowances.aspx>

Stockton-on-Tees

Leader and Cabinet Member for Corporate Management and Finance 25,000

Deputy Leader 13,750

Cabinet Member for Access, Communities and Community Safety 11,250

Cabinet Member for Regeneration & Transport 11,250

Cabinet Member for Adult Services and Health 11,250

Cabinet Member for Arts, Leisure & Culture 11,250

Cabinet Member for Children & Young People 11,250

Cabinet Member for Environment & Housing 11,250

Chair of Executive Scrutiny Committee 6,250

Vice-Chair of Executive Scrutiny Committee 3,125

Chair of Adult Services and Health Select Committee 6,250

Vice-Chair of Adult Services and Health Select Committee 3,125

Chair of Children & Young People Select Committee 6,250

Vice-Chair of Children & Young People Select Committee 3,125

Chair of Crime and Disorder Select Committee 6,250

Vice-Chair of Crime and Disorder Select Committee 3,125

*NB The Deputy Leader will be assigned one of the Cabinet portfolios.

Chair of People Select Committee 6,250

Vice-Chair of People Select Committee 3,125

Chair of Place Select Committee 6,250

Vice-Chair of Place Select Committee 3,125

Chair of Audit Committee 6,250

Vice-Chair of Audit Committee 3,125

Chair of Planning Committee 6,250

Vice-Chair of Planning Committee 3,125

Chair of Licensing Committee 6,250

Vice-Chair of Licensing Committee 3,125

Largest Minority Group Leader 5,000

Sunderland

Leader 37,667
Deputy Leader 25,111
Cabinet Secretary 25,111
Leader Majority Party in Opposition 12,556
Leader Minority Party in Opposition 6,277
Deputy Leader Majority Party in Opposition 8,369
Deputy Leader Minority Party in Opposition 4,184
Cabinet Member 20,716
Deputy Cabinet Member 12,556
Chairman of:
 Scrutiny Co-ordinating Committee 12,556
 Thematic Scrutiny Committee 5,179
 Area Committee 10,350
 Regulatory Committee 8,369
 Licensing Committee 8,369
 Planning and Highways Committee 6,277
 Development Control Sub Committees 6,277
Vice Chair of:
 Scrutiny Coordinating Committee 6,277
 Area Committee 6,277
 Thematic Scrutiny Committee 2,590
Adoptions and Permanency Panel 4,184
Fostering Panel 4,184
Mayor 17,205
Deputy Mayor 5,735
Co-opted Members Port Board 15,000
Audit and Governance Committee:
 Chair 6,277
 Independent Member 3,139

PART F

Members Allowances Scheme



MEMBERS' ALLOWANCES SCHEME

The scheme of allowances for members of the authority drawn up in accordance with regulations made under section 18 of the Local Government and Housing Act 1989 is as set out below:

South Tyneside Council - Members' Allowance Scheme 2019-20

Local Government Act 2000

Local Authorities (Members' Allowances) (England) Regulations 2003

1. All Council members receive the same Basic Allowance which is intended to recognise the time devoted by Councillors to their work.
2. In addition, certain Councillors who have significant extra responsibilities such as those of the Leader or Cabinet Members receive a Special Responsibility Allowance.
3. The Council does not pay attendance allowances to Councillors.

2019/2020 Members' Allowances Scheme

Basic Allowance (amount per Member) £ 7,667

Special Responsibility Allowances

Leader of the Council		£ 28,121
Deputy Leader of the Council		£ 17,894
Cabinet Member (7)		£ 12,241
Leader of main opposition group		£ 2,556
Police and Crime Panel Member (x2)		£ 5,112
2 nd Member of the Transport for the North East Committee (NECA)		£ 3,290
	Chair	Vice-Chair
Scrutiny Committee (3)	£ 10,225	£ 7,668
Pensions Committee	£ 10,225	£ 7,668
Planning Committee	£ 7,668	£ 5,112
Appeals Panel	£ 7,668	£ 5,112
Licensing	£ 7,668	£ 5,112
Community Area Forums (5)	£ 6,053	-
Human Resources	£ 5,112	£ 2,556
Audit Committee	£ 5,112	£ 2,556
Contracts Performance Panel	£ 5,112	£ 2,556
Housing Performance Panel	£ 5,112	£ 2,556
Education and Skills Panel	£ 5,112	£ 2,556
Safeguarding Children and Adults Panel	£ 5,112	£ 2,556
Standards Committee (co-opted Independent Chair)	£ 5,112	£ 2,556

No Member should receive more than one Special Responsibility Allowance (SRA). Any Member holding two or more posts eligible for an SRA should be paid only the highest of the SRA's payable. Where a Member is also a Member of another authority, that Member should not receive allowances from more than one authority in respect of the same duties. Allowances will be payable during periods of maternity or paternity leave.

Co-Optees Allowances

Standards Committee	Chair £ 5,112
Audit Committee	Additional £766
Standards Committee	Co-Optees £766

Dependent Carers' Allowances

Based on actual costs, but not exceeding **£8.30 per hour and per dependant.**

Carers' allowance should be paid for the care of dependants (whether children, elderly people or people with disabilities) when a Councillor attends a meeting or carries out other Council business which is specified in the regulations. The maximum period of entitlement should be the duration of approved duty together with reasonable travelling time.

The allowance should only be paid for care by a registered child minder or carer (not a Member of the Councillor's own household) and only if supported by receipted paid invoices.

The allowance will be payable for an approved duty and any other duty or class of duty approved by the Head of Legal Services for the purposes of, or in connection with, the discharge of any of the Council's functions or the functions of any of the Council's committees or sub-committees.

Travel Allowances (for Elected Members and Co-Optees)

(These are the 2014/15 HMRC rates. They are to be increased if the Inland Revenue publishes revised rates.)

	2019/20
Cars - First 10,000 miles	45p per mile
Cars - Over 10,000 miles	25p per mile
Cars - Each additional passenger	5p per mile
Motor Cycles	24p per mile
Bicycles	20p per mile

Subsistence and Out of Pocket Allowances (for Elected Members and Co-Optees)

Subsistence

Overnight (outside London) – 24 hours	£ 107.08
Overnight (inside London) – 24 hours	£ 151.00
Breakfast (4 hours before 11am)	£ 6.59
Lunch (4 hours including period 12 noon)	£ 9.08
Tea (4 hours including period 3pm to 6pm)	£ 3.58
Evening Meal (4 hours ending after 7pm)	£ 11.22

Out of Pocket

UK (24 hours)	£ 16.93
Abroad (24 hours)	£ 33.87

Election to Forgo Allowances

Any Elected Member or Co-Optee may, by notice in writing given to the Council's Head of Legal Services, elect to forgo all or part of any allowance entitlement.

PART F



Members' Allowances Scheme



1. Introduction

1.1 South Tyneside Council (“the Council), in accordance with the Local Authorities (Members’ Allowances) (England) Regulations 2003, have made a Scheme for the payment of allowances (“Members’ Allowances Scheme”) as follows:

1.2 This Scheme shall have effect from 18 May 2021 and shall continue in force thereafter until revoked or amended.

1.3 The previous Members’ Allowances Scheme which took effect from 1 April 2019 is revoked with effect from 18 May 2021.

1.4 The Corporate Director of Business and Resources is authorised, on receipt of verification of a claim from a Councillor, to pay the following allowances in accordance with the payment arrangements described in this Scheme.

1.5 In this Scheme:

“the Authority” and “the Council” means the South Tyneside Metropolitan Borough Council.

“Co-optee” means a person who is not a Councillor but who is a co-opted member of a Committee of the Authority.

“Councillor”, “Member” or “Elected Member” means an Elected Member of the Authority.

“the Regulations” means The Local Authorities (Members’ Allowances) (England) Regulations 2003 as amended by the Local Authorities (Members’ Allowances) (England) (Amendment) Regulations 2003.

“Year” means any period of 12 months ending on 31 March in any year.

1.6 Councillors should note that details of the payment of all their allowances (including expenses) must be made available for public inspection.

2. Basic Allowance

2.1 For each Year a basic allowance (“Basic Allowance”) of £7,667 per annum shall be paid to each Councillor. The Basic Allowance is intended to recognise approved duties and such offer inevitable calls on their time, including Council meetings, meetings with officers or constituents, personal research, informal meetings, ward surgeries and all associated preparation and planning work.

2.2 The Basic Allowance will be paid by equal monthly amounts via payroll.

2.3 Pro-rata payments of the Basic Allowance (calculated by reference to days) shall be payable to eligible Councillors where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a Year.

3. Special Responsibility Allowance

3.1 For each Year a special responsibility allowance (“Special Responsibility Allowance”) shall be paid to those Councillors who hold the special responsibilities in relation to the Authority that are specified below.

Special Responsibility Allowances

Leader of the Council		£ 28,121
Deputy Leader of the Council		£ 17,894
Cabinet Member (x7)		£ 12,241
Leader of main opposition group		£ 2,556
Police and Crime Panel Member (x1)		£ 5,112
JTC Tyne and Wear Sub Committee Representative		£ 3,290
Mayor		£9,635
Deputy Mayor		£4,738
	Chair	Vice-Chair
Scrutiny Committee (x3)	£ 10,225	£ 7,668
Pensions Committee	£ 10,225	£ 7,668
Planning Committee	£ 7,668	£ 5,112
Appeals Panel	-	-
Licensing	£ 7,668	£ 5,112
Community Area Forums (x5)	£ 6,053	-
Human Resources	£ 5,112	£ 2,556
Audit Committee	£ 5,112	£ 2,556
Contracts Performance Panel	£ 5,112	£ 2,556
Housing Performance Panel	£ 5,112	£ 2,556
Education and Skills Panel	£ 5,112	£ 2,556
Safeguarding Children and Adults Panel	£ 5,112	£ 2,556
Standards Committee (co-opted Independent Chair)	£ 5,112	£ 2,556

Independent membership on Audit Committee and Standards Committee including the Council’s Independent Person will each receive the sum of £766 per annum.

3.3 The amount of each Special Responsibility Allowance shall be the amount specified against that special responsibility above.

3.4 The Special Responsibility Allowance will be paid by equal monthly amounts via payroll.

3.5 Pro-rata payments (calculated by reference to days) of the Special Responsibility Allowance shall be payable to eligible Councillors where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a Year.

3.6 No Councillor should receive more than one Special Responsibility Allowance. Any Councillor holding two or more posts eligible for a Special Responsibility Allowance should be paid only the highest of the Special Responsibility Allowance’s payable. Where a Councillor is also a Member of another authority, that Councillor should not receive allowances from more than one authority in respect of the same duties.

3.7 Allowances will be payable during periods of maternity or paternity leave.

4. Allowances for Outside Bodies

4.1 Allowances are payable for the following:

- (a) Outside Bodies with Allowance Schemes from whom Councillors must claim directly, as show in Schedule 1. Not all Outside Bodies have Allowances Schemes.
- (b) Outside Bodies which are recharged by the Authority in respect of Allowances paid to Councillors for meetings convened by that Outside Body, as shown in Schedule 2.

4.2 No allowance shall be payable if such payment would be contrary to a provision made by or under any enactment.

5. Co-optees Allowance

5.1 For each Year a Co-optees allowance of £5,112.00 will be paid to the Independent Chair of Standards Committee as the Authorities only co-optee Member. In addition, all co-opted members will be eligible to recover travel and subsistence costs in accordance with this Members' Allowances Scheme.

5.2 Independent membership on Audit Committee and Standards Committee including the Council's Independent Person will each receive the sum of £766.00 per annum. In addition, all independent members will be eligible to recover travel and subsistence costs in accordance with this Member's Allowances Scheme.

6. Dependents' Carers' Allowance

6.1 An allowance ("the Dependents' Carers' Allowance") will be paid to each Councillor who needs to incur the expenses of arranging for the care of their children or dependents whilst undertaking approved duties specified in Schedule 3.

6.2 The Dependents' Carers' Allowance will be payable in respect of actual expenditure not exceeding a maximum of £8.30 per hour per dependent.

6.3 Payments can be made for the care of dependents including children, elderly persons or those with some form of disability.

6.4 Councillors may claim for care provided by relatives and others provided they do not live in the family home.

7. Travelling and Subsistence Allowance

Travel

7.1 Councillors and Co-optees are entitled to travelling and subsistence expenses necessarily incurred for the purpose of enabling him or her to perform any approved duties in connection with or relating to the duties specified in Schedule 3.

7.2 Travelling allowances may be claimed in respect of each and every occasion on which Councillors and Co-optees carry out a duty as described in Schedule 3.

7.3 The normal rates of travelling allowances are:

- (a) **Public Transport including bus/metro** – ordinary fare or any available cheaper fare. Please note that where a Councillor is claiming bus fares on a regular basis it may be cheaper to purchase a bus pass than meet individual fares. In this case the Authority would reimburse the cost of the pass. Any Councillor in any doubt on this matter should seek advice from the Corporate Director Business and Resources.
- (b) **Rail** - Tickets should be booked via Members Support Services. Only in emergencies should rail tickets be purchased direct by Councillors. Please note: Councillors will be reimbursed the cost of such a train ticket subject to a receipt being provided. However, unless there are emergency circumstances, all tickets should be booked for Councillors by the Council via Members Support Services. All Members will normally travel by business-class, but the Council will seek to secure cost-effective travel arrangements at all times.
- (c) **Private car** – specific details of each journey made must be recorded on the expense claim form. Where Councillors travel direct from their place of work to a meeting the mileage which can be claimed is the difference between work-meeting place-home and work-home. Where a passenger allowance is claimed the names of any passengers carried must be shown on the expenses claim form. Expenditure on tolls, ferries or parking fees may also be claimed, subject to receipts or tickets being submitted but Councillors will not be reimbursed for the costs of a permit to park at South Shields Town Hall. A Councillor may use their own motor car or one belonging to a member of her/his family, or otherwise provided for their use and subject to the Councillor having the appropriate insurance, the rate for travel, which is the same as for officers using their own vehicles on a casual basis as follows:

Mileage at a rate of Her Majesty's Revenues and Customs Mileage Rate of £0.45 per mile for the first 10,000 miles and £0.25 per miles over 10,000 miles. The rate shall be increased in accordance with any increase of Her Majesty's Revenues and Customs maximum rates of allowance.

A supplement for official passengers at a rate of £0.05 per mile per passenger, not exceeding 4 passengers, to who a travelling allowance would otherwise be payable.

The distance claimed for mileage should be the shortest most reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.

All Elected Members who require parking access at South Shields Town Hall courtyard must pay an annual fee of £25 for the necessary parking permit. Councillors will not be reimbursed for the costs of a permit to park at South Shields Town Hall. Parking Permits should be arranged via Members Support Services.

Note 1 – the mileage rate shall be the same whatever the type of fuel used (including petrol, diesel and LPG).

Note 2 – Councillors should only use cars rather than rail for longer journeys where it is reasonable or more efficient to do so.

- (d) **Motorcycles and bicycles** – if used the rate payable is Her Majesty's Revenues and Customs Mileage Rate. The rates shall be increased in accordance with any increase of Her Majesty's Revenues and Customs maximum rates of allowance.
- Motorcycle £0.24 per mile
 - Bicycle £0.20 per mile
- (e) **Taxis** – the cost of taxi fares where public transport is not readily available or appropriate or in cases of urgency. Councillors will be reimbursed subject to a receipt being provided for the actual fare and any reasonable gratuity. Taxis should be booked wherever possible via Members Support Services.
- (f) **Hired Motor Vehicle** – the rate for travel by a hired motor vehicle other than a taxi shall not exceed the rate which would have been applicable had the vehicle belonged to the Councillor who hired it.
- (g) **Air travel** – that the Chief Executive or Corporate Director for Business and Resources in consultation with the Leader of the Council approve air travel for Councillors attending appropriate courses or visits, where it is advantageous to the Authority in time and compared to alternative modes of transport and any additional costs are reasonable. Unless there are exceptional circumstances the Authority will book the flight direct selecting the most economic option available and utilising the established procurement arrangements in place. Where exceptional circumstances exist, these must be approved in advance by the Corporate Director for Business Resources and reasonable costs will be reimbursed subject to submission of receipts.

Overnight Accommodation

- (h) **Overnight Accommodation** – the allowance will not be claimable as an allowance as such, rather reasonable costs of an overnight stay (including breakfast) will be met by the Council for business class accommodation (3 star or 4 star) within and outside of London. In all circumstances the Authority, via Member Support Services, will book the accommodation direct selecting the most economic option available and utilising the established procurement arrangements in place.

The above approach is proposed for dealing with overnight stays (including breakfast). The subsistence rates for other meals below, where necessary, are still considered appropriate and would be in addition.

Subsistence

(i) A Councillor is entitled to a subsistence allowance where expenditure is necessarily incurred on an approved duty. In the case of absence from the usual place of residence for a continuous period which exceeds 4 hours but does not involve an overnight absence, subsistence is payable as set out below:

- Breakfast Allowance £6.59
- Lunch Allowance £9.08
- Tea Allowance £3.37
- Evening Meal Allowance £11.22

The limitations on reimbursements are:

- i) for breakfast, an absence of more than 4 hours, or where the Authority permits, a lesser period, before 11am;
- ii) for lunch, an absence of more than 4 hours, or where the Authority permits, a lesser period, including the period between 12 noon and 2pm;
- iii) for tea, an absence of more than 4 hours, or where the Authority permits, a lesser period, including the period between 3pm and 6pm;
- iv) for dinner, an absence of more than 4 hours, or where the Authority permits, a lesser period, ending after 7pm.

A contribution in excess of the above amounts can be made in exceptional extenuating circumstances. Such circumstances and Authority permission must be approved or provided in advance by the Corporate Director Business and Resources.

Hospitality

(j) The Authority recognises that the Leader of the Council, Cabinet Members and the Mayor and Deputy Mayor shall maintain effective relationships with key Authority partners and lead the Authority's work in relation to regional, national and international matters. Therefore, it is acceptable that the cost of reasonable hospitality offered to official guests of the Authority by the Leader of the Council, Cabinet Members or the Mayor/Deputy Mayor, acting on behalf of the Authority, is reimbursed, provided always that receipts are provided by the Elected Member claiming reimbursement.

Conference and Seminars

(k) If a Councillor wishes to attend a conference and / or seminar, a Conference Approval form is completed and submitted to the Leader or Deputy Leader of the Council for sign off. Staff within Members Support Services will complete the form on the Councillors behalf.

Once approval has been granted, travel and accommodation are booked by Members Support Services in accordance with Members Allowances guidelines.

- (l) Meals on trains – when main meals (i.e. a full breakfast, lunch or dinner) are taken on trains during a period for which there is entitlement to subsistence, the reasonable cost of the meal (including VAT), may be reimbursed in full where not included in the cost of the train ticket.
- (m) Residential courses – when a Councillor attends a residential course or conference and the Council has paid an inclusive fee, the normal subsistence allowance shall be payable for the period from leaving home to arriving at the Course, and from leaving the Course to arriving home, if and where appropriate.
- (n) A Councillor may claim the cost of reasonable out of pocket expenses when they are required to travel outside of the Borough of South Tyneside. Out of pocket expenses are reimbursed subject to submissions of receipts and are taxable. Examples of expenses that will be reimbursed include parking fees (but not fines). Out of Pocket expenses are only payable where Councillors are attending any conference and / or seminar or carrying out a duty as described in Schedule 3.
- (o) Councillors can claim for additional travel and subsistence or out of pocket expenses incurred in connection with conference and / or seminars or when carrying out a duty as described in Schedule 3. This can be by way of a cash advance (Part 11) or paid directly on to the Payroll subject at all times to submission of receipts.

8. Claims and Payments

8.1 Payments of Basic and Special Responsibility Allowances shall be made in instalments of one twelfth of the amount specified in this Scheme (i.e. equal monthly instalments in arrears) on the last working day of each month directly into a Councillor's bank account. All payments of Basic Allowance and where appropriate Special Responsibility Allowance will be made automatically, and no action is required by the Councillor to claim the Basic Allowance or Special Responsibility Allowance.

8.2 A claim for the following allowances must be made by the person to whom they are payable by submitted the appropriate Claim Form to the Civic Support and Events Officer within a reasonable period from the date on which an entitlement to the relevant allowances arises:

- (i) Dependents Carers' allowance
- (ii) Travelling, Accommodation or Subsistence allowance
- (iii) Co-optees' allowance
- (iv) Hospitality, Conference and Seminar allowance
- (v) Telephone and Broadband Allowances

8.3 Claim Forms can be obtained from Members Support Services and on completion should be returned to the Civic Support and Events Officer or

Members Support Services for payment. All claims should be made on a timely basis ideally within a quarter year of these claims being incurred and must be claimed within the relevant tax year. No payments will be made on claims submitted after the end of the financial year to which the claim relates.

- 8.4 Councillors are reminded that receipts and tickets must be obtained (including receipts for taxis, tickets on public transport, parking tickets) and must be submitted with their Claim Forms to assist with the recovery of VAT. In exceptional circumstances, where it is not possible to obtain a receipt, details of a journey etc. should be provided by the Councillor on the Claim Form.

9. Avoidance of duplication of Allowances

- 9.1 A Councillor performing approved duties as a Member of more than one body or becoming entitled to attendance or comparable payments under any other Act must ensure that only one claim is made for that duty.

10. Telephone and Broadband Allowances

- 10.1 Councillors may require a landline telephone available in their private residence. Provided their telephone charges are not already being met by any firm, company or other organisation by whom the Councillor is employed or otherwise connected, the Authority will pay for, as follows

a) Installation charges, where necessary	exact cost of installation is refunded
b) Basic monthly rental	£8.89
c) Cost and monthly rental of one extension point	£19.63
d) A monthly allowance towards the cost of calls	£14.99

- 10.2 HMRC have indicated that they consider a personal allowance is derived from the provision of a telephone and from the lump sum allowance for calls. All telephone allowances are therefore subject to income tax and national insurance and are reimbursed through Payroll. Members should submit their first paid telephone account to Members Support Services in order to claim reimbursement of the appropriate amount. The Authority is required to keep the account for VAT purposes, but a copy will be returned to Councillors.
- 10.3 Councillors may be able to claim tax relief for business calls. Her Majesty's Revenues and Customs may require Councillors to provide evidence of their claim. Councillors should therefore keep a record of all their business calls.
- 10.4 The Authority will provide a telephone answering machine to those Councillors who require such a facility.
- 10.5 Where a Councillor resides at same address as another Councillor, only one installation rental and/or extension point is payable. However, each Councillor may claim an allowance towards the cost of calls.

- 10.6 Councillors are required to submit their paid telephone bill, in order that a copy can be taken by Member Support Services to enable the VAT element to be recovered. A copy of the original account will be returned to Councillors.
- 10.7 Payment of telephone allowances will be made monthly. The allowance is taxable and therefore the payment will be included with the payment of other allowances each month. Further information for Member on Taxation can be found at Schedule 4.
- 10.8 Where a Councillor is provided with a device that can be connected to Broadband, the Authority will also provide a £14.99 monthly allowance towards the cost of Broadband via the Payroll system.
- 10.9 All Councillor will be provided with a Council mobile telephone and the Authority will pay all reasonable costs incurred for that mobile relating to business calls and calls which fall within the scope of the Council mobile contract. Councillors are required to reimburse the Authority for any private use where a cost has been incurred which falls outside of the scope of the Council mobile telephone contract.
- 10.10 If a Councillor requires payment in relation to Telephone and/or Broadband Allowance, they must notify and submit a request to Members Support Services as these are not automatic allowances. This request can be made at any time.

11. Cash Advance

- 1.1 In exceptional circumstances or to avoid personal hardship Members can obtain a cash advance to cover incidental travel and subsistence expenses incurred when travelling on approved Council duties (and which cannot be booked in advance by the Authority). This is subject to the following guidelines: -
- 11.1.1.1 A cash advance will only be available for a sum of up to £100 and will only be available for Members travelling for the purposes of approved and authorised Council duties.
- 11.1.1.2 A cash advance must be authorised by the Corporate Director Business and Resources prior to processing by Member Support Services.
- 11.1.1.3 At least 24 hours advance notice must be given to allow completion of the necessary processes.
- 11.1.1.4 Upon return from the approved duty, Members must produce receipts to support the expenditure of the cash advance and must return any surplus or unused element of the cash advance immediately upon return. Inability to produce receipts for a substantial proportion of the expenditure claimed will result in no further cash advances being awarded to that Member until such time as satisfactory supporting receipts are received or the situation is satisfactorily resolved by the Corporate Director Business and Resources.

12 Election to forgo allowances

- 12.1 Any Councillor or Co-optee may, by one month notice in writing given to the Council's Head of Legal Services or designated Monitoring Officer, elect to forgo all or part of any allowance entitlement under this Scheme.
- 12.2 Where a Councillor is fully or partially suspended from any duties their Basic Allowance will be fully or partially withheld by the Authority as appropriate.
- 12.3 Where a Councillor is fully or partially suspended from any duties or responsibilities which attract a Special Responsibility Allowance will be fully or partially withheld as appropriate.
- 12.4 Where a Co-optee is fully or partially suspended from any duties or responsibilities their Co-optees allowance will be withheld as appropriate.
- 12.5 Any decision made by a Member to forgo any allowance entitlement cannot be undone within one month of making such a decision and no reimbursement will be made after the end of the financial year in which the decision was made. There can be no request by Members to pay scarified allowances from previous years.
- 12.5 Any Councillor or Co-optee may elect to pay all or part of any allowance entitlement under this Scheme to a charitable or Voluntary organisation but must make those arrangements directly with the organisation. The Council will not facilitate or create these arrangements.

13 Review of Allowances

- 13.1 The Authority shall, pursuant to the Local Authorities (Members Allowances) (England) Regulations 2003, establish and maintain an Independent Remuneration Panel ("the Panel) to consider and advise on the categories and levels of Members Allowances paid by the Authority.
- 13.2 The Panel shall be convened at such times as may be deemed appropriate and in accordance with the Regulations to comment on and review any Allowance Scheme in force by the Authority. Any such Scheme must in any event be reviewed every four years from adoption or amendment.
- 13.3 The panel shall produce a report which shall set out the Panel's recommendations in respect of the payment of such Allowances as it thinks fit. That report shall be made available for inspection by members of the public and notice of the proposed recommendations published in a local newspaper circulating the area.
- 13.4 The report of the Panel will be considered by Full Council as soon as is reasonably practicable. Following consideration of the Panel's report Full Council shall set the level of the Allowances paid by the Authority until such time as they are again submitted for review by the Independent Remuneration Panel.

14 Parental Leave Entitlement

- 14.1 Following work done by the Local Government Association's Labour Women's Taskforce on 9 January 2019, it was agreed that insofar as possible Councillors are able to take appropriate parental leave at the time of birth or adoption, that both parents are able to take leave and that reasonable and adequate arrangements are in place to provide cover for portfolio holders and others in receipt of a Special Responsibility Allowance during any period of parental leave taken.
- 14.2 Councillors giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend for up to 52 weeks by agreement as required.
- 14.3 Councillors shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).
- 14.4 Where both parents are Councillors, leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.
- 14.5 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.
- 14.6 Members entitled to a Special Responsibility Allowance shall, for the first six months, continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave, with a review after the first six months and a possible extension for a further six month period.
- 14.7 Where a replacement is appointed to cover the period of absence that person shall receive a Special Responsibility Allowance on a pro rata basis for the period of the temporary appointment. Should a Councillor appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowance shall apply.
- 14.8 Any Councillor who takes maternity, paternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six-month period unless the Council Meeting agreed to an extended leave of absence prior to the expiration of that six-month period.
- 14.9 Unless the Member taking leave is removed from their post at an Annual Meeting of the Council whilst on leave, or unless the Political Party to which they belong loses control of the Council during their leave period (if applicable), they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they had before the leave began.

14.10 If a Councillor decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

14.11 If an election is held during the Member's maternity, paternity, shared parental or adoption leave, and they are not re-elected, or decide not to stand for re-election, their Basic Allowance and Special Responsibility Allowance (if appropriate) will cease from the Monday after the election date when they would technically leave office.

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Schedule 1

Outside Bodies with Allowance Schemes from which Members must claim directly making their own arrangements.

1. South Tyneside Homes (STH) - Chair £10,225 and Vice Chair £7,668
2. Housing Ventures Trust (Vice Chair Position Only) - £7,371
3. Border to Coast Pensions Partnership Limited – Shareholder Director - £15,000 (remunerated by the Company in full)

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Schedule 2

Outside Bodies which are Recharged by the Council in respect of Allowances Paid to members for meetings convened by the Outside Body.

1. Tyne and Wear Fire and Rescue Authority - Basic Allowance £2,500 & Special Responsibility Allowance £12,500
2. APSE – No payment for being on the committee. Annual Fee of £1,300 plus expenses payable to Member chairing a National Advisory Group (position appointed by APSE's AGM)

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Schedule 3

Approved Duty for Dependents' Carers' Allowance and Travel and Subsistence Allowance

Approved duty for the purpose of the payment of Dependents' Carers' allowance and travel subsistence shall be:

1. The attendance at a meeting of the Authority or of any committee or subcommittee of the Authority, or of any other body to which the Authority makes appointments or nominations, or of any committee or subcommittee of such a body.
2. The attendance at any other meeting, the holding of which is authorised by the Authority, or a committee or subcommittee of the Authority, or a joint committee of the Authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a subcommittee of such joint committee.

Note 1 In relation to category 2 meetings, it must be a meeting to which members of at least two political groups have been invited.

3. The attendance at a meeting of any association of authorities of which the Authority is a member.
4. The attendance at a meeting of the executive or a meeting of any of its committees, where the Authority is operating executives' arrangements.
5. The performance of any duty in pursuance of any standing order made under Section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened.
6. The performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises.
7. The performance of any duty in connection with arrangements made by the Authority for the attendance of pupils at any school approved for the purposes of Section 342 of the Education Act 1996 (approval of non-maintained Special Schools).
8. The carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Authority or of any of its committees or subcommittees.

Note 2 In relation to category 8, the Council has approved the attendance at all meetings which are for the purpose of, or in connection with, the discharge of the Authority's functions or of any of its committees or subcommittees (other than political meetings) including:

- *The attendance at a meeting of a Working group or Panel of the Authority*
 - *The attendance at site visits and inspections*
 - *The attendance at ward surgeries*
 - *The attendance at meetings with tenants or community groups*
 - *The attendance at meetings with officers*
9. Withholding Allowances – where a Councillor is fully or partially suspended from any duties or responsibilities which attract Special responsibility Allowance, those allowances will be withheld by the Authority.
10. Review of Allowances – the Authority shall, pursuant to the Local Authorities (Members Allowances) (England) regulations 2003, establish and maintain an Independent Remuneration Panel to consider and advise on the categories and levels of Members Allowances paid by Authority.

Schedule 4 - Taxation

The Tax Charge

For tax purposes, Members are treated in the same way as any other employee or person who holds an office.

- “Emoluments” (payments which more than cover expenses are taxable and are deducted as part of Income Tax.
- Payments which reimburse expenses actually incurred or are in line with nationally agreed rates are not taxable.

Taxable and NI-able Expenses Tax and National Insurance contributions will be deducted at the standard rate from members monthly allowance payment.

Members should note that it is their personal responsibility to inform the Inland Revenue if as a result of receiving their members allowance, they either are or become liable to pay higher rates of tax or have a change in their national insurance position e.g. reach state pension age

Tax and NIC Treatment

Members pay tax and national insurance contributions on

- Basic Allowance
- Special Responsibility Allowance
- Carers Allowance
- Car mileage which is claimed from Home to the Town Hall or from another workplace to the Town Hall (if this is additional mileage).

The following will also be subject to tax and national insurance contributions at source.

- Telephone installation costs.
- 75% of the cost of a travel ticket will be subject to tax and NI to cover private use. The following will also be taxable but will not be taxed at source.

Members will be provided with a year-end benefits statement P11D with these details on. These should be included on their own tax returns as “other income”.

- Computers for home use where the total cost of the equipment exceeds £2500.
- Any other benefits in kind.

Members will be provided with a car mileage statement at the tax year end showing details of their car mileage payments. If Members are required to complete their own

tax returns, they will not have to account for car mileage allowances from the Authority.

There have been occasions where Members have paid too much NI because of the contributions they had already made via their employer. If a Councillor earns above the threshold (currently £33,450pa), they could request deferral on the NI contribution arising from their Members Allowance. HMRC would then assess at the year end the level of contribution required. If the deferment was agreed their NI contribution on earnings above the threshold would fall to 1%. Members may wish to seek advice from MHRC if they feel their circumstances warrant it.

Members do not pay tax and national insurance contributions on:

- Business journeys e.g. travelling from the Town Hall to another Authority
- travelling expenses necessarily incurred when performing duties of the office of employment providing there is no element of profit or personal use i.e. Bus Fares, Train Fares, Taxi Fares.
- any other expenses which are wholly, exclusively and necessarily incurred in the performance of their duties, providing the prescribed rates are not exceeded and there is no element of profit or personal use.

Daily subsistence allowances are classed as emoluments and are taxable when they are paid for meetings of the Authority at the Town Hall. Other daily subsistence allowances are not taxable. Overnight subsistence and conference travelling, and subsistence allowances are not taxable provided the rates quoted in this Scheme are not exceeded.

It should be noted that it is for the Inland Revenue to determine what is taxable and what is not taxable and that they do apply their rules very strictly.

The Inland Revenue will need to be satisfied that the reimbursements have actually been incurred.

It is also possible for Members to claim tax relief on certain of the expenses they incur in the pursuit of their duties, providing certain criteria are met.

TAX RELIEF FOR EXPENSES

A number of expenses are eligible for tax relief: -

Household Expenses

Where it costs a Member more for lighting, fuel etc. to carry out Members duties at home, a standard allowance of £135 may be permitted by the Inland Revenue. (NB

the Council does not pay for these expenses and Members must actually claim the relief themselves from the Inland Revenue).

No tax allowance can be made for postage/stationery/secretarial services as these are made available by the Council for Members.

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BARNSELY METROPOLITAN BOROUGH COUNCIL

MEMBERS' ALLOWANCES SCHEME

2021/2022

Notes: -

This part contains the current Members' Allowances Scheme that sets out what the Council pays to elected Members and co-opted members by way of basic and special responsibility allowances, attendance allowances (appeals), carers' allowances, travelling allowances, travelling and subsistence expenditure.

The Scheme was approved by Barnsley Council and came into force on 1st April 2021.

The Council must have regard to a report from its Independent Remuneration Panel before making or amending a scheme.

Details of payments made are published annually. Payments and claim forms are open to public inspection during the Authority accounts inspection period.

Contact Members' Services membersservices@barnsley.gov.uk or telephone 773148 for further information.

Statutory Sources

Local Government and Housing Act 1989

Local Government Act 2000

The Local Authorities (Members' Allowances) (England) Regulations 2003 [SI 2003 No 1021] (as amended)

The Barnsley Metropolitan Council Members' Allowances Scheme 2020

The Council of the Borough of Barnsley HEREBY MAKES this scheme under The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and all other powers enabling the Borough Council in this behalf.

Introduction

This scheme may be cited as The Barnsley Metropolitan Borough Council Members' Allowances Scheme 2020 ("this Scheme"), shall Commence on the 1st April 2021 and shall continue in force thereafter until revoked or amended.

This scheme can be adjusted with reference to a formula linked to agreed National pay increase for Officers without further reference to the Independent Remuneration Panel.

The previous Barnsley Metropolitan Borough Council Members' Allowances Scheme which took effect from 1st April 2020 is revoked with effect from 1st April 2021.

In this Scheme:

"the Authority" means Barnsley Metropolitan Borough Council

"Councillor" means an elected member of the Authority

"Co-opted" means a person who is not a councillor but who is co-opted to serve as a member of a Committee of the Authority

"the Regulations" means The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) by The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003

"Year" means any period of 12 months ending 31 March in any year.

Basic Allowance

Each year a Basic Allowance set out in Schedule 1 shall be paid to each Councillor.

Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor will be entitled to such part of the Basic Allowance as is proportionate to the number of days served by that Councillor in that year as is proportionate to the total number of days in that year.

Where payment of any allowance has already been made in respect of any period during which a Councillor ceases to be a Councillor, in anyway not entitled to receive the allowance in respect of that period the Authority may require repayment of the allowance.

A Councillor may, by notice of writing given to Members' Services, elect to forgo all or any part of his or her allowance under this scheme.

The Scheme may be amended at any time.

Special Responsibility Allowance

Each year a Special Responsibility Allowance shall be paid to those Councillors who have the special responsibilities in relation to the Authority that are specified in Schedule 2.

The amount of each Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2.

Where a Councillor does not have throughout the whole year any such special responsibilities as entitle them to a Special Responsibility Allowance, his or her entitlement to such part of the Special Responsibility Allowance as is proportionate to the number of days served by that Councillor in that year as is proportionate to the total number of days in that year.

Any Councillor who holds more than one Special Responsibility position shall be entitled to receive the higher allowance listed in Schedule 2. A Councillor may not receive an allowance for more than one position.

Where payment of any allowance has already been made in respect of any period during which a Councillor ceases to be a Councillor, in anyway not entitled to receive the allowance in respect of that period the Authority may require repayment of the allowance.

A Councillor may, by notice of writing given to Members' Services, elect to forgo all or any part of his or her allowance under this Scheme.

The Scheme may be amended at any time.

Travel Allowance

Each year a Travel Allowance shall be paid to each Councillor in respect of travel undertaken in connection with or relating approved duties.

The amount of Travel Allowance paid shall be calculated based on the mileage between the Town Hall postcode and the Councillor's home postcode, using an on-line route finder. The amount paid will be the distance for the shortest route and will relate to specific bands of mileage travelled.

Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor will be entitled to such part of the Travel Allowance, as is proportionate to the number of days served by that Councillor in that year as is proportionate to the total number of days in that year.

A Councillor may, by notice of writing given to Members' Services, elect to forgo all or any part of his or her allowance under this Scheme.

The Scheme may be amended at any time.

Travel and Subsistence Expenditure (Outside the Borough)

Councillors can claim incurred expenditure in respect of travel undertaken in connection with or relating approved duties, outside the Borough, Councillors can also submit a prior written approval form to Members Services to enable them to take their car and claim the lesser of the mileage or 2nd class return fare as specified in Schedule 5

Councillors can claim incurred expenditure in respect of subsistence undertaken in connection with or relating approved duties, outside the Borough as specified in Schedule 7

Appeals, Awards and Standards Regulatory Board

The remit of the Appeals, Awards and Standards Regulatory Board was expanded in July 2012 to include the consideration of ethical standards issues arising out of the new code of conduct for Elected Members.

Members of the Appeals, Awards and Standards Regulatory Board will be paid an Attendance Allowance (£42 per half day (up to 4 hours) / £84 per full day (over 4 hours)) at panel meetings that consider staffing appeals, which should be deemed as 'approved duty'.

Attendance Allowance is not payable in respect of meetings of panels to consider any other matter within the remit of the Board.

Section 28 of the Localism Act 2011, under which the ethical standards arrangements were established, requires the appointment of an 'Independent Person' whose views will be sought on any allegation that a Member has breached the code of conduct.

Dependents' Carers' Allowance

An allowance will be paid to each Councillor who is the main carer and needs to incur the expenses of arranging for the care of their children or dependents while undertaking approved duties.

The Dependents' carers' allowance will be payable in respect of actual expenditure up to the amount specified by Barnsley Social Services rates (these will be verified once the application has been submitted) and is subject to observing the protocol on the claims procedure and eligibility criteria.

Note Claims *may only be made where a Care Agency, Registered Child Minder or Nursery has been employed. Claims may not be made where caring duties have been performed by a member of the immediate family. Members cannot claim for multiple carers for multiple dependents within the same category of care.*

Amendments and Repayments of Part of Allowances

This Scheme may be amended at any time.

Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made, the entitlement to such allowance as amended may apply with effect from the beginning of the year in which the amendment is made.

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

- a) Ceases to be a Councillor;
- b) Is in any 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.

Election to forgo allowances

A Councillor may, by notice in writing elect to forgo all or any part of his or her entitlement to any allowance under the Scheme.

Claims and Payments

Payments of Basic, Special Responsibility and Travel allowances shall be made in instalments of one twelfth of the amount specified in this scheme on the last Friday of each month. Members will be informed of any exceptions to the payment date.

A claim for the following allowances must be made by the person to whom they are payable within two months from the date on which an entitlement to the relevant allowance arises:

- Dependents' carers' allowance.
- Travelling and subsistence expenditure (Outside the Borough).

Audit Committee

Each year a Special Responsibility Allowance shall be paid to the co-opted members of the Audit Committee who have the special responsibility in relation to the Authority that are specified in Schedule 2.

The amount of Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2.

Where a co-opted member of the Audit Committee does not have throughout the whole year any such special responsibility as entitle them to a Special Responsibility Allowance, he or she will be entitled to such part of the Special Responsibility Allowance as is proportionate to the number of days served by them in that year as is proportionate to the total number of days in that year.

Where payment of any allowance has already been made to a co-opted member of the Audit Committee in respect of any period during which he or she ceases to be a co-opted member, in anyway not entitled to receive the allowance in respect of that period the Authority may require repayment of the allowance.

A co-opted member of the Audit Committee may, by notice of writing given to Members Services elect to forgo all or any part of his or her allowance under this scheme.

The scheme may be amended at any time.

SCHEDULE 1

Basic Allowance

The amount of the basic allowance is £11,620

(NB – This amount also includes a flat rate communications Allowance)

SCHEDULE 2

Special Responsibility Allowance

The following are specified as the special responsibilities in respect of which special responsibility allowance is payable, and the amounts of those allowances:

OFFICE HOLDER	ANNUAL AMOUNT £
Leader	28,005
Deputy Leader	18,203
Cabinet Spokespersons	
Core Services	14,002
Adult & Communities	14,002
Children's Services	14,002
Place (Environment & Transportation)	14,002
Place (Regeneration & Culture)	14,002
Spokesperson Without Portfolio	14,002
Chair Overview & Scrutiny Commissions	8,962
Chair Audit Committee	8,962
Chairs Area Councils	
Central	8,962
South Barnsley	8,962
North	8,962
North East	8,962
Dearne	8,962
Penistone	8,962

OFFICE HOLDER	ANNUAL AMOUNT £
Chairs of Regulatory Boards	
Planning	8,962
Licensing	8,962
Political Group Leaders	
Political Group 1	2,800pa +32.75per member
Political Group 2	2,800pa +32.75per member
Political Group 3	2,800pa +32.75per member
Cabinet Support Members	
Core Services	3,236
Adult & Communities	3,236
Children's Services	3,236
Place (Environment & Transportation)	3,236
Place (Regeneration & Culture)	3,236
Spokesperson Without Portfolio	3,236
Community Cohesion Champion	2,772
Overview & Scrutiny Task & Finish Leads	
Lead 1	2,241
Lead 2	2,241
Lead 3	2,241
Co-opted Members	
Independent Person(s) Ethical Standards * 3	773
Audit Committee * 5	1,242
Appeals, Awards and Standards (Chairman Only)	124
Appeals, Awards and Standards – Staffing Appeals	42 per half day

SCHEDULE 3

Travel Allowance - Within the Borough

The following rates shows the banding sum paid to Councillors for their travel within the Borough. The mileage is calculated on a postcode (Town Hall) to postcode (Home address) basis, shortest route:

Bands	Distance Member lives from Town Hall	Annual Sum Paid for In - Borough Travel
Band 1	<2 miles	0
Band 2	2 - 4 miles	120
Band 3	4 - 8 miles	240
Band 4	more than 8 miles	600

SCHEDULE 4

Dependents' Carers' Allowance

Rates will be determined from Barnsley Social Services at the time the application is submitted.

SCHEDULE 5

Travelling and Subsistence outside the Borough

Car

Mileage at a rate of £0.45 per mile, such rate to be increased in accordance with any increase of Inland Revenue maximum allowance.

A supplement for official passengers at a rate of £0.05 per mile per passenger.

Note For journeys of 50 miles or over, the lesser of car allowance or second class rail fare will be paid. A prior written approval form should be submitted to Members' Services for journeys of 50 miles or over.

Note Members who travel to and from work for an approved duty can only claim the equivalent home return journey.

Reimbursement of car parking charges subject to receipts or tickets being submitted.

Train

All travel for approved duties outside the Borough must be pre-booked by Members Services. Members Services staff will book members standard class tickets.

Bus

A Councillor will be reimbursed the cost of such a fare subject to a receipt being provided.

Taxis

A Councillor will be reimbursed the cost of taxi fares where public transport is not readily available subject to a receipt being provided.

Subsistence:

Note: Day subsistence is not payable for approved duties within the Borough.

Day Subsistence outside the Borough

The following criteria applies to each category:

Breakfast (Member is required to leave home before 6am)
Lunch (Member is required to include the hours 12noon–2pm)
Evening Meal (Member is required to work continuously after 8pm)
The current rates for Day subsistence outside the Borough can be obtained from Members' Services.

Members must be absent over 4 hours

Note: A Councillor will be reimbursed the cost of subsistence outside the borough subject to receipts being provided.

Overnight Subsistence

All overnight stays for approved duties outside the Borough must be pre-booked by Members' Services. Consideration will be taken of current market rates.

Overseas Allowance

Where a Member is required to represent the Council overseas, all Out of Pocket expenses be paid with reference to the rates payable by the South Yorkshire Joint Authorities.

SCHEDULE 6

Co-opted Allowance

The following Co-opted allowance is payable:

<u>Co-opted</u>	<u>Amount</u>
Independent Person(s) Ethical Standards	773
Independent Members of Audit Committee	1,242

SCHEDULE 7

Approved Duty

Attendance at Council meetings and, if the Member has been appointed to membership, or is attending as deputy, at meetings of Cabinet, Scrutiny Commissions, Regulatory Boards, Audit Committee,, Ward Panels, Area Delivery Panels, Appointment Panels, and other subordinate meetings (i.e. Rota visits) by which the Council discharges its function

Attendance at meetings of Cabinet, Scrutiny Commissions, Regulatory Boards, Audit Committee, Ward Panels, Area Delivery Panels, Appointment Panels, or other subordinate meetings

As Ward representative invitation of the body
By invitation of its Chairman.

Attendance at not more than two surgeries per month.

Attendance by the Leader, Deputy Leader, Cabinet Members, Cabinet Support Members, and Chairman and Vice-Chairman of Scrutiny Commissions, Regulatory Boards, Audit Committee, Ward Panels, Area Delivery Panels, Appointment Panels, at any appointment arranged with an Executive Director, Service Director or their representative or upon any other matter arising from the discharge of the functions of the Council.

Attendance at Council premises on any other occasion for the purposes of, or in connection with, the discharge of the functions of the Council.

Attendance in pursuance of a resolution of the Council;

At meetings of the Local Government Association and any of its Committees, Sub Committees.

At meetings of a body to which they are appointed on the nomination of the Yorkshire and Humber Local Authority.

At any meeting with representatives of local or public authorities held in connection with the discharge of the functions of the Council.

Attendance in pursuance of a resolution of the Council at any national, provincial or local Joint Negotiating Council or Committee for local authority employees.

Attendance at conferences approved by the Council (excluding those held for commercial or political purpose) which, in the opinion of the Council, relate to the interests of at least some part of their area or its inhabitants.

Attendance approved by the Council at deputations to Ministers and Government Departments.

Attendance approved by the Council, at meetings of;

Any Joint Committee of two or more local authorities
Any Joint Board, Joint Authority or other combined body, which members are representatives of local authorities.

Attendance approved by the Council from time to time at meetings of any other bodies and their committees, sub-committees and other subordinate bodies.

Attendance at any meetings of Members convened by the Chief Executive in connection with the discharge of functions of the Council.

Exclusion from Allowances:

The attendance at political meetings is not an approved duty for the purposes of claiming allowances.

The attendance at civic functions (including subsidiary meetings associated with the annual council) is not an approved duty for the purposes of allowances.

Members' Allowance Scheme

A Members' Allowances

1. Introduction

The Local Authorities (Members' Allowances) Amendment Regulations, came into effect from 1 April 1995, and it is under these Regulations together with further Regulations introduced in 1995, 1996, 1997, 1999, 2000 and 2003 that the Council's Scheme of Members' Allowances has been introduced.

North Tyneside Council, in exercise of the powers conferred by the Local Authorities (Members Allowances) Amendment Regulations 2003 hereby makes the following scheme of Members' Allowances. This scheme may be cited as the North Tyneside Council Members' Allowances Scheme and shall have effect from 1 April 2019 and subsequent years or until such time as the scheme is reviewed/changed. Further in exercise of the powers conferred by the Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations, 2002 the Council makes the following Scheme of Allowances for the elected Mayor.

2. Basic Allowance

This scheme provides for the payment of a Basic Allowance to each member of North Tyneside Council (hereinafter referred to as 'the Authority') who is a Councillor.

The level of Basic Allowance for 1 April 2019 will be £10,358 per annum and will be paid to each member of the Authority on a monthly basis, there is no need for a claim to be submitted.

Where the term of office of a Council begins or ends otherwise than at the beginning or end of a year, then the entitlement to Basic Allowance will be calculated pro rata to the number of days in office during that year.

This allowance is paid equally to all members of the Council and is deemed to cover a range of incidental expenses incurred by Councillors (e.g. Stationery, Postage, Telephone Calls, Additional Home Heating/Lighting) as well as recognising the unpaid hours spent on ward matters etc.

3. Special Responsibility Allowance

This scheme provides for the payment of Special Responsibility Allowance to those members of the Authority shown below who are Councillors carrying special responsibilities in relation to the Authority.

This scheme also provides for payment of a Special Responsibility Allowance to the Leaders of the Political Groups.

Where a member does not carry special responsibilities for the full year period (i.e. the Municipal Year) then the payment of Special Responsibility Allowance will be calculated pro rata to the numbers of days in the year that special responsibilities were carried.

Special Responsibility Allowance will be paid automatically on a monthly basis – there is no need for a claim to be submitted.

No Member will receive more than one Special Responsibility Allowance.

The following are considered to carry out special responsibilities on behalf of the Authority and as such are to be paid a Special Responsibility Allowance under the Local Authorities (Members' Allowances) (England) 2003 and the Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002.

Position	Annual Allowance £
Elected Mayor	65,519
Deputy Mayor	7,209
Cabinet Members	3,187
Chair of Overview, Scrutiny and Policy Development Committee, Planning Committee, Standards Committee and Health and Wellbeing Board	3,187
Deputy Chair of Overview, Scrutiny and Policy Development Committee, Planning Committee, Standards Committee and Health and Wellbeing Board	2,229
All other Committee Chairs	2,229
Deputy Chair of all other Committees	1,564
Leaders of Groups*	3,187
Chair of Council	11,682
Deputy Chair of Council	4,241
Basic Allowance	10,358

*On condition that their group has a minimum of 10% of the total number of Councillors (i.e. 6 at present).

4. Uprating of Allowances

The amount of Basic and Special Responsibility Allowance will be index linked to the annual pay award for employees working under the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service.

5. Election to Forego

A Member may, by notice in writing to the Council, elect to forego any part of his/her entitlement to an allowance under this scheme.

6. Elected Mayor

This scheme provides for the payment of an allowance to the Elected Mayor.

The level of allowance will be £65,519 per annum and will be paid on a monthly basis.

Where the term of the Elected Mayor begins or ends otherwise than at the beginning or end of a year, then the entitlement to any allowance will be calculated pro rata to the number of days in office during that year.

7. Attendance Allowance

Although Attendance Allowance no longer forms part of the Council's Scheme of Members' Allowances, some bodies to whom the Council appoints representatives still retain Attendance Allowance as part of their own Schemes. Members who carry out approved duties on behalf of the bodies shown below should continue to claim Attendance Allowance in the usual way and claim forms will be held for processing with the monthly Basic Allowance payment:

Association of North East Councils
Northern & North Eastern Provisional Employer's Organisation

8. Income Tax

Each of the above allowances are classed as earnings by HM Revenue and Customs (HMRC) and are liable to deduction of Income Tax. The appropriate deduction of tax is made at source and earnings are reported to HMRC at the end of each Tax Year.

9. National Insurance Contributions

Each of the above allowances are also liable to deductions of National Insurance Contributions. Again, these are deducted at source and reported to the HMRC at the end of each tax year.

10. Allowances to Co-opted/Independent Members

This Scheme provides for the payment of allowances to co-opted and independent members as follows:

Position	Annual Allowance £
Independent Chair Audit Committee (one third of allowance of Chair of a major committee)	1,062
Independent Deputy Chair Audit Committee (one third of allowance of Deputy Chair of a major committee)	743
Co-opted Members Scrutiny Committees (10% of Members' Basic Allowance)	1,036
Independent Persons (Standards Committee)	1,061
Independent Remuneration Panel Members	500

B Members' Expenses

Expenses fall under three main types, Travel, Subsistence and Other Expenses.

1. Travel Expenses

Rail, Air and Boat Fares

Tickets for the above must at all times be ordered in advance from the Information Governance team at Quadrant. Tickets can, in urgent cases, normally be obtained within 4 hours. Wherever possible, standard class rail tickets, with pre-booked seats, will be purchased through 'special offers' where appropriate.

In an extreme emergency, Members may purchase their own standard travel tickets but the cost will only be reimbursed if the spent/used ticket stubs are submitted with the official expenses claim form.

Car Mileage

Car mileage may be claimed for attending approved duties as set out in Appendix 2 to this Scheme and claims must be submitted on the official expenses claim form.

The mileage is shown on the Schedule of Allowances/Expenses.

Miscellaneous Travel Expenses

These include bus and metro fares, car parking fees, Tyne Tunnel fees, taxi fares etc., and can be claimed for on the official expenses claim form.

Receipts or used tickets must be submitted.

For further details on how to claim travel expenses please refer to Section C - general points.

Income Tax and National Insurance Contributions

Although the Authority has been successful in obtaining a dispensation from HMRC in respect of travel expenses where no liability for either Income Tax or National Insurance Contributions arises on the payment of such expenses this does not cover expenses incurred in relation to journeys to and from Quadrant. Such expenses are deemed ordinary commuting and are liable to statutory deductions.

2. Subsistence Expenses

Current rates are shown on the enclosed schedule of Allowances/Expenses, as set out in Appendix 1.

Day Subsistence

This may be claimed when carrying out approved Authority duties for any period of up to 24 hours. The range of allowances available are as follows:

Allowance	Eligibility Criteria
Breakfast - £4.92	Must be absent from normal place of residence for more than 4 hours before 11.00 a.m.
Lunch - £6.77	Must be absent from normal place of residence for more than 4 hours including the lunchtime period between 12.00 noon and 2.00 p.m.
Tea - £2.67	Must be absent from normal place of residence for more than 4 hours including the period 3.00 p.m. to 6.00 p.m.
or	
Evening Meal - £8.38	Must be absent from normal place of residence for more than 4 hours ending after 7.00 p.m.

It is important to remember that subsistence rates are maximum amounts and claims for such expenses should total the amount actually incurred or the maximum amount whichever is the lesser amount. Receipts must be submitted.

Overnight Subsistence

Members who carry out approved Authority duties which last for more than 24 hours and/or include an overnight stay, must adhere to the Authority's arrangements for Conference attendance.

Accommodation will be arranged by the Information Governance team at selected hotels from the Hotel Accommodation Government Rate Scheme, this will be paid in advance by the Information Governance team.

On those occasions when accommodation cannot be pre-booked via the Hotel Accommodation Government Rate Scheme, the Information Governance team will find alternative accommodation.

Members must submit the official hotel invoice and an official claim form with the receipts to account for any additional expenses incurred to the Information Governance team.

Subsistence expenses in respect of meals taken will be reimbursed up to the maximum amounts specified for “Day Subsistence” and must be claimed on the official claim form and handed to the Information Governance team.

It is important to remember that subsistence rates are maximum amounts and claims for such expenses should total the amount actually incurred or the maximum amount whichever is the lesser amount. Members must submit receipts for all expenses to the Information Governance team.

On those occasions where a Member opts to stay with a relative or friend (as opposed to a hotel or guest house etc.) when carrying out official business which involves an overnight stay, a maximum amount of £30 can be claimed towards subsistence costs. Such subsistence is to be claimed in lieu of the normal evening meal and bed/breakfast allowance.

Income Tax and National Insurance Contributions

The Authority has been successful in obtaining a Dispensation from HMRC in respect of the majority of subsistence expenses. Therefore, with the following exception (please see note on Day Subsistence below), no liability for either Income Tax or National Insurance Contributions arises on the payment of such expenses.

To maintain our tax dispensation, hotel bills must be submitted to the Information Governance team for overnight accommodation.

Current maximum rates of overnight subsistence are shown on the attached Schedule of Allowances and Expenses.

NB. Day Subsistence

Where day subsistence is claimed for carrying out approved duties at the normal place of work, then the amount is liable to Income Tax and National Insurance Contributions. “The Normal Place of Work” will usually be regarded as Quadrant, or some other venue where business normally takes place e.g. the normal meeting place of an Area Housing Forum. For further details on how to claim subsistence expenses please refer to Section C - General Points.

3. Personal Incidental Expenses

Members who carry out approved Authority duties which last for more than 24 hours and/or include an overnight stay, may claim for personal incidental expenses to cover personal telephone calls, newspapers, laundry service etc. Such expenses may be claimed on the official claim form and must not exceed:

£5 per period within the UK
£10 per period outside of the UK

The above rates will be allowed by HMRC as being tax-free. For further details on how to claim Personal Incidental Expenses please refer to Section C - General Points.

4. Meals Provided Free of Charge

Where a meal is provided free of charge or as part of a conference/seminar/business package, then subsistence expenses will be reduced accordingly, e.g. a lunch provided free of charge will result in the overall subsistence claim being reduced by the maximum lunch allowance prevailing at the time. Members must declare such meals on the claim form.

5. Meals on Trains/Aeroplanes/Boats etc.

Where it is necessary to take a meal on a train, aeroplane or boat, the full cost of the meal will be reimbursed provided that the receipt is submitted with the official claim form. Failure to do so will restrict reimbursement to the appropriate meal subsistence allowance.

6. Advances of Expenses

Where Members are required to travel away on business, an advance of expenses may be obtained by request to the Information Governance team, who will arrange for an appropriate advance. It is still necessary, however, to submit an official claim form to the Information Governance team for expenses actually incurred and upon receipt this will be processed, the advance recovered and any credit balance remaining will be forwarded to you.

7. Telephone Expenses

Members who are not on the Authority's Telephone System may claim the cost of telephone rental plus VAT element. To claim this expense, Members must pay their telephone account in full to their provider and then send the top portion of the account, with an expenses claim form, to Payroll Services, Business Support Service, for reimbursement. To conform with VAT Regulations, photocopies of telephone accounts are not acceptable.

Payment of this expense is fully liable to both Income Tax and National Insurance Contributions which will be deducted at source.

8. Mobile Telephones

Members who are issued with a mobile telephone are required to pay for the cost of any private telephone calls made plus VAT at the prevailing rate. The Information Governance team at Quadrant will provide full details regarding repayment.

In addition to this, the advice and guidance from the health and safety section on the use of mobile phones whilst driving is as follows. "No employee should use or answer a mobile phone whilst driving. The phones have messaging

and answer phone facilities. The officer will pull over as soon as it is safe to do so and park up, then they can access their phone. Unfortunately this means that there will be times when members don't get an immediate answer, as the safety of the employees on the road carrying out Authority business is paramount, this will have to be accepted by the members.”

C General Points

1. Claim Forms

Claims for travel, subsistence, expenses, incidental expenses (and/or attendance allowance as specified in Section A) must be made to the Information Governance team on the official form. A supply of forms can be obtained direct from the Information Governance team or an electronic form can be downloaded from the Councillors Intranet via the Quick Links section.

Completed claim forms should be submitted to the Employee Services Manager, (Courier Code D1) to reach the office by the 20th day of each month. Any claims received after this time may not be paid until the following month.

Payment will be made by BACS transfer direct to your bank account or alternatively by cheque if this proves not to be possible.

In accordance with the Authority's Financial Regulations claims for Members' travel and subsistence allowances must be submitted on a monthly basis. Where claims are for values of less than £20, these may be held by the Member and submitted at a future date when the aggregated claim exceeds this value. Claims in respect of a financial year must however be submitted within one month of the year end.

2. Income Tax Relief for Household Expenses

The Authority has arranged with HMRC for each Member of the Authority to receive Income Tax relief for 'Household Expenses' e.g. purchase of stationery, filing cabinet, use of a room as an office etc.

This Income Tax relief has been allowed under HMRC instruction SE7612 and is currently valued at £135 per annum. However, should any Member feel that his/her outgoings for such items are greater than this figure, then a personal claim would have to be made to the Inspector of Taxes.

Should any Member wish to make an individual claim, it is recommended that you complete the Expenses Claim Form and return it to Financial Processing where it will be checked and forwarded to HMRC.

3. Pensions for Councillors

Due to the Local Government Pensions Scheme Regulations, no Councillors are entitled to join the Scheme from 1 April 2014. Any Councillor contributing to the Scheme on 31 March 2014 can only continue to contribute for the remainder of their current term of office. Please use the link below to view the Scheme.

<http://www.twpf.info/article/13024/Councillor-Members>

4. Dependent Carers Allowance

Dependent Carers Allowance is available, whilst undertaking approved duties, at the equivalent to an hourly rate of the North Tyneside Living Wage (over 25 years) or the statutory minimum wage (below 25 years), for Members who have childcare or other care commitments. To reclaim the money back from the Council you will be required to complete your expenses claim form, attach a receipt, where possible and submit to Financial Processing on a monthly basis so that reimbursement can be provided.

5. Contact Personnel

All enquiries concerning allowances and expenses should be made to Financial and Employee Services, at Quadrant, tel: 0191 643 5511 e-mail sharon.cheetham@northtyneside.gov.uk

APPENDIX 1

Schedule of Members' Allowances and Expenses Rates for 2018/19

Allowance Type	Detail	Maximum Amount Payable	
Basic Allowance	Annual Allowance	£10,358	
Motor Mileage Allowance	Motor Cycles	Pence per Mile 24.0	
	Motor Cars & Tri-Cars Under 8500 miles	451-999cc 46.9	
	Over 8500 miles	13.7	
	Under 8500 miles	1000cc and over 52.2	
	Over 8500 miles	14.4	
	Cycles	20.0	
Passenger Allowance	A supplement payable for each 'official passenger' carried to whom a travelling allowance would otherwise be payable: First Passenger Second and subsequent passengers (not exceeding 4 in total)	Pence per Mile 3.0 2.0	
Subsistence Allowance	Day Subsistence Breakfast Lunch Tea Evening Meal	 £4.92 £6.77 £2.67 £8.38	
	Overnight Subsistence London (each 24hr period) Elsewhere (each 24hr period)	 £91.00 £79.80	

Approved duties for the purpose of the payment of Car Mileage and Subsistence claims :

1. The attendance at a meeting of the Authority or of any Committee or Sub-Committee of the Authority, or of any other body to which the Authority makes appointments or nominations, or of any Committee or Sub-Committee of such a body.
2. 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 at least one other 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.
3. The attendance at a meeting of any association of authorities of which the Authority is a member.
4. The attendance at a meeting of the executive or a meeting of any of its Committees, where the Authority is operating executive arrangements.
5. The performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises.
6. The performance of any duty in connection with arrangements made by the Authority for the attendance of pupils at any school approved for the purposes of Section 342 of the Education Act 1996 (approval of non-maintained Special Schools).
7. The carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Authority or of any of its Committees or Sub-committees (other than political meetings), including:
 - the attendance at a meeting of a Working Group or Panel of the Authority.
 - the attendance at site visits and inspections.
 - the attendance at ward surgeries.

- the attendance at meetings with tenants or community groups.
- the attendance at meetings with officers.
- the attendance at meetings as invited observers or attendees officially recognised as such in the official invitation list e.g. Citizenship Ceremonies, Civic Events, hospitality functions, exhibitions, open days or similar events.
- the attendance at meetings in some other formal representational capacity e.g. at the specific request of local residents to represent their views.
- the attendance at formal or informal briefings/presentations about matters related to the functions and work of the Authority.
- the attendance at training events for Members arranged as part of the Member Development programme.

North Tyneside Council
Dependant Carers Allowance (Guidance Notes)

The Carers' Allowance is to cover "expenses" necessarily incurred to secure the care of children or dependants when fulfilling duties as a Councillor. This means that expenditure has either been incurred or the Councillor is contractually bound to cover the cost.

The expenses that may be reimbursed/recovered must be "necessarily incurred" which means unavoidably incurred i.e. that there is no other option to incurring such expenditure.

The expenses that may be reimbursed/recovered are available in respect of "arranging for the care of Councillors' children or dependants". Dependants are those who depend on the Councillor for maintenance or other support and rely on the Member for care.

The allowance is only available for the care of children under the age of 16.

Confirmation is required to support the expense request that care for dependants is required, for example, from the dependant person's GP or other appropriate health professional or if relevant their social worker.

Payment will be made with a financial limit equating to the minimum wage.

Travel time is paid to and from the venue / location up to a maximum of 1 hour, each way and will be rounded to the nearest quarter.

Where care is provided and expenses reimbursed to a Member this does not transfer responsibility for a child or dependant to the Authority. For the purposes of clarity it is a Member's responsibility to source an appropriate carer for a child or dependant and the Authority does not accept any responsibility or liability in respect of the suitability or otherwise of such a carer.

Timescales for claims, provision of receipts, and appropriate declaration that the expenses have necessarily been incurred to enable specified approved duties to be fulfilled, should be submitted within the policy of the Authority's Financial Regulations, i.e. claims should be submitted monthly and within the financial year to which they relate. Claims for March will be accepted during April of the next financial year.

Payment of carer expenses necessarily incurred by the Councillor in circumstances where they would not otherwise be eligible under the Scheme may be granted in exceptional circumstances at the discretion of the Head of Law and Governance. Any request that the discretion is exercised must be made in writing to the Head of Law and Governance with supporting information.

NB: The allowance is not available for payment to members of the family. The Authority has already adopted a definition of a member of the family within the Authority's Code of Conduct. In the Code a member of a councillor's family means a councillor's partner (i.e. their spouse, civil partner or anyone with whom they live

in a similar capacity), the councillor's parent or parent in law, any child, step child or sibling of the councillor or their partner, the councillor's grandparent, grandchild, aunt, uncle, nephew or niece and the partners of any of those people.

MEMBERS' ALLOWANCES SCHEME

The St Helens Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) (Amended) Regulations 2003, hereby makes the following scheme:

1. This scheme may be cited as the St Helens Council Members' Allowances Scheme and shall, subject to paragraph 15, have effect for the remainder of the year commencing on 30 October 2003 and commencing in subsequent years on 1 April.
2. In this scheme "Councillor" means a Member of the St Helens Council who is a Councillor.
3. "Attendance Allowances" are not provided for in this Scheme.
4. "Co-optees' Allowances" are not provided for in this Scheme.

Basic Allowance

5. Subject to paragraph 11, for each year the basic allowance specified in the schedule hereto shall be paid to each Councillor, whose roles and responsibilities are defined in Appendix 1.

Special Responsibility Allowances

6. (1) For each year a special responsibility allowance shall be paid to those Councillors who hold special responsibilities in relation to the authority, whose additional roles and responsibilities are defined in Appendix 2.
- (2) Subject to paragraph 11, the amount of each such allowance shall be the amount specified against that special responsibility in the schedule hereto.
- (3) Payment of special responsibility allowances is restricted to one amount in cases where Councillors hold more than one position of special responsibility.

Travelling and Subsistence

7. The basic allowance referred to in paragraph 5 shall be inclusive of all travelling and subsistence (where refreshments are not provided) expenses, whether by public or private transport except in the following circumstances:
 - (i) Official visits and opening ceremonies where these take place outside the Borough;
 - (ii) Conferences, seminars and training provided these are held outside the Borough; and
 - (iii) Outside Bodies (on the approved list as determined from time to time) where meetings are held outside the Borough.

Payment for the use of members' private motor vehicles shall be made at the rate of:

Engine size 0-999:	34.6 pence per mile
Engine size 1000-1199:	39.5 pence per mile
Engine size 1200 and above:	48.5 pence per mile

Payment for actual subsistence costs incurred shall be made at the rate of:

Breakfast:	£3.34
Lunch:	£4.47
Evening meal:	£8.38

Conference Allowance

8. No allowance shall be paid for attending a Conference. The Travel and Subsistence expenses incurred through attendance at a Conference may be claimed in accordance with paragraph 7 above and in respect of overseas travel, at three times the UK rates as recommended by the ODPM. All authorised hotel accommodation should be booked through and paid for by Members' Services.

Telephone Allowance

9. The Council provides connection to the Council's Telephone System which allows Members to contact all Officers, Members and a range of other contacts, free of charge. An allowance for using a personal telephone is included in the basic allowance, as at paragraph 5 above.

Childcare and Dependants' Carers Allowance

10. An allowance not exceeding £8.72 per hour, or part thereof where above 30 minutes (or such other sum as may be prescribed as the National Minimum and National Living Wage) may be claimed by a Member in respect of actual expenses necessarily incurred in arranging for the care of a child or other dependant by virtue of a member's attendance at a meeting of the Council, or any other meeting that is authorised by the Council, or designated as an approved duty under this Scheme, but it may not be claimed if the care is provided by as member of the claimant's household.

Renunciation

11. A Councillor may, by notice in writing given to the Chief Executive, elect to forego any part of his/her entitlement to an allowance under this scheme.

Part Year Entitlements

12. If, in the course of a year, this scheme is amended or a Councillor becomes, or ceases to be a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable, the annual basic or special responsibility allowance shall be adjusted pro-rata to the number of days remaining in that financial year.

Claims and Payments

13. Payments shall be made in respect of basic and special responsibility allowances in instalments of one-twelfth of the amount specified in this scheme on the twenty-first day of each month, with the exception of the Deputy Mayor who will be paid in one instalment the month after coming into office.

Up-rating

14. The basic and special responsibility allowances within this Scheme will be up-rated on an annual basis as of 1 April unless the Council agree for any year that such up-rating shall not take place. The index will be tied to the General

Rate that the majority of Joint National Council for Local Government Services members receive.

MEMBERS' ALLOWANCES

	Annual Allowance (2020/2021) (wef 1 April 2020) £
Basic Allowance	8,094
Special Responsibilities	
Leader of the Council	35,064
Deputy Leader of the Council	19,554
Main Opposition Leader (provided that the largest Opposition Group holds at least 15% (rounded up) of the seats on Council)	5,127
Chair of Overview and Scrutiny Commission	8,094
Chairs of Overview and Scrutiny Committees	5,127
Main Opposition Deputy Leader (provided that the largest Opposition Group holds at least 15% (rounded up) of the seats on Council)	1,617
Other Opposition Leaders (provided that a Group has three or more Members)	1,617
Cabinet Members	16,182
Chair of Audit & Governance Committee	8,094
Chair of Planning Committee	8,094
Chair of Licensing and Environmental Protection Committee	8,094
Mayor	8,094
Deputy Mayor	810
Member of Recycling and Waste Authority (unless also the Chairman of the Authority, when the figure is £6,672)	5,127
LCR Transport Committee	5,675 (Increase to be advised)

MEMBERS ALLOWANCES SCHEME

Wirral Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme :

1. This scheme may be cited as the Wirral Borough Council Members' Allowances Scheme, and shall have effect for the year commencing on 1 April 2008 and subsequent years.

The Scheme was reviewed in October 2013 and the revised Scheme came into effect on 1 January 2014. Additional monitoring and review has continued, the most recent having taken place in July 2017.

2. In this scheme, "councillor" means a member of the Wirral Borough Council who is a councillor;

"total estimated allowances" means the aggregate of the amounts estimated by the Director of Finance, at the time when a payment of basic allowance and special responsibility allowances is made, to be payable under this scheme in relation to the relevant year, and for this purpose any election under paragraph 6 (Renunciation) shall be disregarded;

"year" means the 12 months ending with 31 March.

3. **Basic Allowance**

- 3.1 Subject to paragraph 8, for each year a basic allowance of **£8,712.45** shall be paid to each councillor.

(Reduced by 5% following a meeting of the Independent Panel on Members Allowances who made a recommendation re: this to Council in October 2012 which was agreed)

4. **Liverpool City Region Transport Committee – Basic Allowance**

- 4.1 Subject to paragraph 8, for each year a basic allowance of **£5,675** shall be paid to each of the four Councillors who sit on this Committee.

5. **Special Responsibility Allowances**

- 5.1 For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the authority that are specified in schedule 1 to this scheme.

- 5.2 Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

- 5.3 No councillor shall be entitled to receive more than one payment by way of special responsibility allowance.

6. Childcare and Dependants' Carers' Allowance

- 6.1 An allowance **not exceeding £7.50 per hour** shall be payable towards or in respect of actual expenses necessarily incurred in arranging for the care of a child or other dependant by virtue of a member's attendance at a meeting of the authority, or any other meeting that is authorised by the authority, or designated as an approved duty under this Scheme, provided that no such payment shall be made to a relative or a member of the claimant's own household.

7. Renunciation

- 7.1 A councillor may by notice in writing to the Assistant Director: Law and Governance (Monitoring Officer) (or an officer authorised in that behalf) elect to forego any part of his/her entitlement to an allowance under this scheme.

8. Part-year Entitlements

- 8.1 The provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

- 8.2 If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:

- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
- (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year

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

- 8.4 Where this scheme is amended as mentioned in sub-paragraph (7.2), and the term of office of a councillor does not subsist throughout the period mentioned in sub-paragraph (7.2) (a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his/her term of office as a councillor subsists bears to the number of days in that period.
- 8.5 Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.
- 8.6 Where this scheme is amended as mentioned in sub-paragraph (7.2), and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (7.2) (a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

9. Travel and Subsistence

Travel Costs

- 9.1 Travel costs incurred by members in performing "approved duties" as specified in **Schedule 2** to this Scheme shall be reimbursed at the prevailing public transport rates, provided that the use of taxis or members' private motor vehicles may be permitted where public transport is either not available, or the journey by public transport would be likely to result in unreasonable delay.
- 9.2 Payment for the use of members' private motor vehicles shall be made at the rate of **45 pence per mile**.
- 9.3 The allowance payable for the use of motor cycles or bicycles shall be in accordance with the rates prescribed by the scheme of conditions of service applicable to the authority's employees generally.

Subsistence Payments

- 9.4 Members necessarily absent from home for a period in excess of four hours (but not including absence overnight) shall be entitled to receive a payment in respect of the purchase of meals at the following rates relevant to the time of day:-

Breakfast allowance (before 11 a.m.)	£6.00
Lunch allowance (12 noon to 2 p.m.)	£9.00
Tea allowance (3 p.m. to 6 p.m.)	£3.00
Evening meal allowance (after 7 p.m.)	£11.00

- 9.5 Notwithstanding the rates specified at (8.4) above, members shall be entitled to claim reimbursement of the actual cost of meals taken on trains provided this is reasonable and supported by an official receipt, subject to the following limitations:

4-8 hours	cost of 1 main meal
8-12 hours	cost of 2 main meals
Over 12 hours	cost of 3 main meals

- 9.6 In cases where a meal is provided free of charge by an outside organisation, the entitlement to a subsistence payment shall be reduced by an amount equivalent to the rate prescribed for a meal relevant to the time of day, namely:

Breakfast	£6.00
Lunch	£9.00
Tea	£3.00
Evening Meal	£11.00

- 9.7 Members absent from home for a continuous period of 24 hours or more (necessarily including an overnight stay) shall be entitled to claim, in respect of the purchase of meals and overnight accommodation, reimbursement of the actual costs incurred (where supported by receipts) up to a maximum of:

Standard rate	£110.00
Central London/LGA Annual Conference Rate	£144.00

For the purposes of this section "Central London" is defined as the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

10. Payment of Allowances

- 10.1 Allowances payable under this scheme shall be paid in equal monthly instalments of one-twelfth of the annual amounts specified in paragraph 3 above and **Schedule 1** hereto.
- 10.2 Payment of allowances and expenses under this scheme shall be made by the Director of Finance by Bankers' Automated Clearing Services (or such other method of payment as may be acceptable to the Council) on the last Thursday of every month (except in December, when arrangements for earlier payment may be made).

- 10.3 Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

SCHEDULE 1

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable, and the amounts of those allowances.

Leader of the Council	22,927
Deputy Leader of the Council	11,463
Deputy Leader of the largest group	11,463
Leader of the largest opposition group (Cons.)	13,756
Deputy Leader of the largest opposition group	6,878
Leader of 2nd largest opposition group (Lib Dem)	9,171
Deputy Leader of 2nd largest opposition group	4,585
Mayor of Wirral	10,700
Deputy Mayor of Wirral	1,500
 <u>Cabinet Member Portfolios:</u>	 9,171
 <u>Overview and Scrutiny Committee Chairs:</u>	 4,585
 <u>Other Committees:</u>	
Licensing, Health & Safety & General Purposes	4,585
Pensions	2,751
Planning	4,585
Standards and Constitutional Oversight	1,375
Audit and Risk Management	4,585
 Standards and Constitutional Oversight Committee – Independent Persons x 4 a payment of £25 per meeting each	
 Merseyside Waste Disposal Authority representatives (£1834 x 2)	 3,668
 Liverpool City Region Transport Committee	
Lead Member Finance and Organisation Development	4,433
Lead Member Bus	4,433
Observer on Mersey Ferries Board	expenses only
Observer on Beatles Story Board	expenses only
Opposition Spokesperson	2,660

SCHEDULE 2

APPROVED DUTIES

Attendance at any of the following is designated as an approved duty for the purpose of the payment of travel and subsistence allowances:-

- (a) meetings of the Council, committees (including advisory committees), sub-committees, member panels or working parties;
- (b) meetings of associations of local authorities (including committees, special interest groups or working parties) of which the council is a member;
- (c) meetings of the Merseyside Waste Disposal Authority;
- (d) meetings (including annual site inspections) authorised from time to time by the Cabinet and to which representatives of more than one political group have been invited;
- (e) formal site visits (organised in addition to the annual tour of inspection) by members of the Planning Committee;
- (f) meetings by the Party Leaders or their nominees with Government Ministers where at least two political groups have been invited;
- (g) meetings by the Party Leaders or their nominees at offices of the European Union in pursuit of Council policies (and when accompanied by officers);
- (h) attendance by Cabinet members, Party Leaders or Deputies and Committee Chairs or spokespersons (or their nominees) at briefings or other meetings convened by a Chief Officer to deal with Council business;
- (i) Court hearings (e.g. on Licensing or other matters) where the member is attending on behalf of the Council;
- (j) Hearings of Industrial and Employment Appeal Tribunals by members of the Appeals Sub-Committee;
- (k) Public Inquiries (when the member is representing the Council);
- (l) Training courses for Councillors included in an approved programme;
- (m) attendance at seminars or presentations within the Borough where this is authorised by a committee (for members of that committee only) or by the Cabinet if the invitation is to be extended to all members of the Council;
- (n) meetings of the following bodies to which the Council makes appointments or nominations:-

(A) LEADER

- Liverpool City Region Cabinet
- Liverpool City Region Combined Authority
- Liverpool City Region Combined Authority Scrutiny Panel
- Liverpool City Region Boards
- Liverpool City Region Local Enterprise Partnership - Director
- NW Regional Leaders' Board (Nomination)
- Local Strategic Partnership Assembly

(B) ADULT SOCIAL CARE AND PUBLIC HEALTH

- Age UK
- Arch Initiatives - Wirral Management Committee
- Cheshire and Wirral NHS Partnership Trust: Appointed Governor
- Clatterbridge Cancer Centre NHS Foundation Trust
- John Lloyd Corkhill Trust
- Merseyside Society for the Deaf
- Wirral University Teaching Hospital Foundation Trust - Governors

(C) CHILDREN AND FAMILY SERVICES

- Birkenhead Sixth Form College Governing Body
- C E Gourley VC Endowment Fund
- Lower Bebington School Lands Foundation
- National Society for the Prevention of Cruelty to Children
- Oaklands Centre Management Committee
- St Bridget's Educational Trust
- West Kirby Residential School
- Wirral Metropolitan College Governing Body (Nomination)
- Wirral Play Council Executive Committee
- Wirral Play Partnership

(D) ECONOMY

- Chrysalis (General Partner) Limited - Director
- Conservation Area Advisory Committees
- Lairdsid Communities Together
- Mersey Maritime Group Ltd
- Mersey / Dee Alliance
- North Birkenhead Development Trust (Director)
- Wirral Chamber of Commerce
- Wirral Citizens' Advice Bureau
- Wirral Council for Voluntary Service - Management Committee

(E) ENVIRONMENT AND SUSTAINABILITY

- Liverpool Airport Consultative Committee
- Local Government Association Coastal Issues Special Interest Group
- Manchester Port Health Authority
- Mersey Port Health Committee
- Merseyside Waste Disposal Authority

(F) GOVERNANCE, COMMISSIONING AND IMPROVEMENT

- Wirral Multicultural Organisation

(G) LEISURE, SPORT AND CULTURE

- Beechwood Play and Community Centre Joint Management Committee
- Charing Cross Play, Youth and Community Centre Joint Management Committee
- Gautby Road Play & Community Centre Joint Management Committee
- The Lauries Centre
- Leasowe Play, Youth & Community Association Joint Management Committee
- Mayer Trust, Bebington
- Merseyside Cultural Forum
- New Ferry Village Hall Joint Management Committee
- Royal Liverpool Philharmonic Society
- Seacombe Community Association (Council)
- Tam O'Shanter Cottage Trust
- Woodchurch Community Centre Joint Management Committee

(H) HIGHWAYS AND TRANSPORT

- Merseytravel Committee of the Liverpool City Region Combined Authority (Not an Approved Duty)
- National Parking Adjudication Service Joint Committee
- Wirral Cycle Forum
- Wirral Pedestrian Forum

(I) LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

- North Western Inshore Fisheries and Conservation Authority

(J) NEIGHBOURHOODS, HOUSING AND ENGAGEMENT

- Leasowe Community Homes Management Board
- Magenta Living – Board members
- Magenta Living: Community Fund Working Group
- Magenta Living: Governance and Membership Committee
- Merseyside Fire and Rescue Authority
(Not an Approved Duty)
- Merseyside Police and Crime Panel
- Wirral Community Safety Partnership
- Wirral Council and Riverside Challenge Fund Working Group

(K) SUPPORT SERVICES

- Birkenhead Market Limited/Birkenhead Market Services Limited,
Director
- Local Government Association: General Assembly
- North Western Local Authorities Employers' Organisation
- SIGOMA (LGA Special Interest Group of Metropolitan Authorities)
- West Kirby Charities

Councillor Allowances Scheme (updated for 2018/19)

1. Introduction

- 1.1 This Councillors' Allowances Scheme was made by the Council on 31 January 2018, in accordance with the statutory provisions in the Local Government and Housing Act 1989, the Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003.

The Council has had regard to the Guidance on Consolidated Regulations for Local Authority Allowances issued by the Office of the Deputy Prime Minister and the Inland Revenue in July 2003.

In January 2018, the Council established its own Independent Remuneration Panel under the Local Authorities (Members' Allowances) (England) Regulations 2003.

The Council has had regard to the recommendations of the Panel in approving the levels of allowances set out in this scheme.

- 1.2 A copy of the Panel's report is available from Democratic Services, Civic Centre, St Peter's Square, Wolverhampton, WV1 1SH. Telephone: 01902 550320 and on the Council's website.

1.3 Definitions

"Regulations" means the Local Authorities (Members' Allowances) (England) Regulations 2003 and any Regulations which may from time to time replace, amend or revoke them.

"Regulatory or other Committee" means, in accordance with the Council's Constitution, Committees, Sub-Committee or Panels comprising Councillors or other persons established to deal with functions which are neither reserved to the Council nor are Cabinet functions.

- 1.4 Sections 2 to 16 of this Scheme describe the types of allowances which may be paid to Councillors and the arrangements for administering the Scheme.
- 1.5 Section 17 contains a Schedule of Allowances approved by the Council for 2014/15. The Schedule will be re-issued annually when the annual adjustment has been made and at any time when the Scheme is amended.

2. Basic Allowance

- 2.1 This is a basic, flat rate allowance payable to all Councillors. The allowance is the same for each Councillor and is paid in instalments through the year.
- 2.2 Where the term of office of a Councillor begins or ends otherwise than at the beginning (1 April) or end of a year (i.e. 31 March), his/her entitlement shall be to payment of such part of the basic allowance as bears to the whole the

same proportion as the number of days during which his/her term of office as Councillor bears to the number of days in that year.

- 2.3 Basic allowance is intended to recognise the time commitment of all Councillors, including such inevitable calls on their time as meetings with employees and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the cost of telephone rental and calls and home office expenses such as postage, stationary and the use of their homes.

3. Special Responsibility Allowance

- 3.1 Special Responsibility Allowances (SRAs) may be paid to those Councillors who have significant responsibilities. The Regulations prescribe the categories of responsibility for which SRAs may be paid.

- 3.2 The Council has determined that SRAs be paid to Councillors holding the following posts:-

Leader
Deputy Leader
Leader of the Main Opposition Group
Deputy Leader of the Main Opposition Group
Cabinet Member
Chair – Scrutiny Board
Chair – Scrutiny Panel
Chair – Planning Committee
Chair – Licensing Committee
Chair – Pensions Committee
Chair – Audit Committee

Vice-Chair – Scrutiny Board and Panels
Vice-Chair – Planning Committee
Vice-Chair – Licensing Committee
Vice-Chair – Pensions Committee
Vice-Chair – Audit Committee

Leader of a Minority Opposition Group *
Councillor Champions

“Special Responsibility Allowance for the Leader of a Minority Opposition Group to be paid only if a Minority Opposition Group comprises five or more Councillors”

- 3.3 Where a Councillor undertakes duties which would entitle him/her to more than one Special Responsibility Allowance under this Scheme then he/she shall receive only the higher allowance.
- 3.4 Where a Councillor does not have throughout the whole of a year any such responsibilities as entitle him/her to a SRA, his/her entitlement shall be to payment of such part of the SRA as bears to the whole the same proportion

as the number of days during which he/she has such special responsibilities bears to the number of days in that year.

4. Dependants' Carers' Allowance

- 4.1 A dependants' carers' allowance is payable to those Councillors who incur expenditure for the care of their children or other dependants whilst undertaking particular duties. These duties are specified in the Regulations and are as follows:
- a. attendance at a meeting of the Cabinet or of a Committee of the Cabinet (i.e. the Cabinet or a Cabinet Panel)
 - b. attendance at a meeting of the Full Council or any Regulatory or other Committee (i.e. a Committee or Sub-Committee or Panel of the Council)
 - c. attendance at a meeting of some other body to which the Council make appointments or nominations, including attendance at a meeting of a Committee or Sub-Committee of the body and for the avoidance of doubt shall include attendance at a meeting of the West Midlands Combined Authority
 - d. attendance at a meeting which has both been authorised by the Council, or a Regulatory or other Committee of the Council or a Joint Committee of the Council and one or more other authorities, or a Sub-Committee of a Joint Committee and to which representatives of more than one political group have been invited
 - e. attendance at a meeting of a local authority association of which the Council is a member
 - f. duties undertaken on behalf of the Council in pursuance of any standing order (Contracts Procedure Rules) requiring a Councillor or Councillors to be present while tender documents are opened
 - g. duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises
 - h. duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools)
 - i. any other duty approved by the Council in connection with discharging the duties of the Council or its Regulatory or other Committees (i.e. Committees or Sub-Committees).

Councillor Allowances Scheme

- 4.2 The amount of the dependants' carers' allowances payable in respect of the duties listed above will be the reasonable actual costs incurred up to a total annual maximum amount of 10% of the basic allowance.

5. Travelling and Subsistence Allowance

- 5.1 Travel and subsistence allowance is payable in connection with undertaking duties specified by the Council. The duties specified are those set out in section 4.1 of this Scheme.

- 5.2 Travel and subsistence within the West Midlands County area

No separate amount will be payable for travel and subsistence. The basic allowance will be deemed to include an element for travel and subsistence.

- 5.3 Travel and subsistence outside the West Midlands County area

Councillors required to travel outside the West Midlands County area in connection with the duties specified in section 4.1 of this Scheme are encouraged to travel by public transport. The costs of such travel if incurred directly by the Councillor will be reimbursed. Alternatively, the Council will obtain and pay for travel warrants or tickets etc. for use by the Councillor.

Where it is not possible to use public transport, mileage rates applicable to Council employees, equivalent to the cost of standard class rail fare, will be reimbursed. All claims for mileage should be accompanied by a VAT receipt.

Where Councillors are unable to take main meals i.e. breakfast, lunch and dinner, in their normal place then the reasonable costs of purchasing a meal and beverage or appropriate refreshment will be reimbursed.

Councillors must obtain receipts when paying for transport and meals/refreshments. In the case of alcoholic drinks, only expenditure for reasonable refreshment or business purposes will be reimbursed.

- 5.4 Councillors who are required to return to Wolverhampton to attend Council meetings or attend to other Council business while away from home on personal business or in connection with their employment will not normally be reimbursed any travel or subsistence costs by the Council. In exceptional personal, compassionate or other mitigating circumstances, the reimbursement of such travel costs will be considered by the Director of Governance and Section 151 Officer following consultation with the Political Group Leaders.

6. Co-opted Members and Independent Person's Allowance

- 6.1 The Council has determined not to pay any allowance to co-opted Members or Independent Persons (i.e. a person who, not being an elected Councillor, has been appointed to membership of a Regulatory or other Committee of the Council) or persons or representatives of external organisations (i.e. a person

Councillor Allowances Scheme

who, not being a Councillor, has been invited to attend a Regulatory or other Committee of the Council) in respect of attendance at meetings.

- 6.2 Co-optees and persons or representatives of external organisations will be entitled to travel and subsistence allowance.
- 6.3 Travel and subsistence within the West Midlands County area – co-optees and persons or representatives of external organisations will be paid on the same basis as that applying immediately before the coming into operation of this Scheme.
- 6.4 Travel and subsistence outside the West Midlands County area – co-optees and persons or representatives of external organisations will be paid allowances on the same basis as Councillors as set out in section 5.3 of this Scheme.

7. Withholding Allowances

- 7.1 If a Councillor has been suspended from membership of the Council then his/her basic allowance, any SRA and all travel and subsistence allowances will be withheld during the period of suspension. If a Councillor has been partially suspended e.g. prevented from exercising particular functions or having particular responsibilities, then his/her basic allowance will not be withheld but travel and subsistence allowances and any SRA related to the suspended duties and responsibilities will be withheld.
- 7.2 Where payment of any allowance has already been made in respect of any period during which the Councillor concerned has been suspended or ceased to be a Councillor or is in any other way not entitled to receive the allowance in respect of that period, then any such allowances will be repaid by the Councillor.

Note: References to suspension and partial suspension refer to the provisions of Part III of the Local Government Act 2000 and any Regulations made thereunder.

8. Forgoing of Allowances

- 8.1 A Councillor may forgo all or any part of any allowances to which he/she is entitled under this Scheme. Notice in writing must be given by the Councillor to the Monitoring Officer.

9. Backdating of Allowances

- 9.1 If this Scheme is amended and any amendment is made which affects an allowance payable for the year in which the amendment is made then the entitlement to such allowance as amended may apply (if the Council so determines) with effect from the beginning of the year in which the amendment is made.

10. Annual Adjustments of Allowance Levels

- 10.1 Basic and Special Responsibility Allowances for the municipal year commencing 4 June 2014 will be paid as set out in the Schedule to this Scheme.

11. Tax and National Insurance Treatment of Councillors' Allowances

- 11.1 For tax and national insurance purposes Councillors and non-Councillors are treated in the same way as any other individual who holds an office or is an employee. Guidance received by the Council will be made available to Councillors who should also contact their tax office for advice as necessary.

12. Amendments and Revocation of the Scheme

- 12.1 Before the beginning of each year the Council will make a Scheme as required by the Regulations for the payment of allowances in respect of the year.
- 12.2 The Scheme may be amended at any time but may only be revoked with effect from the beginning of a year.

13. Claims and Payment

- 13.1 Claims for dependants' carers' allowance, travelling and subsistence allowances must be claimed within one month of the date on which entitlement to the allowance arose.
- 13.2 Unless otherwise agreed payment of basic allowance and SRA's will be made monthly in advance.

14. Records of Allowances

- 14.1 The Council will keep a record of payments made by it in accordance with the Scheme. The record will contain the information required by the Regulations.
- 14.2 As soon as reasonably practicable after the end of a year to which the Scheme relates the Council will publish details in accordance with the Regulations of allowances paid.

15. Publicity

- 15.1 The Council will as soon as reasonably practicable after the making of this Scheme or any amendment thereto make arrangements for publication as required by the Regulations.

16. Schedule of Basic and Special Responsibility Allowances

Basic Allowance (All Councillors) – £9,161

Description	From 07.05.18
Special Responsibility Allowance (SRA)	
Leader	25,000
Deputy Leader	20,000
Leader of the Main Opposition Group	15,000
Deputy Leader of the Main Opposition Group	2,500
Cabinet Member	15,000
Chair – Scrutiny Board	15,000
Chair – Scrutiny Panel	10,000
Chair – Planning Committee	15,000
Chair – Licensing Committee	15,000
Chair – Audit Committee	10,000
Chair – Pensions Committee	10,000
Vice-Chair – Scrutiny Board and Panels	2,500
Vice-Chair – Planning Committee	5,000
Vice-Chair – Licensing Committee	5,000
Vice-Chair – Audit Committee	2,500
Vice-Chair – Pensions Committee	2,500
Councillor Champion	2,500
Ceremonial Mayor (inclusive of £2,500 clothing allowance)	20,000
Ceremonial Deputy Mayor (inclusive of £1,250 clothing allowance)	5,000

(Note: Where a Councillor undertakes duties which entitle him/her to more than one SRA under the Scheme, he/she will receive only the higher allowance)