

## **PART 7**

# **MEMBERS' ALLOWANCES SCHEME**

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## **1. Introduction**

- 1.1 This scheme is made under the powers conferred by the Local Authorities (Members' Allowances) Regulations 2003 and will be effective on and from 1 August 2017 until 31 March 2021.
- 1.2 Elected members of Suffolk County Council may claim the following allowances as specified in Schedule 1 to this Scheme:
  - Basic Allowances
  - Special Responsibility Allowance
  - Travel and Subsistence Allowance
  - Carer's Allowance
- 1.3 Basic and Special Responsibility Allowances will be paid in equal monthly instalments and will be subject to tax and national insurance deductions. Payments will be made directly to councillors' bank accounts. Adjustments required, as a result of amendments to the Members' Allowances Scheme or changes affecting a councillor's eligibility for an allowance, will be made after the affected councillors have had a written explanation of the change and notification of the date on which it will be implemented.
- 1.4 All claims for Travel and Subsistence, Carer's and Co-opted Member's Allowances will be paid retrospectively. Payments will be made monthly to the councillor's or co-opted member's bank account.

- 1.5 Co-opted members not subject by law to the Code of Members' Conduct will be required to agree to be bound by the Code voluntarily in order to claim allowances or expenses.
- 1.6 The allowances and expenses specified in this Scheme are the only ones that councillors and co-opted members are entitled to claim from the Council.
- 1.7 A councillor who is a member of both the County Council and another local authority or public body cannot claim allowances from both bodies for the same duties.
- 1.8 Co-opted members representing community or interest groups cannot receive allowances from the County Council if they are entitled to claim expenses or allowances from their nominating group for the same duties.

## **2. The Basic Allowance**

- 2.1 The Basic Allowance will be paid to each eligible councillor in equal monthly instalments and will be subject to tax and national insurance deductions.
- 2.2 Councillors will inevitably incur a range of expenses in the course of carrying out council business. The Basic Allowance is intended as a contribution towards those expenses for which claims cannot be made within this Allowances Scheme.
- 2.3 The Basic Allowance is not intended to remunerate councillors for all the time they spend on business arising from their role as a councillor. There is a voluntary, public service element to the councillor's role and this Members Allowances Scheme assumes that 50% of a councillor's work will be undertaken on a voluntary basis.
- 2.4 From 1 April 2018 the Basic Allowance shall be amended annually by reference to the annual pay settlement for local government staff. The amendment will take effect on the date on which the settlement for staff takes effect.

## **3. Special Responsibility Allowances**

- 3.1 A Special Responsibility Allowance will be paid to a councillor who holds any of the offices specified in Schedule 1. It will be paid to each eligible councillor in equal monthly instalments and will be subject to tax and national insurance deductions.
- 3.2 No councillor may receive more than one Special Responsibility Allowance. Where a councillor holds more than one post, they will receive the higher of the Allowances appropriate to the posts.
- 3.3 For the purposes of calculating SRAs for the Leader and Deputy Leaders of political groups, a political group is defined as five or more councillors who notify their intention to become a group as required by the Local Government and Housing Act 1989.

#### **4. Travel and Subsistence Allowances**

- 4.1 Travel and Subsistence Allowances are payable for attendance at events which are approved duties, as set out in Schedule 2.
- 4.2 Where a councillor is attending a conference, seminar, or other meeting on behalf of the Council, and will not arrive at their home until after 7pm the cost of an evening meal can be reimbursed up to a reasonable maximum, subject to approval by the Monitoring Officer. If the councillor is away from home and the Council's premises and not provided with meals in exceptional circumstances on production of a receipt the Monitoring Officer can approve expenditure outside the provision of the scheme. If a meal cost is incurred in London where the cost of living is higher which is more than provided for in the scheme the Monitoring Officer can approve the higher costs.
- 4.3 Receipts for all expenses claimed must be provided with the claim form. In exceptional circumstances, the Monitoring Officer may approve payment of a claim that is not supported by a receipt.

#### **5. Carer's Allowance**

- 5.1 Councillors who incur costs for the care of children or dependent relatives in the course of certain duties can claim a Carer's Allowance. The rates of allowance are set out in Schedule 3. A Carer's Allowance can be claimed for duties which are also eligible for Travel and Subsistence Allowance as set out in Schedule 2.
- 5.2 In the case of a Carer's Allowance for childcare:
- (i) The allowance is available for the care of children under 16 years of age who normally live with the councillor.
  - (ii) The allowance cannot be claimed for the care of children of compulsory school age during normal school hours unless there are exceptional circumstances.
- 5.3 In the case of a Carer's Allowance for the care of a dependent relative, the relative must be dependent on the councillor and require constant care.
- 5.4 Expenditure incurred will be reimbursed up to the maximum hourly rate (as set out in Schedule 3) for each hour of absence from home.
- 5.5 Payment will only be made for the period of the qualifying meeting and the travelling time to and from the councillor's home.
- 5.6 A signed receipt from the carer, showing their name, signature and address, the period worked and the amount received must be submitted with the claim.
- 5.7 A Carer's Allowance can only be paid for care provided by a registered childminder or other statutory approved childcare provider, or to agencies or persons professionally qualified or registered to provide the care required by the dependant relative. An Allowance will not normally be paid for care

provided by anyone else. In exceptional circumstances, where a councillor is unable to find a suitable statutory provider or registered professional carer, a claim to pay another person may be considered, subject to approval by the Monitoring Officer before the expense is incurred.

## **6. Co-opted Member's Allowance**

- 6.1 Co-opted members of the Council's committees can claim a flat attendance fee of £70 per session attended of four hours or less in addition to travel and subsistence allowances as set out in Schedule 2.
- 6.2 The fee can also be claimed where the co-opted member is required to attend conferences, seminars or other events as part of their role on the committee.
- 6.3 Co-opted members who receive paid time off from their employer or an allowance from their nominating body in order to attend committee meetings or events cannot claim an attendance fee from the Council.

## **7. Claiming Allowances**

- 7.1 Claims for Carer's, Travel, Subsistence and co-opted member's allowances must be made within two months of the date on which the expenditure was incurred. Claims submitted by the tenth day of the month will be paid in the same month. In exceptional circumstances, the Council will meet claims submitted later than two months after the event.
- 7.2 Expenses should be claimed using the on-line expenses system (MyHR). Where this system is not available claim forms can be obtained in hard or electronic copy from Councillor Services.

## **8. Taxation**

- 8.1 Allowances are liable for Income Tax and National Insurance contributions.
- 8.2 Councillors are advised to seek independent advice on their own taxation position.

## **9. Renunciation**

- 9.1 A councillor may renounce an entitlement to any or all of these allowances by giving notice in writing to the Monitoring Officer.

## **10. Suspension**

- 10.1 Where a councillor is suspended or partially suspended from their duties or responsibilities that part of any allowance paid to them during the period of suspension may be withheld, or be subject to repayment if the allowance has already been paid. In these cases, the councillor will receive a written explanation of the overpayment and the proposed method of recovery.

## **11. Amendments to the Scheme**

- 11.1 The vehicle mileage rates for the purpose of Travel Allowance claims shall be increased from time to time to match the rates published by HM Customs and Revenue for defining a taxable benefit.
- 11.2 The Carer's Allowance will be updated in line with changes to the indicative costs.
- 11.3 No other amendments can be made to the Scheme without prior consultation with the Council's Independent Remuneration Panel and any amendments must have regard to the Panel's recommendations.

**RATES OF BASIC AND SPECIAL RESPONSIBILITY ALLOWANCES****Basic Allowance**

1. The Basic Allowance will be £10,982.73 per annum.

**Special Responsibility Allowances**

2. Special Responsibility Allowances will be as follows:

<b>Position</b>	<b>Method of calculation</b>	<b>Allowance</b>
Chairman of the County Council	1.25 of BA	£13,728.41
Vice-Chairman of the County Council	0.4 of BA	£4,393.09
Leader of the County Council	3.0 of BA	£32,948.19
Deputy Leader of the County Council	2.0 of BA	£21,965.46
Cabinet Member - up to 8	1.75 of BA	£19,219.78
Deputy Cabinet Member – if there are 7 Cabinet Members then up to 7. If there are 8 Cabinet Members, then up to 4.	0.5 of BA	£5,491.37
Chairman of Health and Wellbeing Board	0.75 of BA	£8,237.05
Chairman of the Scrutiny Committee	0.5 of BA	£5,491.37
Chairman of the Health Scrutiny Committee	0.5 of BA	£5,491.37
Chairman of Development and Regulation Committee	0.5 of BA	£5,491.37
Chairman of Pension Fund Committee	0.5 of BA	£5,491.37
Chairman of Audit Committee	0.5 of BA	£5,491.37
Member of Permanence Panel (Adoption and Fostering)	0.5 of BA	£5,491.37
Leader of Majority group	5% of BA x 50 Members	£27,457
Deputy leader of Majority Group	75% of Leader's SRA	£20,592.75
Leader of the largest Opposition Group	5% of BA x 11 Members	£6,040.54
Deputy Leader of the largest Opposition Group	75% of Leader's SRA	£4,530.41

Spokesperson for largest Opposition Group – up to 6	0.3 of BA	£3,294.82
Leader of second Opposition Group	5% of BA x 12 Members	£6,589.68
Deputy Leader of second Opposition Group	75% of Leader's SRA	£4,942.26



## RATES OF TRAVEL AND SUBSISTENCE ALLOWANCES AND APPROVED DUITES

### Travel

#### Rates of Allowances

1. The following mileage rates apply:

<b>Journeys by an owned or hired vehicle</b>	<b>45 pence per mile for the first 10,000 miles</b>
<b>Journeys by an owned or hired vehicle</b>	<b>25 pence per mile above 10,000 miles</b>
<b>Passenger Mileage</b>	<b>5 pence per mile per passenger</b>
<b>Journeys by an owned or hired motorcycle</b>	<b>24 pence per mile</b>
<b>Journeys by an owned or hired bicycle</b>	<b>20 pence per mile</b>

2. Where passengers are carried for a business purpose a rate of 5 pence per mile per passenger can be claimed. Passengers must be named on the claim form.
3. For journeys made by public transport, claims can be made as follows:
4. Air and rail travel other than within Suffolk should be booked in advance through officers to enable the use of discounting arrangements and to ensure the most economical means of travel has been chosen for the journey. All rail travel must be Standard Class.
5. Air travel is permissible where: a journey would take five hours or more by other forms of transport, where such travel is cheaper than other forms of transport and where it avoids the need for an overnight stay.
6. Air travel must be economy class. Members may upgrade to business class (not first class) but only if: the total flight time is longer than four hours; the journey involves an overnight flight or there are no economy seats available and it is not possible to travel on an alternative day when there are economy seats available.
7. For journeys by taxi, the actual fare and a reasonable tip may be claimed where the journey is urgent or no reasonable public transport is available.
8. For tolls, ferry and car parking fees, actual costs can be claimed.

### Subsistence

9. Councillors and co-opted members can claim an evening meal Subsistence Allowance when they are required to be absent from home for more than four hours in order to undertake approved duties.

10. The following subsistence rate applies:

<b>Evening Meal Allowance</b> (more than 4 hours absence from home including period ending after 7 p.m.)	<b>£20.00</b>
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11. Hotel accommodation must be booked through officers to ensure that discounting arrangements are applied. Any other reasonably unavoidable costs related to overnight stays, other than subsistence, will be reimbursed on production of a receipt.

12. Newspapers, bar drinks, mini bar, hotel video, health and fitness and laundry facilities cannot be claimed.

13. Subsistence Allowances cannot be claimed where the meal has been provided free of charge by the Council or any other body.

### **Approved duties**

14. Travel and Subsistence Allowances are payable in respect of attendance at meetings or in relation to the discharge of duties by councillors and co-opted members as follows:

- a) Meetings of committees, sub-committees, panels, working parties or working groups, joint committees, and Outside Bodies to which the councillor or co-opted member has been appointed by the County Council.
- b) Meetings of the County Council, Cabinet, Council Committees, sub-committees, working parties, working groups and panels where they are entitled to speak, or have been invited by the Chairman to attend, in relation to items concerning their divisions, the positions of special responsibility that they hold within the Council, or their role as co-opted members.
- c) All meetings where the councillor or co-opted member attends as a properly appointed substitute.
- d) Attendance at town or parish council meetings within the councillor's division.
- e) Attendance by the Leader and Deputy Leader of the Council, and recognised Group Leaders and Deputy Leaders at joint leader meetings or at briefing meetings with the Chief Executive or other Chief Officers/Senior Officers.
- f) Attendance by Cabinet members at informal Cabinet meetings and at discussions and briefing meetings with officers on matters relating to their areas of responsibility.

- g) Attendance by:
- Chairmen and Vice-Chairmen of committees, sub-committees, working parties or panels,
  - the Leader, Deputy Leader and spokespersons of opposition groups
  - any other recipients of Special Responsibility Allowances.

at discussions, briefings and other events, including meetings with officers, outside representatives, the media or where attendance is reasonable in pursuance of the role and duties of these posts.

- h) Attendance by councillors at pre-arranged meetings with officers to discuss matters relating to their Division.
- i) Attendance by councillors or co-opted members at discussions and briefing meetings with officers at the invitation of the Leader of the Council, the relevant Cabinet member or committee chairman or vice-chairman, or the relevant Group Leader or Deputy Leader.
- j) Attendance by members of the Health Scrutiny Committee at meetings of Primary Care Trusts and other bodies related to the discharge of their duties as Health Scrutiny Committee members.
- k) Site meetings, visits or inspections properly arranged by, or for, relevant committees and which the councillor or co-opted member is entitled to attend under the Constitution, or to which they are invited by the relevant Chairman.
- l) Organised official visits, including deputations to Government Departments, meetings with MPs/MEPs on Council business and meetings with Government inspectors etc., which the councillor or co-opted member is entitled to attend by virtue of their role, or to which they have been invited by the Leader of the Council, or the relevant Cabinet member or Chairman.
- m) Attendance at events in relation to, or at the request of, an Outside Body where the Monitoring Officer determines that this is in the Council's interests and/or it is necessary to enable the councillor to discharge their role as the Council's nominee or appointee to the Outside Body. The Monitoring Officer's approval must be sought in advance of incurring the expenditure.
- n) Attendance at consultation meetings with the public or other organisations arranged by a Committee, the Chief Executive, a Chief Officer or Head of Service.
- o) Attendance at seminars and conferences authorised by the appropriate committee chairman, the Leader of the Council, the appropriate Cabinet member or the appropriate Group Leader.
- p) Attendance at seminars, conferences, briefing meetings and learning and development events provided for councillors.

- q) Visits to establishments, official openings, open days, sports days or similar events at the invitation of the Chief Executive, a Chief Officer or Head of Service where the councillor is attending as a local member or in relation to the post of special responsibility they hold, or is performing a defined duty on behalf of the Council.
- r) Visits and Inspections made by Chairmen or Vice-Chairmen of Committees, Sub-Committees, Working Parties, Policy Development Panels and other internal bodies order to carry out their duties as Chairman or Vice-Chairman, provided that the visits and inspections are reported to the next relevant meeting of the body concerned.
- s) Official and courtesy visits of a civic nature within the United Kingdom or abroad subject to the prior approval of the Cabinet or Chief Executive.
- t) Functions attended by the Chairman or Vice-Chairman of the Council which are directly related to the office of Chairman or Vice-Chairman.
- u) Visits to County Council offices to hand in or collect Council-provided computer or other equipment, where this removes the need for a home visit by ICT or other County Council staff.
- v) Abortive journeys where the councillor could not reasonably have known before beginning their journey to the venue that the meeting or event had been cancelled.

15. The Monitoring Officer has discretion to approve claims for Travel and Subsistence Allowances above the rates in this Schedule in exceptional circumstances;

16. Travel and Subsistence expenses cannot be claimed for the following:

- Attendance at political group meetings except where by pre-arrangement an officer of the county council is in attendance to brief the councillors on the business of the authority.
- Attendance at school governing body meetings as an LEA appointed governor.
- Attendance at Chairman's or other receptions, services, etc where attendance is not specifically required in order to discharge duties in respect of a post of special responsibility, or to undertake a defined duty.
- Meetings with individual constituents or representative groups, other than meetings of parish or town councils.
- Constituency surgeries.
- Attendance at meetings of outside bodies to which a councillor has not been formally appointed or nominated by the County Council.

**RATES OF CARER'S ALLOWANCE**

Rates of allowances

<b>Rate for care of a child under 16 years</b>	<b>Up to £10.00 per hour</b>
<b>Rate for care of a dependent relative</b>	<b>Up to £20.00 per hour</b>