

SCHEME OF MEMBERS' ALLOWANCES

2016/17

Mendip District Council Scheme of Members' Allowances – 2016/17

1. INTRODUCTION

1.1 The Council's Scheme provides for payment of:

- a Basic Allowance (referred to as BA throughout this Scheme), a flat rate payable to each District Councillor;
- a Special Responsibility Allowance (referred to as SRA throughout this Scheme) for Members undertaking 'special duties', as defined by the Council;
- a Carers Allowance (CA) to reimburse expenditure incurred by Members (a) in providing professional child care arrangements and (b) on professional care for elderly, sick or dependent relatives to enable them to undertake approved duties;
- Travel Allowances and Subsistence Allowances for Members undertaking 'approved duties'.

2. GENERAL POINTS

- 2.1 The term "Member" in this Scheme means a Mendip District Councillor. Some aspects of the Scheme also apply to 'co-optees' (a member of a committee or sub-committee who is not elected) and the Independent Person appointed by the Council to advise on member complaints, as detailed.
- 2.2 Members, co-optees and the Independent Person have the option of not claiming all or part of an allowance. The [Chief Finance Section 151](#) Officer must be notified in writing if a Member wishes to pursue this option.
- 2.3 Where a Member's or co-optees' term of office or appointment to a post qualifying for an allowance begins or ends during the financial year, he/she is entitled to the appropriate proportion of the annual payment.
- 2.4 Where there is an amendment made to the Scheme of Allowances that amendment may be applied retrospectively by the Council to the beginning of the financial year or to another agreed date in the year.

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- 2.5 Where a Member takes on duties entitling them to a different level of allowances, the new entitlement may be applied retrospectively to the date the changes were effective from.
- 2.6 To cater for changes in circumstances that occur during the year and to ensure that no individual cases of exceptional hardship are experienced, the [Chief Finance Section 151](#) Officer, in consultation with the Leader, can temporarily agree allowances and / or expense claims for individual Members as required where it is unclear if these are covered by the Scheme.
- 2.7 All enquiries relating to members allowances should be made to (officer's name to be included).

3. **BASIC ALLOWANCE (BA)**

- 3.1 A **BA of £3863 per annum**, has been approved for 2016/17 and will be paid to all Members in monthly instalments. In order to return the BA to its earlier real value, the allowance will be increased by £128pa (index linked) for up to five more years.
- 3.2 **Definition of BA:** BA recompenses Members for time devoted to their work as a councillor, and is intended to cover:-
- constituency and community duties, including use of their home;
 - dealing with correspondence;
 - single Member duties;
 - attendance at single party/political meetings;
 - attendance at formal meetings of the Council (including travelling time to and from meetings);
 - attendance at seminars, conferences and training sessions;
 - attendance on 'outside bodies' as a Council representative; and
 - other incidental costs, for which no other specific provision is made.

4. **SPECIAL RESPONSIBILITY ALLOWANCE (SRA)**

- 4.1 **SRAs** are:
- paid to Members who have significant additional responsibilities
 - allocated primarily on the basis of the degree of responsibility that relates to the position and also includes consideration of the perceived call on Members time
 - paid in addition to the BA which the Member continues to receive;

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and

- paid in monthly instalments for as long as the Member has the responsibility.

4.2 **SRA** payments provide recompense for the following activities associated with the position of responsibility:-

- meetings with Officers;
- attendance at Council premises to undertake official Council business;
- meetings with fellow Chairmen or decision-makers and including some single party meetings / activities;
- dealing with correspondence;
- visits directly connected to the performance of an SRA duty e.g.
 - official openings;
 - familiarisation / fact findings visits;
- press meetings;
- any other official Council business carried out by the Member in the role.

4.3 The Council has adopted multiples of the BA that was set in 2015/16 which at the time had been £3733 as the basis for the calculation of the SRA bands contained within this Scheme. The top band of SRA – Band 1 - which applies to the post of Leader of Council reflects the importance and responsibility of this role. The Leader's Allowance is based on a multiple of 2.8 X the BA as set in 2015/16.

4.4 Other SRAs are allocated to bands below the Leader's Allowance reflecting diminishing levels of responsibility associated with specific roles.

4.5 The SRA bands, posts approved to receive a SRA and payments agreed for 2016/17 are set out in **Annex A**.

4.6 An individual Member may only receive one SRA at any one time. Where a member is entitled to more than one SRA in different bands because of the posts they hold then they shall be entitled to receive the higher SRA.

5. **CARERS ALLOWANCE (CA)**

5.1 Reimbursement of expenditure incurred by Members may be claimed (a) for professional child-care services or (b) on professional care for elderly, sick or dependant relatives who live at the same address as the member. These payments are intended to enable the member to undertake "approved duties".

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5.2 *General requirements*

- Reimbursement will only be paid where professional care is provided and the carer must not be a close relative.
- Reimbursement provided is taxable as it is classified as an “emolument of the ‘office’.”
- The child or relative being cared for must be normally resident with the member claiming reimbursement.
- Members’ are required to self-certify claims, confirming that they have incurred expenditure in accordance with the scheme and provide receipts.
- That neither the Member nor the person being cared for receives an allowance for care from any other source.
- The Chief Executive and the Chief Finance Officer have delegated authority to agree a higher limit for specialist care where required.

5.3 *Child-care*

- That payments are restricted to the care of children up to their 14th birthday who normally reside with the Member;
- That no reimbursement will be made for the care of children of compulsory school age during school hours except where the child is absent from school due to illness.

5.4 *Care of Dependant Relatives*

- That reimbursement is restricted to the care of an elderly, sick or disabled dependant relative normally living with the Member and requiring constant care.

5.5 *Reimbursement*

- Reimbursement will be made up to a maximum of the National Minimum Wage rate applicable at the time of the claim (£6.50 per hour at the time this Scheme was agreed) and for a maximum of 16 hours per week.

6. **TRAVEL ALLOWANCE (TA)**

6.1 **TA:**

can only be claimed for an approved duty, or for any duty covered by a special responsibility payment and for 'normal allowable journeys' .

- is claimed monthly on the Members claim form and receipts, including fuel VAT receipts, should be submitted to support expenditure.
- is payable at the rates shown in **Annex B**.

6.2 **List of 'Approved Duties'**

The list of approved duties is set out in **Annex C**.

6.3 **Definition of 'normal allowable journey'**

The **normal allowable journey** (for which mileage can be reimbursed) is from a member's home to council offices and then back again. 'Council offices' will often be the main Council premises but could relate to any building where a member is undertaking an 'approved duty' under the Scheme, including, for example, attending a parish council meeting in their capacity as a district councillor.

The mileage that members can claim for is the **actual additional mileage** as a result of council business that the member incurs on any journey. The **maximum** mileage the member can claim for is the normal allowable journey mileage.

6.4 **TA - additional information**

- Members who are District and County Councillors may claim Travel Allowances, if applicable, from both Authorities, if attending approved duties for both on the same day. However, a Travel Allowance cannot be claimed from both Authorities for a joint meeting where the member is representing both councils. In this case, the Member should claim from one of the Authorities.
- VAT fuel receipts submitted should pre-date the first date claimed for

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on the relevant claim form.

- Claim forms must include details of all journeys to include the date of the journey, starting and finishing addresses and the purpose of the journey. Failure to include such details may result in a claim being rejected.

7. **SUBSISTENCE ALLOWANCES (SA)**

7.1 SA is

- Claimable for any approved duty exceeding 4 hours which spans the agreed meal time periods as set out in **Annex B**;
- Claimable for the actual cost of the meal or the overnight expenses up to the maximum allowed;
- Claimed monthly via the Members claim form; VAT receipts should be submitted to support expenditure wherever possible;
- Not claimable if a meal is provided free of charge;
- Only claimable for a members own meal. There is no provision in the scheme for reimbursing claims for hospitality for other people.

8. **NON CLAIMABLE DUTIES**

8.1 For the avoidance of doubt, the following duties, inter alia, are **not** approved for the purpose of claiming Travel Allowances and Subsistence Allowances:-

- Single Member duties including single party meetings except where the Scheme provides otherwise
- Constituency meetings and duties
- Duties relating to outside organisations that are not Board, committee, sub- committee or working group meetings. e.g. book launches, openings etc.
- Attendance at party political conferences
- Social functions including religious meetings / church services
- Where an outside body to which the member has been appointed pays the members expenses.
- Where the member attends an outside body but in circumstances where they have not been appointed as an official representative of the Council, ie appointed either by the Council or the Leader of the Council.

9. CLAIMS

9.1 How to Claim

- BA and SRA are paid automatically on a monthly basis.
- Carers' Allowance, Subsistence Allowance and Travel Allowance expenditure must be claimed on the Members' Claim Form.
- Claims must be submitted monthly to the authorising officer in order to payroll deadlines.
- Late claims will result in late payment unless notification is given in advance. Claims older than 2 months will be referred for approval to pay to the [Chief Finance Section 151](#) Officer, in consultation with the Leader, and payment may be delayed or refused unless there is good cause for the lateness. Claims older than 3 months will not be reimbursed.
- Allowances must not be claimed where the member is entitled to receive payment from another body.

ANNEX A

SPECIAL RESPONSIBILITY ALLOWANCES (SRA) 2016/17

SRA structure based on the Basic Allowance of £3733 per annum as it was in 2015/16

<u>Band</u>	<u>Post</u>	<u>Amount</u>
1	Leader	10452 (x2.8)
2	Cabinet Member Deputy Leader	7 x 4479 (x1.2)
3	Chairman - Council Chairman – main committee (decision making) Chairman - Scrutiny	(Council, Planning, Scrutiny) 4106 (x1.1)
4	Chair – smaller committee (decision making)	(Licensing) 2613 (x0.6)
5	Vice-Chair Committee / Council Chair – advisory committee	(VC –Planning) (VC – Council) (Audit, Standards) (Community Partnership) 1867 (x0.5)
6	Other posts	1100 (Allowance for Independent Person) 150 per member (Leader –Opposition Groups with 5+ members) (co-optees allowance for members of Audit) 747 (x0.2)

Note: The figures in bold in brackets show the multiple of the Basic Allowance that applies to that band.

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ANNEX B

SUMMARY OF RATES OF ALLOWANCES FOR MEMBERS

1 TRAVELLING ALLOWANCE

Type of Expense	Rate
Travel by car irrespective of cc	45p/mile (this figure is in line with the current Inland Revenue threshold and automatically stays in line with changes to the threshold).
Car Share	In addition to the above rate a further 5p/mile will be available when one or more members are passengers in the same car
Travel by motorcycle	24p/mile
Travel by bicycle	20p/mile
Travel by railway or other public transport and car parking, tolls and ferries	Reimbursed at actual cost – Standard Fare for rail. Receipts are required.
In exceptional circumstances where all of the above options have been explored and deemed unviable	
Travel by Taxi	The rate for travel by taxi is not to exceed: i. in cases of urgency where no public transport or other means of travel is reasonably available the amount of the actual fare paid (receipt required) ii. in any other case, the amount of the fare for travel by appropriate public transport.
Hired Motor Car (including car share clubs e.g. Co-wheels or Zipcar) other than a taxi	The remuneration paid is not to exceed the level of the mileage allowance normally paid to members (currently 45p per mile), although the Chief Finance Section 151 Officer may agree a higher level of remuneration up to a maximum of the actual cost of the hire.

2 SUBSISTENCE ALLOWANCE

Subsistence – in line with the rate paid to Council officers.

Breakfast **£6.72**, (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours before 11am)

Lunch **£9.24**, (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours and including the lunchtime period between 12 noon and 2pm)

Tea **£3.64**, (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours, and including the period between 3pm and 6pm)

Evening meal **£11.44** (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours, ending after 7pm)

3	OVERNIGHT ABSENCE (BED AND BREAKFAST)	£
	Maximum (outside London)	106.40
	Maximum (London)	120.00

ANNEX C

LIST OF APPROVED DUTIES

LIST OF APPROVED DUTIES for the purposes of Travel and Subsistence and Dependent Carers’ claims

	Attendance at:
1.	formal meetings of the Council, including Committees and Sub Committees and any other authorised meeting of these bodies or event organised by these bodies (including joint committees), where the councillor (a) has been appointed by the Council as a member, a substitute or representative or (b) is exercising a constitutional right to attend and /or to speak or (c) is attending in an observer capacity only;
2.	formal meetings of the [Executive/Cabinet], its sub committees and any other authorised meetings thereof where the councillor has (a) been appointed by the Leader/Council as a member or (b) is exercising a constitutional right to attend and/or to speak or (c) is attending in an observer capacity only;
3.	ad-hoc formally constituted working groups/panels (e.g. scrutiny task and finish groups) where the councillor is (a) a named member of the body or (b) is formally invited to participate;
4.	meetings of Somerset County Council committees/sub committees where the councillor has been appointed by the Council as a member or a representative;
5.	meetings of bodies to which the Council makes appointments except where the body itself pays allowances to the Council’s representative (<i>the approval relates to meetings of the body itself; its standing committees/sub committees but not to other activities of the body</i>)
6.	meetings of any local authority association of which the Council is a member where the councillor is the appointed representative or nominated substitute;
7.	any conference where attendance is authorised by the Council [and involves an overnight stay];

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8.	any Council premises, or other agreed location, for a meeting agreed with either a member in receipt of an SRA or an Officer for the purpose of discussing matters relating to Council business in which it is reasonable to expect the councillor to have an interest;
9.	briefing meetings at the invitation of an Officer of the Council provided that the members of at least two political groups have been invited;
10.	an approved agenda setting meeting or member development/awareness raising/seminar activity organised by the Council;
11.	meetings of Parish/Town Councils or equivalent community associations where the councillor attends as the local district councillor or as a representative of the District Council and not as a member of the Parish/Town Council/Community Association itself;
12.	any civic or ceremonial event at the specific invitation of, or in support of, the Chair/Mayor of the Council;
13.	site visits by members of the Planning/Development Control Committee;
14.	any site visit or inspection visits undertaken by members approved by or on behalf of the Council;
15.	tender opening meetings where invited by an Officer to attend;
	Performance of:
16.	duties carried out by a member holding an office for which a special responsibility allowance applies;
17.	any particular duty for which express authority is given by or on behalf of the Council in case of emergency;
18.	such other duty for which prior approval has been given by the Chief Executive, <u>a Deputy Chief Executive</u> or other authorised Officer, in consultation with the Leader.