

PART D2**MEMBERS' ALLOWANCE SCHEME**

The Independent Remuneration Panel is a statutory committee made up of three independent people with responsibility for providing to the Council advice on its scheme of allowances.

Kingston upon Hull City Council, in exercise of the powers conferred by the Local Authority (Members' Allowances) (England) Regulations 2003 has made the following Scheme, having had regard to the report of the Independent Remuneration Panel dated May 2015.

1. Citation

- 1.1 This scheme may be cited as the Kingston upon Hull City Council Members' Allowances Scheme, and has effect from 21 November 2017 to 31 March 2019 or until amended or revoked. All previous schemes are revoked by the introduction of this scheme.

2. Definitions

- 2.1 This Scheme shall be called "The Kingston upon Hull City Council Members' Allowances Scheme".

- 2.2 In this Scheme:

"Councillor" means an elected Member of Kingston upon Hull City Council.

"Co-optee" means a person who is not a member of the authority but who is a member of a committee or sub-committee of the authority.

"Year" means the municipal year from 21 May 2015 to 19 May 2016 and thereafter each succeeding municipal year.

3. Basic Allowance (BA)

- 3.1 The basic allowance is a flat rate sum paid to all Councillors of the amount specified in Schedule 1 (subject to Paragraphs 5 and 10). It is in recognition of the time devoted and expenses incurred by Councillors in carrying out their duties, including telephone, postage, office expenses and travel and subsistence within the City boundary.

- 3.2 The Council may in addition provide IT equipment and mobile telephony to Councillors to support them in the fulfilment of their role, However, in the event that a Councillor determines not to accept equipment made available by the Council, this does not entitle that Councillor to a compensatory payment.

4. **Special Responsibility Allowances (SRAs)**

- 4.1 Each year SRAs are payable to those Councillors who hold special responsibilities in relation to the authority that are specified in Schedule 1. The payment shown is in addition to the basic allowance.
- 4.2 Subject to paragraphs 4.3, 4.4, 5 and 10, the amount of such allowance is shown against each responsibility in Schedule 1.
- 4.3 Only one SRA is payable per councillor and where a councillor is eligible to receive more than one allowance, the higher allowance will be paid.
- 4.4 Where a councillor is also a member of another authority, he/she may not receive allowances from more than one authority in respect of the same duties.

5. **Part Year Payments**

- 5.1 If, in the course of a year, this Scheme is amended or a councillor becomes or ceases to be a councillor, or a councillor receives or ceases to have, special responsibilities, then all allowances payable to him/her shall be adjusted on a pro rata basis.

6. **Co-optees' Allowance**

- 6.1 Subject to paragraphs 5 and 10, an allowance shall be paid to co-optees as specified in Schedule 2.
- 6.2 Co-optees are entitled to receive travel expenses for attendance at approved meetings within the City boundary **ONLY** if they do not claim the co-optees allowance.
- 6.3 Claims for co-optees' allowances shall be made within 3 months of the date on which the entitlement to any such allowance arises. Any claims received after 3 months will not be approved except where the Town Clerk determines that there are exceptional circumstances that prevented the claim being submitted within the time limit.

7. **Dependants' Carers' Allowance (DCA)**

- 7.1 Where the councillor is absent on duties specified in regulation 7 of the Local Authorities (Members Allowance) (England) Regulations 2003 and needs to engage carers, then an allowance in respect of the expenses of arranging for the care of members' children under the age of 16 or dependants where there is medical or social work evidence that care is required. The maximum rates are set out in schedule 3 and are subject to the member observing the protocol on the claims procedure, eligibility criteria etc. The carer must not be a member of the councillor's household or close family.
- 7.2 Claims for dependants' carers' allowances shall be made within 3 months of the date on which the entitlement to any such allowance arises. Any claims received after 3 months will not be approved except where the Town Clerk determines that there are exceptional circumstances that prevented the claim being submitted within the time limit.

8. **Travelling and Subsistence**

- 8.1 The travel and subsistence allowances specified in Schedule 4 shall apply for such duties that are specified in Regulation 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003 that are undertaken outside of the City Council's area.
- 8.2 No travel and subsistence allowances will be approved for duties within the City boundary, except for travel expenses for disabled Councillors made in accordance with paragraph 9 and for co-optees in accordance with paragraph 6.2.
- 8.3 Claims for travel and subsistence allowances under this scheme shall be made within 3 months of the date on which the entitlement to any such allowance arises. Any claims received after 3 months will not be approved except where the Town Clerk determines that there are exceptional circumstances that prevented the claim being submitted within the time limit.
- 8.4 Receipts must be produced in support of any travel and subsistence claims (including mileage).
- 8.5 Only actual expenditure incurred will be reimbursed up to the maximum amounts specified in Schedule 4.

9. **Travel Expenses for Disabled Councillors**

- 9.1 While the Basic Allowance paid to a Councillor includes provision toward travel expenses incurred within the City Boundary, it is recognised that Councillors with a disability may incur expenses in connection with the requirements of the role of a Councillor¹ that would not arise in relation to able bodied peers and which are not covered by statutory allowances (eg Disability Living Allowance/Personal Independence Payment). It is a key principle that no Councillor should be disadvantaged as a consequence of their disability. have no private transport and are unable to use public transport because of their disability, can claim travel expenses within the City boundary.
- 9.2 Where a Councillor incurs travel expenses within the City boundary beyond that which would be incurred by an able bodied colleague and which are not covered by statutory allowances, the Councillor may submit a claim for such expenses to the Town Clerk.
- 9.3 The payment of such expenses is conditional upon the provision of satisfactory evidence to the Town Clerk, who may then authorise these expenses.
- 9.4 The Council's nominated private hire company should be used for all official journeys within the City using the Council's agreed procedures unless in the opinion of the Town Clerk it is reasonable in all the circumstances to use another private hire company, when the actual fare for travel, plus a reasonable gratuity, will be refunded to the Councillor upon the production of a receipt.
- 9.5 Claims for travel expenses shall be made within 3 months of the date on which the entitlement to any such allowance arises. Any claims received after 3 months will not be approved except where the Town Clerk determines that there are exceptional circumstances that prevented the claim being submitted within the time limit.

10. **Renunciation**

- 10.1 A councillor or co-optee may by notice in writing given to the Director of Resources and City Treasurer elect to forego any part of their entitlements to an allowance under this Scheme for a particular year or part of a year.

11. **Pensions**

- 11.1 Councillors elected to a new term of office subsequent to April 2014 are no longer entitled to access to the Local Government Pension

¹ As set out in the Local Government Association Publication the Councillors' Guide <https://www.local.gov.uk/councillors-guide-2017-desktop-use>

Scheme made under section 7 of the Superannuation Act 1972. For the duration of the period that a Councillor remains entitled to access to the Local Government Pension Scheme, both the basic allowance and the special responsibility allowance are to be treated as amounts in respect of which pensions are payable.

- 11.2 If a Councillor member leaves office the member's retirement pension and grant is required to be reduced where required in guidance issued by the Government Actuary unless the Authority determine *on compassionate grounds* that the member's retirement pension and grant should not be so reduced. Under regulation 106 of the Local Government Pension Scheme Regulations 1997 the Council is required to adopt and maintain a policy in relation to early leavers from the pension scheme. The discretion to waive the actuarial reduction of pension in relation to Councillor Members of the Local Government Pension Scheme will be exercised by the Head of Paid Service following consultation with the Leaders of all Political Groups on the Council from time to time. Where there is no consensus the guidance of the Independent Remuneration Panel can be sought.
- 11.2.1 Except where a member is seeking waiver of the actuarial reduction of pension as a consequence of ill health, the policy is that the discretion to waive the reduction of actuarial benefits on compassionate grounds, will be restricted to Councillor Members:
- (a) who have been elected to serve and have served a minimum of three period of office (12 years), and
 - (b) who lack financial means.

12. **Payment Arrangements**

- 12.1 Payment of basic and special responsibility allowances will be made in instalments of one-twelfth of the annual amount due and will be paid through the Council's payroll system on the same date as that applicable to employee salaries.

12.2 Payment of other allowances (except co-optees allowance –see paragraph 12.4) will be made on submission of a fully completed claim form with appropriate receipts (see paragraph 8.4) and will be paid through the Council's payroll system on the same date as that applicable to employee salaries.

12.3 Where an overpayment has been made to a Councillor, it will be recovered subsequently through a deduction from any allowances due to that Councillor or through the issue of an official invoice.

12.4 Payment of claims by co-optees will be made on submission of a fully completed claim form with appropriate receipts.

13. **Indexation**

- 13.1 The Basic allowance, the Co-optee's allowance and Travel and subsistence allowances will be increased annually on 1st April, in line with the Council's approved rates for employees.
- 13.2 The detailed arrangements in relation to Elected members are articulated at paragraph 15 of the scheme below.

14. **Duration of the Scheme**

- 14.1 The scheme will be subject to periodic reviews
- 14.2 The next full review of the Scheme will be in 2018/19 to enable implementation with effect from 1 April 2019.
- 14.3 The Scheme may be reviewed in whole or in part if the Council considers that any aspect needs amendment or clarification and an interim review of Special Responsibility Allowances will be undertaken in 2017.

15. **Provision for automatic increase**

- 15.1 The basic allowance for elected members of Council is automatically increased annually in line with a sum equivalent to local government pay scale SCP 15 discounted by 25% to reflect the public service element of an elected member's role. This means in effect, it recognised that 27.5 hours of Councillor's of time committed to the role is compensated. The basic allowance also includes an element for telephone, postage and travel within the city boundary.
- 15.2 The Special Responsibility Allowance is not subject to automatic annual increase, however, the rates will be subject to further review before Annual Council in May 2017.

Allowances 2018-2019

(the changes to the Allowances within the Scheme are to be brought into effect following the election of a new Council in May 2018)

	£
Basic Allowance (All Councillors)	12,861
<u>Special Responsibility Allowances (paid in addition to the</u>	

<u>Basic Allowance*</u>	
Leader of the Council (Basic allowance x 2)	25,722
Deputy Leader of the Council (75% of Leader's SRA)	19,292
Cabinet Member (63% of Leader's SRA)	16,205
Leader of the Opposition (50% of Leader's SRA)	12,861
Chair of the Health and Wellbeing Board (50% of Leader's SRA)	12,861
Chair of Licensing (50% of Leader's SRA)	12,861
Chair of Planning (50% of Leader's SRA)	12,861
Chair of Overview & Scrutiny Management Committee (50% of Leader's SRA)	12,861
Chairs of Overview and Scrutiny Commission (25% of Leader's SRA) (limited to a maximum of 6)	6,431
Chairs of Area Committees (25% of Leader's SRA) (limited to a maximum of 7)	6,431

If the Chair of the Health & Wellbeing Board, Overview and Scrutiny Management Committee, Overview and Scrutiny Commissions, Licensing, Planning or Area Committees is absent and their absence is covered by another Councillor (e.g. the relevant Deputy-Chair), then providing that the Councillor undertakes the full role and duties of the Chair, he/she will receive a payment based on a proportion of the Chair's SRA on a pro-rata basis, the amounts being claimed retrospectively.

SCHEDULE 2

Co-optees Allowance 2017-2018

(Chair of Audit Committee allowance subject to review)

£ 34.74 for half a day (four hours or less).

£ 69.48 for a whole day (more than four hours).

Chair of Audit Committee - £494.00 a year (in place of the daily rate).

SCHEDULE 3

Childcare and Dependant Carers Allowances

Rates:

Childcare and Dependant carers allowance at:	£5.20 per hour
<u>Maximums:</u>	
For essential Council business inside the City:	Max of 25 hrs per calendar month

For essential Council business outside the City:	Max of £30 per day
<u>Criteria:</u>	
•	Receipts must be provided to support the number of hours claimed.
•	The carer must be registered.
•	If the person is not registered then authorisation must be sought from the Budget Holder prior to a claim being submitted.
•	When a claimant uses close family members no allowance will be paid.
•	A dependant relative will be defined as a relative with a disabled or nursing requirement who needs temporary or permanent full-time care.
•	Evidence of need will be required to support the requirement for care in relation to Dependant Carers Allowance.

SCHEDULE 4

Travel and Subsistence Expenses

Travel

(a)	Travel within the City boundaries is covered by the Basic Allowance.	
(b)	Travel outside the City boundaries will be paid in accordance with the Members' Travel and Subsistence Policy :-	
	(i)	In general, all travel undertaken must be via the most economical route at the lowest possible expense to the City Council, other than in exceptional circumstances when authorised by the Budget Holder, or in unforeseen or emergency situations.
	(ii)	Travel on public transport should be in second class/standard accommodation.
	(iii)	The current rate for all car users is 45p per mile

Subsistence

(a)	Payments will be made in accordance with the Members Travel and Subsistence Policy. Subsistence within the City boundary is covered by the Basic Allowance	
(b)	The actual cost of meals and overnight expenses will be reimbursed subject to the claim being authorised by the Budget Holder as reasonable.	
(c)	Guideline rates for individual meals and subsistence, for the purpose of assessing reasonableness, are as follows:-	
	Breakfast	£8.24
	Lunch	£11.37
	Tea	£4.47
	Evening meal	£14.83
	For an approved duty requiring overnight absence away from home	£101.17
	For an approved duty requiring overnight absence away from home in London or at an approved conference	£115.39

(d)	Where a meal is provided free of charge, meal expenses cannot be claimed.
(e)	Where a main meal is taken on a train the reasonable cost of the meal (including VAT) will be reimbursed, provided that it is during a period for which there is entitlement to reimbursement for a meal.