

Part Two – Councillors

Section Three – The Councillors' Allowances Scheme (1 April 2022 - 31 March 2023)

1. Introduction

1.01 This Councillors' Allowances Scheme is made under and in accordance with the Local Government and Housing Act 1989 and the Local Authorities (Members' Allowances) (England) Regulations 2003. It is set with reference to the occasional report of the Independent Remuneration Panel established by London Councils. The term 'Members' in this Scheme includes elected Councillors and co-opted Members.

2. Entitlement to allowances

2.01 Councillors' entitlement to allowances shall be determined and paid in accordance with this Scheme.

2.02 There are five different types of allowances that may be paid to Councillors:

- (a) Basic allowance
- (b) Special responsibility allowance
- (c) Dependants' carers' allowance
- (d) Travel and subsistence allowance
- (e) Co-optees' allowance

2.03 Where a Councillor is also a member of another authority, that Councillor may not receive allowances from more than one authority in respect of the same duties.

2.04 Councillors may, by notice in writing given to the Chief Executive, elect to forgo his or her entitlement or any part of his or her entitlement to allowances.

3. Basic Allowance

3.01 A Basic Allowance is an annual allowance paid equally to all Councillors. It is calculated on the basis of an hourly rate for a reasonable commitment of time, discounted appropriately to reflect councillors' commitment to providing a significant element of their public service on a voluntary basis. The Basic Allowance covers all intra-Borough travel costs (except those of the Leader and Deputy Leader and the congestion charge) and subsistence.

3.02 Annex A sets out the amount of the entitlement by way of Basic Allowance.

3.03 Where the term of office of a Councillor begins or ends during a year, the entitlement to the basic allowance or co-optee allowance will be calculated in proportion to the number of days as a Councillor.

4. Special Responsibility Allowance

- 4.01 A Special Responsibility Allowance is an allowance paid to those Councillors who have special responsibilities in relation to the Authority. A Councillor is only entitled to claim one Special Responsibility Allowance. Where a Councillor would have been entitled to receive two Special Responsibility Allowances they may claim the higher of the two (unless this relates to allowances associated with the role of Chair of the Western Riverside Waste Authority in which case both allowances will be payable).
- 4.02 Annex B lists the special responsibilities for which a Special Responsibility Allowance is payable and the entitlement for each responsibility.
- 4.03 Where a Councillor does not have special responsibilities throughout the whole of a year, the Special Responsibility Allowance entitlement will be calculated in proportion to the number of days the Councillor has special responsibilities.
- 4.04 Where Councillors of the Authority are divided into at least two political groups a Special Responsibility Allowance shall be paid to at least one person who is not a member of the controlling group but who has special responsibilities for which an allowance is payable.

5. Dependants' Carers' Allowance

- 5.01 A Dependants' Carers' Allowance is an allowance paid in respect of expenses incurred in arranging for the care of Councillors' children or dependants whilst the Councillor is carrying out an approved duty.
- 5.02 The Dependants' Carers' Allowance is payable in respect of dependants aged 15 years or under or in respect of other dependants where there is medical or social work evidence that care is required.
- 5.03 The Dependants' Carers' Allowance is not payable to a member of the Councillor's household.
- 5.04 The Dependants' Carers' Allowance is payable against receipts as a reimbursement of incurred expenditure.
- 5.05 The Dependants' Carers' Allowance will be reviewed after not more than 12 months' operation.
- 5.06 Annex C sets out the amount of the entitlement by way of the Dependants' Carers' Allowance.

6. Travel and Subsistence Allowance

Travel

- 6.01 Travel expenses to meetings and events outside the Royal Borough can be refunded. All journeys are expected to be by the cheapest form of public transport except that:
- (a) journeys by car can be reimbursed at 48.5p per mile*, providing the cost is not more than the cost of travel by public transport (which might be true if groups are travelling together).

**or as subsequently updated in the Members' Allowances Scheme in accordance with the Staff Expenses Scheme.*

- (b) as Councillors are likely to need to use travel time to read official papers and for work, journeys of more than two hours on a train or six hours on a plane can be taken as first class (train) or business class (plane). Councillors should use advance purchase or discounted tickets where possible.

6.02 Taxi travel is only appropriate if necessary to avoid late arrival and therefore discourtesy to others, if luggage or other materials are being taken; or if an individual has special needs*. Furthermore

- (i) Minicabs should be booked in advance as a cheaper alternative than black cab street hire whenever possible;
- (ii) taxi journeys should **not** include waiting time at destinations; and
- (iii) claims for taxi fare reimbursement should specify the reason for the claim and the destination meeting.

** **Note:** taxi fares can be reclaimed by the Leader and Deputy Leader in respect of travel **within** the Borough but only when public transport may not be best way to travel owing to time constraints.*

6.03 Travel abroad will be acceptable if in pursuit of official 'town twinning' activities, attendance at agreed conferences or on agreed study tours. Any visit, which may result in costs or a claim, should be agreed by routine advance report to the Leadership Team, and are therefore subject to scrutiny. This report should set out the purpose of the visit, estimated costs and asserted benefits.

Subsistence

6.04 No subsistence claim will be paid for costs of meals etc. for individuals alone, whilst attending, or between, official duties.

6.05 Hotel costs can be borne where necessarily part of official duties, or part of agreed conference attendance. Such claims are restricted to bed and breakfast costs only and other extras (e.g. laundry, room entertainment, calls, bar bills, newspapers etc.) will not be refunded, and should be paid separately. The exception is that for trips over three nights away, essential laundry costs can be claimed.

6.06 Outside of conference arrangements, claims for hotel accommodation costs are restricted to four star hotels or equivalent. Conferences may be held at specific venues and acceptance of these inclusive costs is acceptable.

7. Co-optees' Allowance

7.01 A Co-optees' Allowance is an annual allowance in respect of attendance at conferences and meetings paid to a person who is not a member of the authority but who is a co-opted member of a committee or sub-committee. This annual allowance is calculated in relation to each co-optee with reference to the number of anticipated meetings per year at a standard rate per meeting.

- 7.02 Co-optees are entitled to be reimbursed for all travel costs, whether travel is within or outside the Borough. Co-optees are not entitled to subsistence.
- 7.03 Annex D sets out the amount of the entitlement by way of co-optees' allowance.
- 7.04 The amount of the Co-optees' Allowance payable to a co-opted member who presides at a meeting of a Scrutiny Committee, where that Committee's functions relate wholly or partly to any education functions which are the responsibility of the Authority's Executive, shall not be less than the minimum amount of any Special Responsibility Allowance payable to a person who presides at meetings of any other authority's committees or sub-committees.
- 7.05 Where the appointment of a co-opted member begins or ends during a year, the co-optees' allowance entitlement will be calculated in proportion to the number of days as a co-opted member.

8. Approved duty

- 8.01 For the purposes of the dependants' carers' allowance and the travelling and subsistence allowance, an approved duty is:
- (a) 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.
 - (b) 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, 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;
 - (c) The attendance at a meeting of any association of authorities of which the authority is a member;
 - (d) The attendance at a meeting of the Executive or a meeting of any of its committees;
 - (e) The performance of any duty in pursuance of any standing order requiring a Councillor or Councillors to be present while tender documents are opened;
 - (f) 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;
 - (g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any approved non-maintained special schools; and

- (h) 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 any of its committees or sub-committees.

8.02 An approved duty is not attendance at:

- (a) party political conferences.
- (b) college and school governing bodies.
- (c) Councillors' surgeries.
- (d) political group meetings.

9. Annual adjustment

9.01 There will be no automatic uprating of the Scheme. A recommendation will be made to Council each year, when it adopts a new Scheme, as to whether there should be any uprating.

10. Repayment

10.01 Where an allowance is paid in respect of any period during which the Councillor concerned:

- (a) ceases to be a member of the Authority or
- (b) is in any other way not entitled to receive the allowance in respect of that period, the Chief Executive may require that such part of the allowance as relates to any such period be repaid to the Authority.

11. Claims

11.01 In order to claim an allowance a Councillor must submit a valid claim form.

11.02 Where an entitlement to the following allowances arise, a claim must be submitted within the following time limit:

- (a) Dependants' carers' allowance - six months of the expenses being incurred.
- (b) Travelling and subsistence allowance - six months of the expenses being incurred.
- (c) Co-optees' allowance - six months of the entitlement to the allowance.

11.03 A Councillor is not required to submit a claim form for a Basic Allowance or a Special Responsibility Allowance. However, a Councillor who does not wish to claim for these allowances must notify the Chief Executive in writing.

11.04 The Authority is not prevented from making a payment where the allowance is not claimed within the period specified within this Scheme.

12. Payments

12.01 A basic allowance, and a special responsibility allowance, is paid monthly.

12.02 A dependants' carers' allowance, a travelling and subsistence allowance and a co-optees' allowance is paid in the month following receipt of a valid claim.

13. Records of allowances and publication

13.01 The Authority shall keep a record of the payments made by it in accordance with this Scheme, including the name of the recipients of the payment and the amount and nature of each payment.

13.02 The record of the payments made by the Authority in accordance with this Scheme shall be available at all reasonable times for inspection at no charge. A copy shall also be supplied to any person who requests it on payment of a reasonable fee.

13.03 As soon as reasonably practicable after the end of the year to which this Scheme relates, the Authority shall make arrangements to publish the total sums paid by it to each recipient in respect of each different allowance.

14. Publicity

14.01 This Scheme will be published as required by law.

14.02 A copy of this Scheme shall be supplied to any person who requests it on payment of a reasonable fee.

15. Disputes

15.01 Any dispute as to a Councillor's entitlement and any allegation of abuse shall be referred to the Chief Executive who may refer the matter to the Audit and Transparency Committee for adjudication.

16. Amendment

16.01 The Authority may amend this Scheme at any time. Before amending it, the Authority shall have regard to the recommendations made to it by an independent remuneration panel.

16.02 Where the only amendment to be made to this Scheme is that affected by any annual adjustment in accordance with paragraph 9 this Scheme shall be deemed not to have been amended.

16.03 Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made the entitlement to the amended allowance applies from the beginning of the year in which the amendment is made.

17. Revocation

17.01 The Authority may only revoke this Scheme with effect from 1 April of any year.

17.02 Prior to revocation of this Scheme the Authority shall make a further Scheme for the period beginning with the date on which the revocation takes effect and ending at the end of the year in question.

SCHEDULE OF ALLOWANCES (with effect until 31 March 2023)

Annex A: Basic Allowance (1 April 2022 - 31 March 2023)

All Councillors eligible to £11,027 Basic Allowance per annum

Annex B: Special Responsibility Allowance (until 31 March 2023)

Post, portfolio or role		Amount per year
Leader		£56,429
Deputy Leader (<i>as per Local Government Act 2000</i>)		£37,511
Lead Member (<i>‘executive member’ as per LGA 2000</i>)	Up to eight other Lead Members	£36,471
Leader of the principal minority group		£20,909
Leader of other minority group(s)		£4,636
Chair	Audit and Transparency Committee	£6,155
Chair	Investment Committee	£6,155
Chair	Licensing Committee	£20,909
Chair	Planning Applications Committee	£30,909
Vice-Chair	Planning Applications Committee (two)	£7,728
Overview & Scrutiny and Select Committee Chair		£15,970

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Chief Whip of the majority group		£6,155
Chief Whip of the principal minority group		£6,155
Spokespersons on Select Committees	Spokespersons on Select Committees from the party which does not hold the chair	£6,155
Minority spokesperson on planning		£6,155
The Mayor		£10,035
Chair	Western Riverside Waste Authority (WRWA)	£5,466
Vice-Chair	WRWA	£3,036
Member	WRWA	£2,484

Annex C: Dependants' carers' allowance (1 April 2021 – 31 March 2022)

Nature of expense	Amount of entitlement
Expenses of arranging for the care of children or dependants. Children or dependants are: (a) children aged 15 or under; or (b) other dependants where there is medical or social work evidence that care is required (i.e. dependants with a disability, elderly dependants or similar responsibility).	Not exceeding £10.55ph.

Annex D: Co-optees' allowance (1 April 2021 – 31 March 2022)

Post	Committee	Amount per year
Independent Members	Audit and Transparency Committee	£2,230

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Independent Members	Investment Committee	£1,455
Co-opted Members	Family Services Select Committee	£1,455
Co-opted Member	Adult Social Care and Health Select Committee	£1,455

Annex E: Parental leave

1. Councillors giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required. In addition, where the birth is premature, the Councillor is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months. In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.
2. 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).
3. A Councillor who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.
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.
5. A Councillor who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.
6. Any Councillor who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within any six month period unless the Council agrees to an extended leave of absence prior to the expiration of that six month period.
7. Any Councillor intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.
8. Any Councillor taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

Parental leave and Allowances Payments

1. All Councillors shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

2. Councillors entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave. Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment. The payment of SRAs, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the Councillor taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.
3. Should a Councillor appointed to replace the Councillor 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 Allowances shall apply.
4. Unless the Councillor taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, 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 held before the leave began.
5. 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. If an election is held during the Councillor'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 SRA if appropriate will cease from the Monday after the election date when they would technically leave office.