

# LEICESTER CITY COUNCIL

## ELECTED MEMBERS' ALLOWANCE SCHEME 2008/2009

Council, at its meeting on 27<sup>th</sup> November 2008, considered a Members' Allowances Scheme, applicable for the 2008/09 Municipal Year, taking into account the recommendations of the Independent Panel on Members' Allowances.

Through the recommendations of the Independent Panel, the scheme provides a number of changes to the previous Allowance Scheme. The new scheme is detailed below.

The new scheme operates from 16 May 2008.

Members should be aware that allowances payable in return for acting as an elected member are regarded as the same as salary or wages for the purposes of Income Tax and National Insurance Contributions (NIC), ie income tax and NIC will usually be deductible from such allowances. Further details are attached in appendix 1 (to follow).

### 1. ALLOWANCES PAID AUTOMATICALLY

(All amounts stated are gross)

#### (a) Basic Allowance

£9,732 per annum for each Elected Member.

#### (b) Special Responsibility Allowances

These allowances are banded into four categories, as grouped below. Only one allowance is payable within each category except:-

- (i) \*The Leader's SRA and the Basic Allowances cover all aspects of work.
- (ii) \*\*The Deputy Leader's SRA includes Cabinet Membership

<b>Cabinet</b>	
*Leader of the Council	£45,590
**Deputy Leader of the Council	£22,795
Cabinet Member	£14,548
<b>Scrutiny</b>	

Chair, Overview and Scrutiny Management Board	£7,684
Vice Chair, Overview and Scrutiny Management Board	£3,842
Chair, Performance and Value for Money Select Committee	£7,684
Vice Chair, Performance and Value for Money Select Committee	£3,842
Chair of Health Scrutiny (including Joint Health)	£7,684
Vice Chair, Health Scrutiny	£3,842
Scrutiny Task Group Leader	£5,635
Scrutiny Deputy Task Group Leader	£2,817
Chair, Audit Committee	£5,635
Vice Chair, Audit Committee	£2,817
<b>Regulatory Committees</b>	
Chair, Planning and Development Control	£7,684
Vice Chair, Planning and Development Control	£3,842
Chair, Licensing	£7,684
Vice Chair, Licensing	£3,842
<b>Political Appointments</b>	
Minority Group Leader	£1,025 per annum plus an additional £256 per member
Whip	£2,741

\*An outgoing Leader will receive both future employment advice and a final payment equating to three months of the Leader's Allowance over and above the normal entitlement. This is subject to the office having being held for at least one year in duration, and the end of office not been caused by bringing the office into disrepute (an issue for Standards Committee consideration if necessary).

### **(c) Civic Allowances**

These allowances are intended to meet the cost of purchasing a range of requisite clothing and meeting the cost of essential personal hospitality and other expenses associated with being Civic Office holders.

(It is recognised that some items of clothing, for example, equip the recipient over their potentially three years as an Office Holder.)

Lord Mayor	£15,880*
Deputy Lord Mayor	£4,866
High Bailiff	£1,703

\*£10,755 of the Lord Mayor's allowance will be provided via allowances, the other £5,125 will be administered by the Civic Support Manager, with any necessary in year amendments.

### **(d) Independent Members and Co-optees**

The Council's Standards Committee is currently chaired by an Independent Member. There is also a statutory requirement for co-optees to input into the council's activities from an education perspective. These positions will receive a Special Responsibility Allowance as follows:-

Chair, Standards Committee	£2,741
Independent Members, Standards Committee	£487
Co-opted Members of Committees	£487

### **(e) Travel and Subsistence – Inside the City**

£99.40 per month (£1 193 per annum) is payable to each Elected Member. This is intended to cover all travel (including taxis) and subsistence costs for locally based activities (within the City boundary).

## **2. ALLOWANCES TO BE CLAIMED FOR**

### **(a) Travel and Subsistence outside the City**

Outside the City of Leicester Members are entitled to claim travel and subsistence in accordance with the details listed below whilst undertaking Approved Council Duties.

Such Approved Duties include:-

- i. Attendance at meetings of Outside Bodies as approved by the Cabinet/Council or the Group Whips
- ii. Training courses, conferences and seminars in the furtherance of the Councillor's performance of their duties as a Councillor
- iii. Other activities which, in the view of the Service Director, are in the interests of the Council.

**i) Travel**

Public Transport	Paid at the amount of an ordinary fare or any available cheap fares (tickets/receipts required).						
Taxi	Where no public transport is reasonably available, the amount of the fare plus any reasonable gratuity paid (receipt required). In other cases the amount of the fare for travel by appropriate transport will be paid. Significant taxi expenditure should be approved in advance by the Group Whip						
Private Transport	<p>Rates payable at the level of the Approved Mileage Allowance Payments (AMAPs) laid down by the Inland Revenue as a tax free "approved amount" and shall be amended in line with any changes made to these amounts as and when they occur.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Car or Van</td> <td>40p per mile for the first 10,000 miles, 25p per mile after that</td> </tr> <tr> <td>Motor Cycle</td> <td>24p per mile (all miles)</td> </tr> <tr> <td>Pedal Cycle</td> <td>20p per mile (all miles)</td> </tr> </table> <p>An additional 5p per mile will be paid when one or more passengers travel to an approved duty in the same car. The cost of parking fees (including overnight garaging), tolls and ferries can also be claimed.</p>	Car or Van	40p per mile for the first 10,000 miles, 25p per mile after that	Motor Cycle	24p per mile (all miles)	Pedal Cycle	20p per mile (all miles)
Car or Van	40p per mile for the first 10,000 miles, 25p per mile after that						
Motor Cycle	24p per mile (all miles)						
Pedal Cycle	20p per mile (all miles)						
Hired Motor Vehicle (car/light van)	<p>The same rates as if the vehicle were privately owned (where approved by the Council the rate may be increased to an amount not exceeding the cost of hiring)</p> <p>If the Council hires the vehicle the tax free rates are limited to the fuel element as detailed in HMRC</p>						

	guidance.
Travel by Air	Payable provided that the Council agrees that the time saved justifies the fare. The rate of payment will not exceed the ordinary or any cheap fare available, or where no such service is available or in case of an emergency, the fare actually paid by the Member. This must be receipted to be tax-free.

## ii) Subsistence Allowance

- The allowance will not apply to a meal which is already provided at no charge or included in a conference/course fee.
- Receipts will be required (where available a VAT receipt) for audit and reclaim purposes as a condition of the allowance.
- The actual money spent on the meal can be reclaimed, up to a maximum allowance, on production of a receipt.

Meal	Qualifying duty period (inclusive of travelling time)	Rate
Breakfast	3 hours before 11.00 am	£7.93
Lunch	3 hours including 12 noon and 2.00 pm	£10.81
Tea	3 hours including 3.00 pm to 6.00 pm	£4.73
Dinner	3 hours ending after 7.00 pm	£18.54

Tea and evening meal allowances will not be paid in respect of the same evening's duties.

## iii) Overnight accommodation and Out of Pocket Expenses

The following rates will apply for overnight absence (room only):-

Provincial rate – not to exceed £85

London rate – not to exceed £145.

Out of pocket expenses - maximum amount per night £4.76, maximum amount per week £18.96.

This amount is intended to cover out of pocket expenses whilst representing the Council (e.g. newspapers, telephone calls home, light snacks etc.).

These are only tax free when the member is required to stay away overnight on Council business.

## **(b) Childcare and Dependant Carers' Allowance**

Allowances for childcare and dependant care are paid as a contribution to costs, rather than a full reimbursement. Allowances paid towards childcare or dependant care costs incurred by an elected member are subject to Income Tax and NIC even if the costs are unavoidably incurred as a result of carrying out Council duties. The only exception is the £55 per week voucher scheme outlined below. Allowances can be claimed on the basis set out in Article 7 of the Local Authorities (Members Allowances) (England) Regulations 2003, subject to the following:-

- The maximum hourly rate reimbursed for the independent care of a child under the age of 14 shall be equal to the minimum wage applicable to the age of the carer;
- The maximum hourly rate reimbursed for the professional care of a dependent relative shall be equal to the Council's own hourly rate for a Home Care Assistant;
- There shall be an upper limit of 10 hours carers allowance claimable per Member per week;
- Members must certify that the costs have been actually and necessarily incurred and the allowance shall be paid as a reimbursement of incurred expenditure against receipts;
- The allowance shall not be payable to a member of the claimant's own household.
- Any dispute regarding entitlement or any allegation of abuse should be referred to the Council's Standards Committee for adjudication.

Members using registered childcare provision may, if they so choose, receive tax free, up to £55 per week of their contribution to childcare by way of vouchers, which will be reimbursed by the council direct to the childcare provider

A list of authorised meetings is in appendix 1.

## **3. MEMBERS' SUPPORT PACKAGE**

The main purpose of the Members Support Package is to increase flexibility for Members and support their work as an Elected Member in a manner which is most appropriate to their personal methods of working and needs.

**£1,590** (Maximum) to be available for the first full year to each elected Councillor. **£793** per annum ongoing thereafter.

(In the event of a By-Election, the provision will be calculated as follows:-

**£793** (Maximum) set up costs for newly elected Councillor.

**£793** pro-rata to period of Municipal Year elected as a Councillor.

### **The Support Package will cover the follow items:-**

- i. Purchase of items for home use, i.e. furniture (e.g. desk/filing cabinet), equipment (e.g. fax/photocopier), etc.
- ii. Maintenance/repair and ongoing rental charges associated with any of the above items.
- iii. Phone costs- both private landline (£120 line and equipment rental and an amount for call charges) VOIP telephones as approved by ICT services.
- iv. Broadband line rental to the maximum of £25.75 per month. The first £15 will be met by ICT services and the rest through the Member's support package.
- v. ICT equipment and software over and above the standard configuration available to Members.
- vi. Other miscellaneous items which can be demonstrated to assist the Councillor in their roles as an Elected Member, subject to prior agreement of inclusion of such items in the list of approved items by the Service Director in consultation with the Group Whips.
- vii. Line rental and cost of related calls for a City Council provided mobile phone,
- viii. Purchase of bicycles to use on council business.
- ix. Environmentally friendly items in support of those items included on the approved list.
- x. For a non-City Council mobile phone the Member may claim the total monthly cost (as determined by the relevant Service Director in consultation with the Group Whips) to cover both line and handset rental and City Council related call charges.

## **The Support Package will not cover the following items:-**

- i. Travel and Subsistence (within the city covered by £1,193 adjunct to Basic Allowance)
- ii. Surgery Costs (rental of Surgery Room and associated publicity material)
- iii. Personal calls made on Council provided mobiles. These will be deducted from monthly allowances, following identification of such calls by the Member concerned.
- iv. Computer equipment which does not accord to the Council's approved specification.
- v. Facilities located centrally in the Members' Area of the Town Hall (2<sup>nd</sup> floor) i.e. copier/fax, etc.
- vi. Consumables provided centrally from within Members' Services e.g. paper, envelopes.
- vii. Adaptations required within the provisions of the Disability Discrimination Act to enable a Member to fulfil their duties. These will be funded from sources other than the individual Member's support package allocation.

## **Notes Relating to the Support Package:**

- i. All items **must** be purchased through City Council approved procurement processes arranged through Members' Services.
- ii. All items purchased through the Support Package will remain the property of Leicester City Council and must be returned when the councillor ceases to be a councillor.
- iii. All items purchased through this process must facilitate Members in their role as an Elected Member. Legislation prohibits its use for party political purposes.
- iv. Members should note that the purchase of certain items through this fund, such as clothing, would be taxable. Further advice on specific items can be obtained via Members' Services.
- v. The Service Director will maintain a list of items/categories of items which may be funded from the Support Package. No item which is not on this list can be purchased unless approved by the Service Director in consultation with the Group Whips.



## **Administration of Support Package.**

- i. Each Member will have a first year support package allocation of £1,590 in the year following an election. Thereafter each Member will have £793 'Support Package Account' at the beginning of each financial year, both of which will be administered by Members' Services. This 'account' will be debited as each item is paid for (directly by the City Council). Where expenditure has been made, members will be issued with a monthly statement of account.
- ii. All items purchased will be in liaison with Members' Services (see note above regarding procurement to make maximum use of the Council's purchasing power). Items will be net of VAT as long as the Council purchases the items or VAT receipts are submitted.
- iii. The relevant group Whip will monitor the Support Package accounts on a regular basis.
- iv. Capital costs may be spread over the term of the Council, with underspends and overspends carried forward year to year.

## **Personal Computers and Printers**

Standard specification PCs with relevant software and printers are available to all Members from ICT Services. ICT equipment/software, etc., over and above the standard specification purchased through the Council must be procured through ICT Services and must be in accordance with the provisions contained in the Members' ICT User's Agreement.

## **4. PENSIONS**

On a voluntary basis all Members may participate in the Local Government Pension Scheme in respect of the Basic and SRA elements only of their Members Allowance.

## **5. MISCONDUCT/WITHHOLDING OF ALLOWANCES**

In the event of a Member suspension/partial suspension, Members Allowances will be withheld in full or in part in accordance with the duration of the suspension.

## **6. PAYMENT ARRANGEMENTS**

- i. All automatically paid allowances (as outlined in the first section) will be paid in twelve equal monthly instalments via Payroll system.

- ii. Where a Member becomes or ceases to be entitled to allowances within a calendar month, entitlement will be calculated on a pro rata basis. Entitlement will commence three days after Election or agreement.
- iii. Payment of travel and subsistence for expenditure outside the City will be made in arrears on the basis of a claim form being submitted and signed by Members within two months of the event claimed for event taking place. (The payment of claims made outside this period will be reviewed in accordance with the provisions of the scheme).
- iv. Payment of Childcare and Dependent Carer's Allowances will be made in arrears on the basis of a claim form being submitted and signed by members within two months of the event claimed for taking place.
- v. Allowance claims over six months old will only be paid in exceptional circumstances such as long-term illness. Such payments will be made in consultation with the relevant Group Whip.
- vi. Where any overpayments occur the Member will be notified and the amount will be recovered from the next monthly payment (unless instalments are requested by the Member for accounts over £50).

## **Authorised meetings for which Childcare and Dependant's Allowances can be claimed**

- a) Meetings of the City Council including Cabinet, Scrutiny, Regulatory Committees, Area Committees (and any subsequent related arrangements) and Full Council, and any sub-committees relating to these
- b) Meetings of relevant bodies where the member is appointed by or on behalf of the Council, e.g. outside bodies appointed through Whips' Meetings, school governors where the member is appointed as the LEA governor in their capacity as a councillor (not when attending as a parent governor)
- c) Working Parties or Panels of members properly convened by the Service Director as a result of a decision of the relevant body of the Council
- d) Formal briefing meetings or conferences of members convened by the Service Director in relation to the proceedings of meetings or functions of a relevant body of the Council in accordance with arrangements approved by that body, e.g. Scrutiny Task Group Meetings.
- e) Meetings for the appointments of Senior Officers
- f) Joint meetings with other authorities, provided that members from at least 2 political groups have been invited
- g) Meetings of any group of authorities of which the City Council is a member
- h) Performing a duty under Section 135 of the Local Government Act 1972 which requires members to be present while tender documents are opened
- i) Inspections and tours of City Council and other establishments and venues, approved in advance by or on behalf of the relevant body of the Council
- (j) Official deputations to or meetings with government departments, statutory authorities or other local authorities
- (k) Attendance by Members appointed for that purpose, at a meeting properly convened on behalf of a public authority or government department to discuss issues relating to the work of the City Council

- (l) Meetings convened by the Service Director between group whips or their nominees
- (m) Attendance by members at meetings of City Council bodies, or site visits when requested specifically by the body concerned
- (n) General information visits or tours having been previously approved by or on behalf of the relevant body
- (o) Attendance at conferences where these are relevant to the member's duties
- (p) Attendance at other meetings or other duties approved by the authority for the purpose or in connection with the discharge of the functions of the authority or any of its committees or sub-committees ) This includes briefing meetings, Joint Action Groups, Tenants' Association meetings etc.
- (q) Performing a duty in connection with arrangements made the council the attendance of pupils at any school approved for the purposed of section 342 of the Education Act 1996 (approval on non-maintained special schools).