

# PART 7

## MEMBERS' ALLOWANCES SCHEME

# 1. MEMBERS' ALLOWANCES SCHEME – 2019-20

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require authorities to make a scheme for the payment of allowances to Councillors.

Before making, amending or reworking its allowances scheme, the Council is required by virtue of Regulation 3 of the 2001 Regulations to have regard to the recommendations of an Independent Remuneration Panel. The Council is not, however, bound to adopt all or any of the Panel's recommendations provided it has given them due consideration and is satisfied that it has justifiable reasons for not doing so.

Government Regulations do not limit the amount that can be paid under allowances schemes. This Council's total budget including on-costs for Members' Allowances for 2019-20 is £962,700.

Any Member may by notice in writing to the Chief Executive, elect to forego any part of entitlement to an allowance under the scheme.

- 1.2 The Corporate Services Committee on 28 May 2003 adopted the recommendations of the Association of London Government's Independent Panel's Second Report into Members' Allowances. The Committee on 31 July 2003 and Council on 16 September 2003 that the basic and special responsibility allowances be upgraded annually with reference to the annual Local Government Pay settlement.

- 1.3 The Corporate Services Committee on 20 March 2007 considered the recommendations of the December 2006 report of the Independent Remuneration Panel and adopted the recommendations in relation to basic allowance increase, payment of an allowance to the Independent Members on the Standards Committee and the co-optees on the Children and Young People's Education Committee.

- 1.4 If there are substantial changes to the Scheme it will be submitted to budget Council for approval.

- 1.5 The scheme as approved provides for the following:

(a) **Basic Allowance**

A Basic Allowance payable equally to each Member for the financial year 2019-20 is £10,519.04 (This is paid on a monthly basis rather than as a lump sum).

(b) **Special Responsibility Allowance**

Local authorities may make provision within the scheme for the payment of Special Responsibility Allowance and, if so, include a list of posts and the amount of SRA payable. This allowance is paid in addition to the Basic Allowance to those Members considered to bear additional responsibilities. Holders who are entitled to SRA for the period they hold the post must fall into one or more of the following groups.

- \* Acting as leader or deputy leader of a political group within the authority;
- \* Presiding at meetings of a committee or a sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee;

- \* Representing the authority at meetings of, or arranged by, any other body;
- \* Membership of a committee or a sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods;
- \* Acting as the spokesman of a political group on a committee or sub-committee of the authority;
- \* Such other activities in relation to the discharge of the authority's functions that require of the member an amount of time and effort equal to or greater than would be required by any one of the above activities.

Where an SRA is paid and Members of the authority are divided into at least two political groups, SRA will be paid to at least one Councillor who is not a member of the controlling group provided that Member has a special responsibility as defined above.

No Councillor may receive more than one SRA.

The list of Special Responsibility Allowances is set out in **Appendix A**.

Special Responsibility Allowance and Basic Allowance will be paid pro rata to Councillors whose term of office begins or ends part way through the financial year. Similarly, if the scheme is amended so as to affect entitlement, the Allowance will be paid pro rata.

(c) **Allowances for the Independent person, co-optees on the Standards Committee, Audit Committee, Children's Services Scrutiny Committee and the Pension Board Independent Member**

**Independent and Co-opted members:**

An allowance per meeting is payable to the Independent person appointed under the Localism Act 2012 and to the co-optees on the Standards Committee, the Audit Committee and to the Children's Services Scrutiny Committee and the Pension Board Independent Member. This is calculated on the number of meetings per year and at a standard rate as follows:

Standards Committee

Independent Person £121 per meeting

Audit Committee and Children's Services Scrutiny Committee

Co-opted Members £121 per meeting

Pension Board

Independent Member £121 per meeting of the Pension Board and of the Pension Sub-Committee.

The Independent and Co-opted member allowances above, are paid by cheque at the end of each municipal year and it is the Independent Member's responsibility to declare this additional income. The Independent Person may also claim reasonable out of pocket expenses for tasks undertaken outside formal committee meetings. Any such claim shall be made to, and authorised by, the Director of Law and Governance.

(d) **Dependent Carers' Allowance**

A Dependent Carers' Allowance is payable to Councillors who, in order to undertake their duties as a Councillor, incur costs in arranging care for dependent relatives living with them. Dependent relatives are defined as children under the age of 15, elderly, disabled or unwell relatives who cannot be left alone (either temporarily or permanently). Payments will not normally be made to carers who are family members or persons resident at the Councillor's home.

The Carers' Allowance also includes costs associated with Councillors who themselves need the help of a carer in order for them to fulfil their duties as a Councillor.

The maximum rate for this allowance is £10.55 per hour, based on the Living Wage Foundation's 'real living wage', to meet, or contribute towards the actual costs incurred in arranging care. The maximum period from which any one claim can be made is the duration of the meeting itself, plus £10.55 as a contribution towards travelling time to and from the meeting venue.

## **2. TRAVELLING AND SUBSISTENCE ALLOWANCES**

- 2.1 Travel expenses can be claimed to cover the cost of travelling to and from approved duties/conferences **outside** the borough (or within the borough in the case of non-councillor members of the Housing Scrutiny Committee). The amount claimed depends on the means of travel i.e.

Public transport	-	actual fare
Own vehicle	-	schedule of rates set by Central Government

Subsistence allowance is a 'meals' allowance for approved duties lasting 4 or more hours, again payable by a schedule of rates set by Central Government. Copies of these rates are set out in **Appendix B**.

## **3. BROADBAND EXPENSES**

- 3.1 The Scheme provides for the payment of the one-off connection charge to Broadband plus the monthly broadband rental up to the value of £25 per month.

## **4. PAYMENTS FOR OTHER BODIES**

- 4.1 The Local Government Association have their own Members' Allowances Scheme payable to those Members' of Executive and Scrutiny bodies of the Association.

## 5. CLAIMING THE ALLOWANCES

- 5.1 Basic and Special Responsibility Allowances are paid automatically, once bank details, National Insurance, date of birth and home address are forwarded to the Corporate Director of Resources; all others are claimed by means of the appropriate forms, samples of which are attached at **Appendix C**.
- 5.2 Payments via the payroll system are made on a regular monthly cycle direct to your bank or building society account with a payslip being sent to you at the same time. Travel and Subsistence (if taxable are paid through the payroll). Telephone and Dependent Carers' Allowances are paid through the payroll.
- 5.3 You should submit your claims for Travel, Subsistence and Dependent Carers' Allowance within **two** months of the duty undertaken. Broadband allowance payments need to be claimed either monthly or quarterly and should be accompanied by the relevant invoice.

Receipts **must** accompany all expenses claims.

## 6. RATES PAYABLE

- 6.1 The rates for each allowance change from time to time, generally with effect from 1 April each year.

## 7. MATERNITY, PATERNITY AND SICKNESS LEAVE AND PAY

### 7.1 Leave Periods

- 7.1.1 Members 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.
- 7.1.2 In addition, where the birth is premature, the Member 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.
- 7.1.3 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.
- 7.1.4 Members 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).
- 7.1.5 A Member 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.
- 7.1.6 Where both parents are Members 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.

- 7.1.7 A Member 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.
- 7.1.8 Any Member 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.
- 7.1.9 Any member taking maternity, paternity, shared parental, adoption or sickness 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.

## **7.2 Basic Allowance**

- 7.2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity, adoption or sickness leave.

## **7.3 Special Responsibility Allowances**

- 7.3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental, adoption or sickness leave.
- 7.3.2 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.
- 7.3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental, adoption or sickness 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 member 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 up to a further six month period.
- 7.3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental, adoption or sickness leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowance shall apply.
- 7.3.5 Unless the Member taking leave is removed from their post at an Annual Meeting of the Council whilst on leave, or unless the Group 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.

## **7.4 Attendance, Resigning from Office and Elections**

- 7.4.1 During an agreed period of maternity or paternity leave, and during sickness leave, where the latter is confirmed by a doctor's certificate, Members will not be required to attend committee meetings and their absence will therefore not be recorded and the '6 month rule' in Section 85 of the Local Government Act 1972 will not apply.

- 7.4.2 If a Member decides not to return at the end of their maternity, paternity, shared parental, adoption or sickness leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 7.4.2 If an election is held during the Member's maternity, paternity, shared parental, adoption or sickness 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 date that they leave office.

## **8. GENERAL**

A statutory register of all allowances paid to Members is open to inspection by any elector resident in the area. The Council are required to publish details of the Members' Allowances Scheme and of total payments made to each Member annually.

This is a general and by no means exhaustive statement of the law on these matters.

For any advice in relation to the Scheme please contact Democratic Services.

## APPENDIX A

### SPECIAL RESPONSIBILITY ALLOWANCES 2019-20

The SRA figures will come into effect on 1 April 2019

<u>Band 4</u>	<u>Amount</u> £
Leader of the Council – Councillor Richard Watts	39,590
<u>Band 3</u>	
Executive Members	
Councillor Janet Burgess	30,912
Councillor Kaya Comer-Schwartz	30,912
Councillor Una O'Halloran	30,912
Councillor Andy Hull	30,912
Councillor Asima Shaikh	30,912
Councillor Diarmaid Ward	30,912
Councillor Claudia Webbe	30,912
<u>Band 2</u>	
Chair of Policy and Performance Scrutiny Committee Councillor Rowena Champion	12,475
Chief Whip: Councillor Satnam Gill	5,423
<u>Band 1(a)</u>	
Chairs of Scrutiny Committees	
Councillor Vivien Cutler	5,423
Councillor Osh Gantly	5,423
Councillor Mick O'Sullivan	5,423
Councillor Dave Poyser	5,423
<u>Band 1</u>	
Chair of Audit Committee: Councillor Nick Wayne	3,255
Chair of Licensing Committee: Councillor Phil Graham	3,255
Chair of Planning Committee: Councillor Martin Klute	3,255
Chair of Planning Sub Committee A: Councillor Angela Picknell	3,255
Chair of Planning Sub Committee B: Councillor Jenny Kay	3,255
Chair of Personnel Sub Committee	3,255
Mayor	
Councillor Rakhia Ismail	6,644
Deputy Mayor	
Councillor Troy Gallagher	136
Member of the Adoption and Fostering Panels	
Councillor Paul Convery	6,508

Councillors are only entitled to claim one Special Responsibility Allowance. Any allowances marked with an asterisk above are therefore unclaimed.



## APPENDIX B

### CONSOLIDATED TEXT OF THE APPENDIX TO CIRCULAR 1/86 (2000/20001 revision)

#### PART 1

Rates of Travelling Allowances and provisions relating thereto:

1. (1) The rate of travel by **public transport** shall not exceed the amount of the ordinary fare or any available cheap fare, and where more than one class of fare is available the rate shall be determined, in the case of travel by ship by reference to first class fares, and in any other case by reference to second class fares unless the body determines either generally or specifically, that the first class fares shall be substituted.  
  
(2) The rate specified in the proceeding sub-paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred:
  - (a) on Pullman car or similar supplements, reservation of seats and deposits or portorage of luggage; and
  - (b) on sleeping accommodation engaged by the member for an overnight journey, subject, however, to reduction by one-third of any subsistence allowance payable to him/her for that night.
2. (1) The rate for travel by a member's own solo **motor cycle**, or one provided for his/her use, shall not exceed:
  - (a) for the use of a solo motor cycle of cylinder capacity not exceeding 250cc, 11.6 pence per mile,
  - (b) for use of a solo motor cycle of cylinder capacity exceeding 250cc, 15.47 pence per mile.  
(2) The rate for travel by a member's own private **motor vehicle**, or one belonging to a member of his/her family or otherwise provided for his/her use, other than a solo motor cycle, shall not exceed:
  - (a) for the use of a motor vehicle of cylinder capacity
    - (i) not exceeding 999cc, 39.65 pence per mile;
    - (ii) exceeding 999cc but not exceeding 1199cc, 43.03 pence per mile;
    - (iii) exceeding 1199cc, 53.99 pence per mile.  
(3) The rates specified in sub-paragraphs (1) and (2) may be increased:
  - (a) in respect of the carriage of passengers, not exceeding 4, to whom a travelling allowance would otherwise be payable under any enactment, by not more than 3.0 pence a mile for the first passenger and 2.0 pence per mile for the second and subsequent passengers;

(b) by not more than the amount of any expenditure incurred on tolls, ferries or parking fees, including overnight garaging.

(4) For the purposes of this paragraph the cylinder capacity shall be that entered in the vehicle registration book or document by the Secretary of State under the Vehicles (Excise) Act 1971.

3. The rate of travel by **taxi-cab** or cab shall not exceed:

(a) in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid, and

(b) in any other case, the amount of the fare for travel by appropriate public transport.

4. The rate of travel by a **hired motor vehicle** other than a taxi-cab shall not exceed the rate which would have been applicable had the vehicle belonged to the member who hired it:

Where the body so approves, the rate may be increased to an amount not exceeding the actual cost of hiring.

5. The rate of **travel by air** shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in attendance allowance or financial loss allowance, and subsistence allowance consequent on travel by air:

Provided that where the body resolves, either generally or specifically, that the saving in time is so substantial as to justify payment of the fare for travel by air, there may be paid an amount not exceeding;

(a) the ordinary fare or any available cheap fare for travel by regular air service, or

(b) where no such service is available or in case of urgency, the fare actually paid by the member.

## PART 2

### Rates of Subsistence Allowance, and provisions relating thereto

1. (1) The rate of **subsistence allowance** shall not exceed:
  - (a) In the case of an absence, not involving an absence overnight, from the usual place of residence;
    - (i) of more than 4 hours, or where the authority permits, a lesser period, before 11 a.m. (breakfast allowance), £5.80;
    - (ii) of more than 4 hours, or where the authority permits, a lesser period, including the period between 12 noon and 2 p.m. (lunch allowance), £7.73;
    - (iii) of more than 4 hours, or where the authority permits, a lesser period, including the period 3 p.m. to 6 p.m. (tea allowance), £3.15;
    - (iv) of more than 4 hours, or where the authority permits, a lesser period, ending after 7 p.m. (evening meal allowance), £9.90.
  - (b) in the case of an **absence overnight** from the usual place of residence £92.97 and for such an absence overnight in London, or for the purposes of attendance at an annual conference (including or not including an annual meeting) of the Local Government Association or such other association of bodies as the Secretaries of State may for the time being approve for the purpose<sup>1</sup>, £108.31.
2. Any rate determined under paragraph 1(b) above shall be deemed to cover a continuous period of absence of 24 hours.
3. The rates specified in paragraph 1 above shall be reduced by an appropriate amount in respect of any **meal provided free of charge** by any authorities or body in respect of the meal or the period to which the allowance relates.
4. (1) Where **main meals (i.e. breakfast, lunch or dinner) are taken on trains** during a period for which there is an entitlement to a day subsistence allowance, the reasonable cost of the meals (including VAT), may be reimbursed in full, within the limits specified below. In such circumstances, reimbursement for the reasonable cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.

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<sup>1</sup> The annual conferences of the following Associations are approved for these purposes: The Association of British Market Authorities, the British Resorts Association, the Council of the Local Education Authorities and the National Association of Local Councils.

- (2) The limitations on reimbursement are:
- (a) for breakfast, an absence of more than 4 hours, or where the authority permits, a lesser period, before 11 a.m.;
  - (b) for lunch, an absence of more than 4 hours, or where the authority permits, a lesser period, including the period between 12 noon and 2 p.m.;
  - (c) for dinner, absence of more than 4 hours, or where the authority permits, a lesser period, ending after 7 p.m.

**APPENDIX C**

Date  (1)	Journey		Time		Description of approved duties, e.g. 'Council Meetings' '.....Committee' '.....Conference'  (6)	Single or Return  (7)	Car, Bus Or Rail  (8)	No. of miles (private car) Engine Size cc Reg. Number  (9)	Travelling Allowance Claimed  (10)		Subsistence Allowance Claimed  (11)		
	From  (2)	To  (3)	Depart  (4)	Return  (5)					£	P	£	P	
<b>AMOUNT NOW CLAIMED £</b>													

I declare that I have actually and necessarily incurred expenditure on travelling and subsistence as shown in columns 10 and 11 for the purpose of enabling me to perform approved duties as a member of the London Borough of Islington and that the amounts claimed are strictly in accordance with the rates determined by the Council. I declare that the statements above are correct. Except as shown above, I have not made, and will not make, any claim under any enactment for travelling or subsistence expenses or allowances in connection with the duties indicated above.

Name of Member ..... Address: .....  
 Signature of Member ..... Date: .....  
 Date received by Finance ..... Payroll Check No. ....  
 Checked by Executive Manager: Signed: ..... Date .....



# ISLINGTON

## CLAIM FOR TRAVEL AND SUBSISTENCE ALLOWANCES

A Member of the Council is entitled to claim travelling and subsistence allowances as set out below:

### A. Travel Allowances:

Travel expenses can be claimed to cover the cost of travelling to and from approved duties/conferences **outside** the borough (or within the borough in the case of non-councillor members of the Housing Scrutiny Committee). The amount claimed depends on the means of travel i.e.:

- Public Transport - actual fare
- Own vehicle - Schedule of rates set by Central Government.

Travel by taxi will only be paid in cases of urgency or where no public transport is reasonably available. The amount shall not exceed the amount of the actual fare and any reasonable gratuity paid.

## **B. Subsistence Allowances:**

Subsistence allowance is a 'Meals' allowance for approved duties that last **4 or more hours** again payable by a schedule of rates set by Central Government.

This allowance will also allow a per night rate (again set by Central Government) in the case of absence overnight from the usual place of residence.

### **Receipts:**

You should submit receipts/tickets for all travel and subsistence claims or invoices for payment direct to the Executive Manager. You should submit all claims within **two** months of the duty undertaken.

**LONDON BOROUGH OF ISLINGTON  
DEPENDENT CARERS' ALLOWANCE FORM**

Name and purpose of meeting	Contact Details for meeting	Date	Time		Travel Time	Allowance claimed	
			From	To		£	p

**Declaration by Councillor**

I declare that I have actually incurred the above expenditure in respect of care for  
 ..... who is my ..... My child's date of birth  
(NAME OF CHILD/DEPENDENT) (RELATIONSHIP TO CHILD/DEPENDENT)  
 is..... I confirm that the carer was not a member of my household and that the  
 above statements are true and correct

**Declaration by Carer**

Name :  
 Address:  
 I declare that I received the sum of £ ..... from Cllr  
 for caring duties set out above.

Signed \_\_\_\_\_ Dated \_\_\_\_\_

Signed \_\_\_\_\_

Dated \_\_\_\_\_

For Office use only	
Date Received by Finance ___/___/___	Payroll Check No:.....
Claim checked by Executive Manager Signed _____	Dated _____



Name & Address of Carer \_\_\_\_\_  
\_\_\_\_\_

I declare that I received payment of £\_\_\_\_\_ from Councillor \_\_\_\_\_ for caring duties as set out above.

**Signed** \_\_\_\_\_ **Dated** \_\_\_\_\_

I claim Dependent Carers' Allowance in respect of approved duties as a Member of L.B. Islington.

I declare that:-

- a I have actually incurred the expenditure shown in cols 4 & 6 above.
- b The carer was not a member of my household.
- c The amounts claimed are strictly in accordance with the rates determined by the London Borough of Islington.

I declare that the above statements are correct. Except as shown above I have not made, and will not make any claims for Dependent Carers' Allowance from any other authority or body in connection with the duties indicated above.

**Signed** \_\_\_\_\_ **Dated** \_\_\_\_\_

**Name and address (in block letters)** \_\_\_\_\_  
\_\_\_\_\_

For Office use only	
Date Received by Finance ___/___/___	Payroll Check No:.....
Claim checked by Executive Manager	
Signed _____	Dated _____



# ISLINGTON

## DEPENDENT CARERS' ALLOWANCE

A Dependent Carers' Allowance is payable to Councillors who, in order to undertake their duties as a Councillor, incur costs in arranging care for dependent relatives living with them. Dependent relatives are defined as children under the age of 15, elderly, disabled or invalid (temporarily or permanently) relatives who cannot be left alone.

Payments will not normally be made to carers who are family members or persons resident at the Councillors home.

The Carers' Allowance also involves costs associated with Councillors who themselves need the help of a carer in order for them to fulfil their duties as a Councillor.

The maximum rate for this allowance is £8.44 per hour to meet, or contribute towards the actual costs incurred in arranging care. The maximum period from which any one claim can be made is the duration of the meeting itself, plus £4.22 as a contribution towards travelling to and from the meeting venue.

You should submit your claim within **two** months of the duty undertaken.

**Approved Duty:-** Claims can be met only if they result from an 'approved duty' as defined in Section 177(2) of the Local Government Act 1972. This includes attendance at meetings of the authority and its subsidiary bodies and the carrying out of any activity approved by the Authority.

If Members are unsure as to whether a proposed activity is covered under this criteria, they should refer the matter to the Executive Manager.

**Members' Responsibility:** The statements on the claim form are entirely the responsibility of the Member signing the certificate.