

# **PART 7**

# **MEMBERS' ALLOWANCES SCHEME**

# 1. MEMBERS' ALLOWANCES SCHEME

- 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 section 19 of the 2003 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 2020-21 is £995,000.

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 It was agreed by Council on 16 September 2003 that the basic and special responsibility allowances are upgraded in line with the annual Local Government Pay settlement.
- 1.3 If there are substantial changes to the Scheme, other than in relation to any change as a result of the Local Government Pay settlement, it will be submitted to budget Council for approval.
- 1.4 The scheme as approved provides for the following:

(a) **Basic Allowance**

A Basic Allowance payable equally to each Member for the financial year 2022-23 is £10,997.14. (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 £126.17 per meeting

Audit Committee and Children's Services Scrutiny Committee

Co-opted Members £126.17 per meeting

Pension Board

Independent Member £126.17 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 £11.05 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 £11.05 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	-	the current advisory fuel and mileage rate published by HMRC

Members can claim receipted expenses, up to a maximum value to be agreed by the Chief Whip for meals for approved duties lasting 4 or more hours away from your home or usual place of work. Alternatively members can claim a meal allowance in accordance with HMRC's benchmark scale rates. Details 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 Head of Democratic Services and Governance; 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, other than meal or mileage allowance 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 2022-23

<u>Band 4</u>	<u>Amount £</u>
Leader of the Council	41,390.88
<u>Band 3</u>	
Executive Members	32,317.84
<u>Band 2</u>	
Leader of the Opposition	14,175.00
Chair of Policy and Performance Scrutiny Committee	13,042.32
Chief Whip	5,669.51
<u>Band 1(a)</u>	
Chairs of Scrutiny Committees	5,669.51
<u>Band 1</u>	
Chair of Audit Committee	3,403.54
Chair of Licensing Committee	3,403.54
Chair of Planning Committee	3,403.54
Chair of Planning Sub Committee A	3,403.54
Chair of Planning Sub Committee B	3,403.54
Chair of Personnel Sub Committee	3,403.54
Mayor	6,946.47
Deputy Mayor	142.45
Member of the Adoption and Fostering Panels	6,804.02

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



## APPENDIX B

### 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 standard fare.  
  
(2) The rate specified in the proceeding sub-paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred on sleeping accommodation engaged by the member for an overnight rail journey
2. Mileage allowance payments for travel using a member's personal vehicle, shall not exceed the HMRC approved mileage rates available [here](#).
3. The rate of travel by **taxi-cab** or cab, in cases of urgency or where no public transport is readily available, shall not exceed, the amount of the actual fare and any reasonable gratuity paid.
3. The rate of **travel by air** shall not exceed the rate applicable to travel by appropriate alternative means of transport.

Unless 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 standard fare 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

1. (1) The rate of **subsistence allowance** shall not exceed the HMRC benchmark, available [here](#).  
  
(2) In the case of an **absence overnight** from the usual place of residence £100.00 and for such an absence overnight in London, or for the purposes of attendance at a conference (including or not including an annual meeting) of the Local Government Association or such other association of bodies as approved by the Chief Whip, £120..
  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 not apply 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. 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.
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# 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 advisory rates set by HMRC.

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:

Expenditure on meals, supported by a receipt or a 'meals' allowance for approved duties that last **4 or more hours**.

Expenditure on overnight stays will be reimbursed at the actual cost, up to the values listed above.

#### Receipts:

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

**DEPENDENT CARERS' ALLOWANCE FORM (SEE PAGE 2 OF THIS FORM FOR DETAILS OF WHAT CAN BE CLAIMED)**

Meeting title	Date	Start time	Finish time	Travel Time	Allowance claimed £

**Declaration by Councillor:** I declare that I have incurred the above expenditure in respect of care for:  
 ..... who is my ..... Child's date of birth:.....  
(NAME OF CHILD/DEPENDENT) (RELATIONSHIP TO CHILD/DEPENDENT)

I confirm that the carer was not a member of my household and that the above statements are true and correct.

PRINT NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_ Date \_\_\_\_\_

APPROVAL BY HEAD OF DEMOCRATIC SERVICES AND CONFIRMATION THAT THE COUNCILLOR ABOVE ATTENDED THE MEETINGS LISTED:

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

For Office use only	
Date Received by Finance ___/___/___	Payroll Check No:.....
Claim checked by Head of Democratic Services	
Signed _____	Dated _____

## DEPENDENT CARERS' ALLOWANCE

### **Dependent Carers' Allowance**

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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 £10.75 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 £10.75 as a contribution towards travelling time to and from the meeting venue.

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

#### **Please note:**

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 Head of Democratic Services.

The statements on the claim form are entirely the responsibility of the Member signing the certificate.