

**HERTFORDSHIRE COUNTY COUNCIL
LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) ENGLAND
REGULATIONS 2003**

SCHEME FOR MEMBERS ALLOWANCES 2017/2018

The following allowances shall be payable for the period 1 April 2017 to 31 March 2018.

1. BASIC ALLOWANCE (BA)

(total £778,284)

Basic Allowance of £9,978 per annum shall be payable to each elected member, unless they request not to receive it.

2. TRAVEL AND SUBSISTENCE ALLOWANCES (TSA)

Travel and Subsistence Allowances shall be payable to elected members and co-opted members in respect of duties set out in Appendix 1. Rates payable are set out in Appendix 2.

3. DEPENDANTS' CARERS' ALLOWANCE (DCA)

This is an allowance for elected members who incur expenditure for the care of children or dependants whilst undertaking duties set out in Appendix 1.

The sums claimed must not exceed the actual sum paid up to the maximum hourly amounts set out below:

Childcare – Dependants' Carers' Allowance up to a maximum hourly rate according to National Minimum Wage and National Living Wage dependent upon the age of the worker:

- Under 18 - £4.05 per hour.
- 18 to 20 - £5.60 per hour.
- 21 – 24 - £7.05 per hour.
- 25 and over - £7.50 per hour.

Adult Care - Dependants' Carers' Allowance up to a maximum hourly rate of £15 per hour.

(In both cases the sums claimed must not exceed the actual sums paid).

4. SPECIAL RESPONSIBILITY ALLOWANCE (SRA)

(total £433,136)

The posts qualifying for SRA payments are set out in the Schedule to this Scheme.

[SRA payments to be paid from the date that the relevant member is appointed to the post attracting SRA (backdated if necessary)]

5. CO-OPTEEES' ALLOWANCE (COA)

Co-optees' Allowance of £500 shall be payable to each of the 4 Parent Governor Reps on the Overview and Scrutiny Committee.

6. PENSIONS

All elected members who were members of the Scheme at 01 April 2014, are allowed to remain members of the Local Government Pension Scheme until the end of the current term of office (election in 04 May 2017) or age 75, whichever is the earlier.

7. RULES OF THE SCHEME

- (i) Any member may request in writing to the Proper Officer (the Chief Legal Officer) not to receive any allowance.
- (ii) Members shall be paid monthly by bank credit. Expenses shall be claimed monthly. (BA, SRA and COA do not need to be claimed as they are paid automatically).
- (iii) Expenses claims made more than three months in arrears shall not be paid without specific authority of the Chief Legal Officer, after consultation as necessary with the Leader and Deputy Leader of the Council and the Leaders of the Opposition groups. Any claims made relating to the preceding financial year must be submitted by 31 May; otherwise they shall not be paid.
- (iv) Where a term of office is otherwise than for a full year, the entitlement of any member to any allowance shall be the actual number of days during which the term of office subsists.
- (v) Where an elected member is disqualified then allowances due to be paid under this scheme shall cease to be payable as from the date of disqualification subject to any repayment if the allowance has already been paid in respect of any period after the date of disqualification.
- (vi) This Scheme may only be amended by authority of the County Council itself, and this may be done at any time during the year. The Scheme may only be revoked by the County Council itself at the beginning of the year to which the Scheme relates. If the Scheme is revoked then a new Scheme must be made by the Council before the revocation date, to take effect on the date of the revocation.
- (vii) If any amendment is made to the Scheme which affects an allowance payable for the year in which the amendment is made, the allowance payable may be backdated to a point not earlier than the beginning of the year in question.

- (viii) Where a member is also a member of another Authority they shall not receive allowances from more than one authority in respect of the same duty (e.g. a joint member meeting).
- (ix) In the interests of efficiency Members must use Member Self-Service in SAP to submit claims for Travel and Subsistence Allowance otherwise claims shall not be paid.
- (x) Members must submit receipts when submitting a claim for travel, subsistence and / or dependant carers' allowance.

8. AUTHORITY

This Scheme was made by the Chief Legal Officer on 31 March 2017, acting under a decision taken by the County Council on 21 February 2017, who had regard to the recommendations of an independent Remuneration Panel.

**ALLOWANCES SCHEME
APPENDIX 1**

**DUTIES QUALIFYING FOR TRAVEL & SUBSISTENCE ALLOWANCE
(TSA) & DEPENDANTS' CARERS' ALLOWANCE (DCA)**

**1. WHERE THE MEMBER IS A MEMBER OF THE COMMITTEE OR
BODY, OR IS INVITED TO ATTEND:**

1.1 General

- a. Meetings of the Cabinet
- b. All Committees and Scrutiny Committees listed in the Constitution
- c. Joint Health Scrutiny Meetings with other Authorities
- d. Conferences where the Chief Legal Officer and the appropriate Group Leader have approved the duty in advance
- e. All Cabinet Panels, Topic Groups
- f. All Forums
- g. Member meetings on Community Government/ Partnership
- h. Joint (member) meetings with other local authorities and organisations
- i. Meetings convened by the Council, or by any Committee or Panel, or by a Chief Officer, provided that members of at least 2 political groups are invited.
- j. Group Leader meetings
- k. Group briefings called by an officer
- l. Formal Member training
- m. Political Group meetings where the Group is discussing Council business.

1.2 Specific 'Internal' Bodies

- a. Adoption and Fostering Panels
- b. Admissions Forum
- c. Adult Safeguarding Board
- d. Education Support Centres Management Committees
- e. Joint Staff Advisory Committees (including informal meetings)
- f. Learning Disability Partnership Board
- g. Locality Planning Meetings
- h. Music Forum
- i. School Provision - local meetings
- j. Schools Forum
- k. Site meetings on Committee issues
- l. Visits to Children's Residential Homes

2. WHERE THE MEMBER IS NOT A MEMBER OF A COMMITTEE, SCRUTINY COMMITTEE OR PANEL, BUT WHERE THAT MEMBER:

- 2.1 is attending as a substitute.
- 2.2 is presenting a Topic Group or Panel report to a Scrutiny Committee or to the Cabinet.
- 2.3 attends a meeting where an item is considered which names that member as a local member.
- 2.4 attends a Cabinet Panel or Overview & Scrutiny Committee meeting where the agenda includes discussion of a motion moved by that member, referred from full Council.
- 2.5 is a Cabinet Member attending a meeting of a Scrutiny Committee
- 2.6 is a member who represents the Council on an outside body and attends a Scrutiny Committee or panel at which an item relevant to/arising from that outside body is being discussed.

3. GENERAL

- 3.1 Attendance by members at Town or Parish Council meetings in their Divisions to explain County Council business.
- 3.2 Attendance by the Chairman, Vice-Chairman and Leader of the County Council for the purposes of undertaking the business of the Council and to represent the Council.
- 3.3 Attendance by a consort accompanying the Chairman or Vice-Chairman as detailed above (3.2) when a consort has been invited to the engagement, subject to approval by the Chief Legal Officer.
- 3.4 Attendance by a Cabinet Member, Deputy Cabinet Member or the Chairman or Vice-Chairman of a Committee or Scrutiny Committee; or by the Chairman of a Cabinet Panel or Group Spokesman on a particular matter, at discussions with officers in connection with duties arising from those appointments, including briefings.
- 3.5 Party Group Leaders (including Deputy Leaders when deputising) and Group Secretaries attending meetings at any of the Council's three main bases (County Hall, Apsley or Stevenage) for the purpose of dealing with County Council business.
- 3.6 Attendance at pre-arranged meetings with officers to discuss a matter relating to a County Council service or in which the County Council has an interest.
- 3.7 Subject to paragraph 3.8 below, start and finish locations for any journeys claimed must be the member's home address in Hertfordshire or place of work in Hertfordshire.

- 3.8 Journey start and finish locations, other than a member's home address in Hertfordshire or place of work in Hertfordshire, may be identified in exceptional circumstances (e.g. Where there are compassionate reasons or where a member is required to attend a meeting where substitution is not permitted), only when the Chief Legal Officer has agreed such other start or finish locations.

4. OUTSIDE BODIES

Attendance at a meeting of any body, or of any Committee of Sub-Committee thereof, where a member is appointed by the County Council, or through the Regional or National political process.

**MEMBERS' ALLOWANCES
RATES PAYABLE**

Travelling Allowances

In cases where a private vehicle is used, mileage allowances are paid. Otherwise, travelling allowances are in the form of reimbursement of actual costs borne subject to the rules set out below:-

(i) Rail

Standard Class rail fares should be claimed, except where some other class is needed to get a seat.

Additional expenditure on reservation of seats, deposit or portage of luggage is also payable.

Sleeping accommodation may be claimed where applicable; however, this will reduce the nightly subsistence allowance by one third.

(ii) Taxi

In cases of urgency, or where no public transport is available, the fare and reasonable gratuity may be claimed. In any other case, the amount of the fare for travel by appropriate public transport will be paid. All claims for taxi fares shall be accompanied, wherever possible, by receipts.

(iii) Hired Motor Vehicles

In cases of urgency (i.e. where a car has broken down) and where no alternative public transport is available, the actual cost of hiring a vehicle plus any petrol and oil expenses incurred may be claimed. Alternatively, the appropriate mileage allowance may be claimed.

(iv) Air

Where time saving is substantial, the ordinary air fare or amount paid may be claimed.

All exceptional expenditure under (i) to (iv) above should be cleared first with the Head of Corporate Policy Unit - Alex James, Room 125. Tel: 01992 - 588259).

(v) Using private vehicles

Current mileage rates

Current Mileage rate (01 April 2016)		
Car Mileage	Per mile	VAT on petrol element (included in the rate)
Up to and including 10,000 miles	45p	2p
Over 10,000 miles	25p	2p

Note: Employees' car insurance must cover business travel to claim these rates.

All other rates (0001 April 2016)		
	Per mile	VAT on petrol element (included in the rate)
Training Mileage	31.93p	2p
Passenger allowance	3.20p*	
Lease Car	12.00p	2p
Pedal Cycle	10.18p	
Solo M/C under 150cc	13.42p	1.67p
Solo M/c over 150cc	19.12p	1.67p

* Passenger allowances may only be claimed where the passenger would be entitled to travelling allowance in their own right. The allowance is applicable only to travel by car.

Expenses on tolls, ferries, or parking fees may also be claimed.

(NB: these rates are updated in line with mileage rates in the County Council's Business Travel and Subsistence Policy).

Subsistence Allowance

This is only payable where members are performing approved duties as set out in Appendix 1.

- (a) Meals taken at County Hall will be provided free of charge up to the maximum amounts set out below.

In that event members taking their meals through the main cafeteria, the salad bar or the snack bar, are required to sign at

the till to confirm the cost of the meal taken, rather than paying and claiming reimbursement.

- (b) Where meetings take place outside of County Hall, and meals are not provided, members will be entitled to claim subsistence for appropriate duties up to the following amounts (in line with the local rates in the Council's Business Travelling and Subsistence Policy):-

Current local rates of subsistence (applicable 1 April 2016)	
	Local Subsistence Rates
Breakfast	Up to £5.54
Lunch	Up to £7.64
Tea	Up to £3.02
Dinner	Up to £9.46
Overnight stay (Bed and Breakfast)	Up to £70.79

However, where the amount claimed exceeds 50% of these rates, payments will only be reimbursed if the claim is accompanied by an appropriate receipt.

(NB: Most conferences are paid for by the Authority on a 'full board' basis, therefore it is not normally appropriate for members to claim these allowances).