

# Part 6 – Members Allowance Scheme

## Application of Scheme in year of local authority election

During the year when there is an ordinary election of councillors, the scheme will be approved at the budget council meeting of the outgoing council and apply until the scheme is confirmed or amended by the incoming council. The incoming council will be asked whether it wishes to backdate approval to the date the incoming council took office (after the third day after the date of the election).

## Basic Allowance

Each year a basic allowance of £10,599 will be paid to each councillor. The allowance is intended to cover costs such as:

- Incidental costs such as the use of councillors' homes
- Intra-borough travel costs
- Most subsistence costs
- Telephone call costs

The Basic allowance is claimable by all Members of the Council, and payable in monthly instalments.

## Telephone allowance

An additional allowance of £250 will be paid to each councillor to meet the costs of telephone line rental and provision of broadband. This will be paid in monthly instalments. No claims for telephone expenses can be made. The Councillor is required to advertise their telephone number to constituents.

## Special responsibility allowances (SRAs) and civic allowances

The following SRAs and civic allowances are paid:

	<b>£ pa</b>
<b>Mayor civic allowance</b>	15,954
<b>Deputy Mayor civic allowance</b>	5,319
<b>Leader of the Council</b>	40,617
<b>Remaining nine Cabinet members:</b>	
Deputy Leader of the Council	28,518
Cabinet Member for Children and Young People	28,518
Cabinet Member for Community Safety	28,518
Cabinet Member for Culture and Communities	28,518
Cabinet Member for Employment and Enterprise	28,518
Cabinet Member for Environment	28,518
Cabinet Member for Finance and Resources	28,518
Cabinet Member for Health and Wellbeing	28,518
Cabinet Member for Housing and Regeneration	28,518
<b>Chief Whip</b>	16,356
<b>Cabinet Deputies:</b>	
Deputy Cabinet Member for Economic Recovery	10,905
Deputy Cabinet Member for Housing and Neighbourhoods	10,905
Deputy Cabinet Member for Sustainability	10,905
Deputy Cabinet Member for Young People	10,905
<b>Opposition Groups:</b>	
Leader of the Opposition Majority Group	10,905
Leader of the Opposition Minority Group	5,613
<b>Chairs of scrutiny committees:</b>	
Overview and Scrutiny	10,905
Children and Young Peoples' Service	10,905
Environment and Community Safety	10,905
Finance	10,905
Health and Adult Services	10,905
Housing	10,905
<b>Other posts:</b>	
Planning Applications Committee: Chair	16,356
Planning Applications Committee: Vice-Chair	5,613
Licensing Committee and Sub-Committee: Chair	5,613
Corporate Committee: Chair	5,613
Adoption and Fostering Panels: one member to serve on each	5,613*
Standards Committee: Independent Members (non-Councillor)	
Chair	249**

\* Shared between two members (one Administration and one Opposition Majority group).

\*\* Per meeting.

SRAs are payable in monthly instalments. No more than 50% of the Council may receive an SRA, and one SRA per member only may be paid.

## **Civic expenses**

A civic expenses budget of £2,000 is available to meet the costs of civic gifts and hospitality and maintenance of civic regalia.

## **Key duties**

Councillors will:

### **❑ In the Ward**

- Represent effectively local people to galvanise Council, voluntary and private resources and action to help meet local needs. Councillors have the elected right to assume a leadership role in their Ward and constituents expect to be assisted.
- Make themselves known to all residents' and tenants' associations, amenity groups, voluntary organisations, schools, places of worship and other societies where community representatives gather.
- Attend regularly meetings of area housing forums and other area meetings that focus on local concerns over the Council, the police or other authorities.
- Hold an advice surgery at least once monthly.
- Publicise their contact details, including surgeries and phone number, to all households at least annually.
- Respond promptly to constituents' queries.

### **❑ On the Council**

- Attend meetings of the Council as well as Committees, other bodies and outside organisations where appointed by the Council as a member.
- Help decide service priorities and participate in agreeing and setting a budget.
- Monitor performance against targets in all areas of Council activity.

Additionally, Cabinet Members are required to ensure that the Cabinet meets the following objectives:

- To provide advice and guidance to the Chief Executive and Strategic Leadership Board on matters of policy and priorities.
- To monitor the performance of the Council and recommend the targets and standards of performance to be achieved.
- To oversee the budget and policy development process of the Council and ensure that full and proper consultation occurs on policy proposals.
- To make recommendations to the Council on matters of policy and performance.

## Childcare and Dependent Care Allowance

This allowance is discretionary, and is payable to reimburse claimants for the actual expenditure incurred (at up to £7 per hour plus a further payment of up to £10 to pay the cost of any taxi journey home for the carer) for the care of children or dependent relatives whilst undertaking the following duties (other than in respect of a carer from the claimant's household)(as specified in the Regulations):

- A meeting of Cabinet
- A meeting of a committee of Cabinet
- A meeting of the authority
- A meeting of a committee or sub-committee of the authority
- A meeting of any other body to which the authority make appointments or nominations
- A meeting of a committee or sub-committee of any other body to which the authority makes appointments or nominations
- A meeting which has both been authorised by the authority, a committee or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a sub-committee of a joint committee and to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups)
- A meeting of a local authority association of which the authority is a member
- Duties undertaken on behalf of the authority in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened
- Duties undertaken on behalf of the authority 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
- Duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996.
- A meeting of an Area Housing Forum.
- Attendance at Ward Surgeries.

The carer must be registered with the local authority or via a recognised professional organisation. Councillors should notify officers in advance when wanting to use a professional organisation other than the local authority to source a carer, and CYPS will confirm whether this organisation is acceptable; 5 working days notice is required. The carer must not be a member of the councillor's family. The maximum reimbursement will be calculated on the basis of the duration of the qualifying duty plus two hours travelling time. The amount claimed must not exceed the amount actually paid

to the care provider. Claims for carer must be submitted on the appropriate claim form, and accompanied by receipts. The care provider will be required to account for any tax liability arising.

## **Travel and subsistence expenses**

### Councillors

Expenses are not normally payable for travel or subsistence incurred within London. However on the grounds of mobility and safety (e.g. travel home from late night meetings), travel expenses (submitted on the appropriate claim form) may be authorised by the Head of Democratic Services & Scrutiny, in consultation with the group whip concerned, for travel which meets the following criteria:

- Meetings of any body formally constituted by the Council.

Alternative modes of transport and shared taxis or mini-cabs should be used whenever possible.

Travel and subsistence costs outside London (but within the U.K.) will be paid, subject to them meeting any of the following criteria (and being submitted on the appropriate claim form):

- Meetings of any body formally constituted by the Council.
- Attendance as the Council's formally appointed representative to an outside organisation.
- Meetings involving Council Officers in connection with the council's legitimate functions.
- Attendance, on behalf of the council, at conferences and meetings, provided that they are not held for commercial or political purposes where the prior approval of the Head of Democratic Services and Scrutiny to the payment of conference, travel and subsistence expenses has been obtained.
- Attendance at any other training session, where the prior approval of the Head of Democratic Services and Scrutiny to the payment of conference, travel and subsistence expenses has been obtained.

### Co-opted members (non-councillors) and Education Appeal Panel members

Non-councillors serving on the Pension Fund Investment Panel and Education Appeals Panels may submit claims for travel or subsistence as set out below.

The following duties will be reimbursed in accordance with the old ODPM rates (or standards class rail fare and/or underground):

- Attendance at any Panel etc on which they serve.
- Attendance at any training session or interview they are required by the Council to attend.

## Rates

The standard class rail fare (or any available cheap fares) may be claimed and the Council encourages the use of public transport. Where car and motorbike expenses may be claimed these may be reimbursed at these rates (rates will be updated in accordance with Government advice):

Motorbike: Casual Users	12.1p
Car: Casual Users	40.5p

Subsistence costs are payable at the current rates specified for officers, upon submission of receipts, unless these costs can be claimed from another source:

- up to a maximum of £5.00 per meal
- up to a maximum of £7.64 for evening meals

Public transport and subsistence expenses will only be paid where evidence is provided in the form of receipts, bus, tube or train tickets or day travel cards or receipted Oyster cards (see note below). Note that cost of season tickets (weekly, monthly or annual) will normally not be refundable by the Council as these are primarily purchased for and are available for private use.

**Note:** Reimbursement relating to **Oyster cards** (Pay-as-you-go) applies only to Pre-paid Oyster cards whereby councillors are able to obtain receipts that clearly indicate their journey for Lambeth business purposes, typically work to work journeys. Print-outs can be obtained from Underground Station. Weekly or Monthly Oyster cards, like Travel cards or Season tickets are **available for private use** and are therefore regarded by HMRC as taxable benefits, if costs are reimbursed. Costs of these would not normally be reimbursed by the Council.

Where a claim is submitted for travel by Taxi or min-cab (see above for criteria which applies), the amount of the taxi fare is reimbursable.

## **Conferences etc**

Where the cost of attendance at a conference, seminar or training course (registration fee, travel and subsistence) is to be met from the members allowance budget, the approval of the Head of Democratic Services & Scrutiny must be sought prior to the booking being made. Such requests will be considered in accordance with the following criteria:

- Funds being available within the budget allocation (the budget is divided pro-rata between the groups and independent member).
- An explanation of the benefit to the councillor and the Council (to be provided by the councillor concerned in making the application).
- Proof that the conference is not being provided for commercial or political purposes (to be provided by the councillor concerned in

making the application). For instance, conferences held under a political banner would need to cover non-political activity and be open to all rather than just party members.

The Head of Democratic Services & Scrutiny will consult the whip of the party concerned before deciding whether or not to approve attendance. If attendance is approved, the councillor concerned is expected to give feedback to the Head of Democratic Services & Scrutiny on the usefulness of the conference. The rules on travel and subsistence expenses are set out in the section above.

## **Pensions**

All councillors under 75 may join the Local Government Pension Scheme (LGPS). Pensions are payable in respect of both basic allowance and special responsibility allowance. Detailed advice is set out in the separate Guidance Note for Members, and further detailed advice is set out in a handbook "A Guide to the Local Government Pension Scheme for Eligible Councillors in England". Elected Members should take independent professional financial advice on their personal decision to join the LGPS scheme. They should check their eligibility to transfer to the LGPS if they already have a pension provider. Members should also seek advice on their financial position and eligibility if they have been receiving a stakeholder pension. Pension contributions will be deducted from the payroll, and contact details for further information are set out below.

## **Renunciation**

A councillor may by notice in writing given to the Director of Legal and Democratic Services elect to forego any part of their entitlement to an allowance under this scheme.

## **Withholding of Allowances**

Council (15.12.03) agreed that both the basic and SRA allowances be withheld where a member is subject to total suspension and any SRA for partial suspension, and to require the repayment of any allowances which have been paid in respect of a period during which a member has been suspended.

## **Education Appeals Panel members (non-councillors): Financial Loss Allowance**

A Financial Loss Allowance will be payable to Education Appeals Panel members as follows:

- (a) for a period not exceeding 4 hours - **£27.65**
- (b) for a period between 4 and 24 hours - **£55.31**

- (c) the aggregate of £55.31 and such amount in (a) or (b) as is appropriate to the number of hours which the period exceeds 24 hours

Financial Loss allowance is a financial loss payment in recognition of additional expenditure necessarily incurred by the panel member in carrying out approved duties. HM Revenue & Customs (HMRC) accepts that Financial Loss payment does not constitute emoluments from the office and will therefore not be subject to tax or NIC deduction at source. It may however be taxable on members who are self-employed. Recipients must declare it as income on any tax return. Those who are self-employed should treat it as schedule D income. Financial Loss Allowance claims must be submitted by the non-councillor concerned on the relevant claim form and this must be accompanied by written proof from their employer of the financial loss incurred.

### **Time limit for claims**

In accordance with the Council's standard arrangements, all claims for dependent care allowance, travel or subsistence expenses, or financial loss allowance, must be made within six months of the expenditure being incurred.

### **Publication of scheme**

The Council is required to publish the following in the press and on the website:

- The findings of the London Councils Independent Panel on Member Allowances.
- The annual allowances scheme.
- The actual payments made to each Member each year.

Records of payments to Members covered by this note are open to public inspection.