

MEMBERS' SCHEME OF ALLOWANCES

Adopted April 2016

MEMBERS' ALLOWANCES SCHEME

Stroud District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme:

- a. This scheme may be cited as the Stroud District Council Members' Allowances Scheme.
- b. The scheme is based upon the recommendations contained in the report of the Independent Remuneration Panel.

In this scheme:

"Councillor" means a Member of Stroud District Council who is a Councillor;

"year" means the 12 months ending on 31 March.

1. Basic Allowance

- 1.1 For each year a basic allowance of £5,265 shall be paid to each Councillor. This is inclusive of IT consumables, broadband and telephone call allowance.

Note: This allowance is indexed linked to the annual percentage increase applicable to Officers salaries as agreed each year by the NJC and is implemented from the date of the Council AGM that is applicable.

2. Special Responsibility Allowances

- 2.1 For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in schedule 1 to this scheme.

3. Renunciation

- 3.1. A Councillor may by notice in writing given to the Proper Officer elect to forego any part of their entitlement to an allowance under this scheme.

4. Part-year Entitlements

- 4.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowance where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

4.2 If an amendment to this scheme changes the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:-

- (i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
- (ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

4.3 If an amendment to this scheme changes the duties specified in schedule 2 to this scheme the entitlement shall be to the payment of the amount of the allowance under the scheme as it has effect when the duty is carried out.

4.4 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

4.5 Where this scheme is amended as mentioned in sub-paragraph (b) above, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (b)(i), the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.

4.6 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.

4.7 Where this scheme is amended as mentioned in sub-paragraph (b), and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (b)(i) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

5. Claims

- 5.1 All claims under this scheme shall be made in writing on the prescribed form attached as Schedule 6 to this Scheme and submitted to Democratic Services within two months of the date of the meeting in respect of which the entitlement arises.
- 5.2 All claims shall include, or be accompanied by, a signed statement by the Councillor certifying that the claim is correct and is in accordance with the Council's Constitution and that he or she is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under the scheme and appropriate receipts shall be provided.
- 5.3 The procedure for processing all claims under this Scheme is set out in the attached Schedule 6 to this Scheme.

6. Payments

- 6.1 Payments shall be made
- (i) in respect of basic and special responsibility allowances, in monthly instalments on the fifteenth day of each month.
 - (ii) in respect of other payments on the fifteenth day of each month in respect of claims received up to the 20th day of the previous month, or if that is a non-working day, by the next working day thereafter.
- 6.2 Where a payment of one-tenth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which, by virtue of paragraph 6, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

7. Proper Officer

- 7.1 The Proper Officer for all purposes in connection with this scheme shall be the Chief Executive.

8. Administration of the Scheme

- 8.1 The Democratic Services team shall administer this Scheme but without affecting the scope of the Chief Executive to approve requests made in accordance with this Scheme. Where the Democratic Services team are unable to agree a claim with a Member it shall be referred to the Proper Officer for determination.

9. Publicity

- 9.1 The Council is required to make arrangements for the publication of its scheme within its area. To this end a copy of the current scheme is available for inspection.

by Members of the public at the Council Offices, Ebley Mill, Ebley Wharf, Stroud, Glos GL5 4UB, and on the Council's Website at www.stroud.gov.uk/opendata

- 9.2 The Council is also required to publish details, as soon as reasonably practicable after the end of a financial year, of the total payments made in that year to each Member by way of basic allowance, special responsibility allowance, dependants' carers' allowance and travelling and subsistence allowance together with actual reimbursements incurred.

The Council wishes to ensure full transparency of Member expenses and will publish on www.stroud.gov.uk/opendata

Monthly – all costs incurred on behalf of or claimed by Members:

- Basic allowance
- Special Responsibility allowance
- Dependants' Carers' allowance
- Travelling & Subsistence allowance
- IT equipment contribution
- Courses & seminars
- Accommodation
- Mobile phone
- Civic functions

10. Pensions

- 10.1 None of the allowances within this Scheme are pensionable.

11. Qualifying Threshold for Other Opposition Group Leader SRA

- 11.1 The SRA for Other Opposition Group Leaders is only paid on the condition that their group size meets a qualifying threshold of 10% of Council membership, i.e. 5 group members.

- 11.2 If the Main Opposition Group does not have 5 members then the qualifying threshold should be suspended and the Group Leader be paid the Other Opposition Group Leader's SRA of £1,020.

12. Definition of Opposition Groups

- 12.1 For a political group to be considered an Opposition Group (Main or Other) for the purposes of this Scheme, the Group must have at least 5 members.

13. More than 1 Main Opposition Group

- 13.1 If there are 2 or more Opposition Groups of equal size and both constitute a “Main” Opposition Group the SRAs paid to the Main Opposition Group Leader plus Other Opposition Group Leader should be added together and split equally between the 2 Main Opposition Group Leaders.

14. The 1-SRA Only Rule

- 14.1 There will be no exceptions to the 1-SRA only rule.

15. Mileage Allowance – HMRC Rates

- 15.1 The mileage rates for which Members are able to claim for attending approved duties are based on HMRC approved rates.

16. Indexation

- 16.1 The following indices are adopted by the Council:

Basic Allowance and SRAs:

Indexed to the annual percentage salary increase for local government staff (at spinal column 49), to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable. Changes will be rounded to the nearest pound.

17 Tax and National Insurance

- 17.1 Allowances are liable for income tax and national insurance. Deductions will be made from these allowances in accordance with the member’s tax code.
- 17.2 Members are advised to seek independent advice on their own tax position.
- 17.3 Members that are over State Pension age do not have to pay employee’s national insurance contributions. In order for the Council not to deduct National Insurance from the Members Allowances, the Member must provide a Certificate of Age Exception.

EXECUTIVE SUMMARY 2016/17 (as at April 2016)

REMUNERATED POSTS 2013/14	Basic Allowance	Subject to Para 14.1 of Scheme Number to whom allowance is Potentially Payable	SRA Payable for Post
All members of the Council	£5,265	51	n/a
Special responsibility allowances which are paid in addition to Basic Allowance payable to each councillor:			
Leader of Council (& Chair of Strategy & Resources Committee)		1	£10,201
Chairs of 3 Service Committees		3	£6,120
Vice-Chair of Strategy & Resources + 3 Service Committees		4	£1,224
Chair of Development Control Committee		1	£5,100
Vice-Chair of Development Control Committee		1	£1,020
Chair of Audit and Standards Committee		1	£5,100
Vice-Chair of Audit & Standards Committee		1	£1,020
Chair of Council		1	£3,060
Vice-Chair of Council		1	£612
Main Opposition Group Leader		1	£4,794
Other Opposition Group Leaders (subject to min. limits on group size)		2	£1,020

Travelling and Subsistence Approved Duties

1. The following are specified as "Approved Duties" under this scheme:-
 - (a) Attendance, by right of membership, at formal properly convened meetings of bodies which are part of the Council's Committee structure to include:-
 - (i) Meetings which are part of the Civic Timetable (including programmed Members' Training and Development);
 - (ii) Extraordinary or special meetings of any of those bodies;
 - (iii) Meetings of any task and finish group of the Council;
 - (v) Attendance at any training event organised by the Council;
 - (vi) Any other meeting organised by the Council, the attendance at which has been approved by the Chief Executive will be listed on www.stroud.gov.uk
 - (b) Attendance as an approved representative at:-
 - (i) Appraisal meetings for Senior Council staff;
 - (ii) Meetings of Local Authority Associations;
 - (iii) Conferences where prior approval has been given in writing by the Chief Executive;
 - (iv) Other particular attendances of a similar nature where prior approval has been given in writing by either the Chief Executive or Monitoring Officer.

(This last category is intended to cover full day events which council expects Members to attend.)
 - (c) Other attendances as follows:-
 - (i) Attendance at briefing meetings preceding formally convened meetings of the Council, Committees, Panels and Working Groups;
 - (ii) Attendance at a gathering of Members to which candidates are asked to make presentations where this has been approved in writing in advance by either the Chief Executive or Monitoring Officer.

- (iii) Attendance as an appointed Council representative at formal meetings convened by other local authorities. Where the appointment has not been approved by Council, each new attendance under this provision must be approved in writing by the Chief Executive.
 - (iv) Attendance by Committee Chairs at formal and informal meetings and at other events not specifically referred to above provided that such attendance is in connection with the discharge of the Council's functions.
 - (v) Attendance by the Chair, Vice Chair or Leader at events as a representative of the Council where the prior approval in writing has been obtained from the Chief Executive.
2. Any other duty approved in advance by the Chief Executive for the purposes of, or in connection with, the discharge of the functions of the Council, Committees, Panels or Working Groups.

This includes:-

- (a) Attendance at Council premises or on site on the authority of the Council, Committees, Panels or Working Groups, or at the request of an Officer of the Council.
- (b) Attendance at meetings of outside bodies where the Member is appointed or nominated by the Council or a committee.

Members will qualify where they necessarily incur expenditure on travelling and subsistence for the purpose of enabling them to perform an "approved duty", as defined above.

Where approval is required in writing, where possible it must be approved beforehand, and will be formally recorded and published on the Council's website: www.stroud.gov.uk, clearly showing the attendance event, Member attending, date/time, associated costs and the authorising officer.

Travelling and Subsistence Allowances

(a) Public Transport

Requests for standard class rail tickets and any necessary underground tickets are to be made in writing to the Democratic Services team. Democratic Services will purchase the necessary tickets on a corporate procurement/credit card using the most cost effective route at that time.

The Civic Office may perform this function for the Chair and Vice Chair of Council.

Note: Where exceptions are required to the above, a written request must be submitted to the Chief Executive or Monitoring Officer. All exceptions granted will be formally recorded and published on the Council's website: www.stroud.gov.uk, clearly showing the attendance event, Member attending, date/time, associated costs and the authorising officer.

(b) Taxi

Where public transport is not available within a reasonable distance or timeframe, the actual fare and any reasonable gratuity paid may be claimed with valid receipts. Claims are to be submitted on the claim form.

HMRC rates as set out in Table 3 below:

Table 3: HMRC Mileage Rates 2014/15

Vehicle Type	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p
Passenger Supplement Rate	5p per passenger	5p per passenger

(c) Subsistence (From 1 April 2009)

Members who are required to work away from their normal office base on official business will be able to claim the following on production of a receipt.

Duration of absence	Number of meals that can be claimed in any one day.
Over 5 hours	1 meal
Between 10-12 hours	2 meals
More than 12 hours	3 meals
Breakfast	£5.30
Lunch	£7.20
Tea	£2.80
Evening meal	£9.10
Out of pocket expenses (per night)	£4.20

The rates of subsistence specified above shall be reduced by an appropriate amount in respect of any meal provided free of charge by the Council or by any other body in respect of the meal or period to which the allowance relates.

When out of authority meetings are attended, accommodation, if necessary, must be pre-booked and paid for in advance by Democratic Services. Where meal costs are in excess of current rates, reasonable costs will be reimbursed, but only up to a maximum subsistence of £28.60 per day.

Additional Items

IT Contribution

IT Equipment Contribution - A single allowance of up to £390 over a 4 year period towards the purchase of IT equipment to be owned, maintained and used by the Member for Council and personal use. The payment is available to Members in years 1, 2 and 3 of a four year term, and is valid only upon presenting valid receipts. An upfront payment can be provided in exceptional circumstances.

Note: The £390 limit does not have to be claimed in one single claim and further claims can be made up to the total allowed.

Given that Members are required to access a range of information electronically, including Council and committee papers, all councilors encouraged to seek advice from the Council's ICT Manager on the suitability of the equipment they propose to purchase for use in connection with Council business.

Attendance at Parish Council Meetings in Members' Wards

A Member can claim travel expenses for their actual attendance at 1 meeting per month for each Parish Council that he/she represents, when acting as a representative of Stroud District Council.

For example, if a Member represents 3 Parish Councils, then 3 meetings may be attended each month (one at each Parish).

Members are responsible for monitoring their attendance and for not exceeding the rules defined in this Scheme.

Please see updated 2021 IT allowance, detailed in Appendix A. Approved at Council February 2021.

Dependants' Carers' Allowance

Claims are intended to cover a contribution towards some of the expenses of members who are carers for children or other dependants, which are incurred in:

- (a) the attendance at a meeting of the Council or of any committee / sub-committee of the Council, or any other body to which the Council makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the Council, or a committee or sub-committee of the Council, or a joint committee of the Council and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that –
 - (i) where the Council is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
 - (ii) if the Council is not so divided, it is a meeting to which at least two members of the Council have been invited;
- (c) the attendance at a meeting of any association of authorities of which the Council is a member;
- (d) the performance of any duty in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises;
- (e) the carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Council or any of its committees or sub-committees;
- (f) any other approved duty set out in Regulation 7.1 Local Authorities (Members' Allowances) (England) Regulations 2003.

All claims must be supported by receipts.

The maximum hourly rate for claims is limited to the living wage level used by the Living Wage Foundation.

Before making a claim, the claimant needs to complete a declaration of dependants as provided for below:

Declaration of Dependants

I, [*insert name*], Councillor for [*insert ward name*] ward of Stroud District Council, declare that I have the following dependant(s):-

Name:

Date of birth:

and wish to claim Dependants' Allowance for their care whilst I am undertaking approved duties for Stroud District Council.

I will submit signed receipts for the costs incurred for their care and notify the Council within 28 days of any change which affects my entitlement to make a claim.

Signed:

Date:

Democratic Services will:

- Check each form for discrepancies in respect of receipt totals, mileage totals, signature, and that home to Council Office (Ebley Mill) mileage matches the AA Route Planner, and will make adjustments and pay accordingly.
- Notify Members when forms are incomplete or where adjustments have been made.
- Pass valid claim forms to Human Resources. All queries from Members must be referred back to Democratic Services.
- Retain a copy of all forms for 2 financial years.

Note: Where the Democratic Services team are unable to agree a claim with a Member it shall be referred to the Proper Office, as defined in Paragraph 12 of this Scheme.

All claims shall include, or be accompanied by, a signed statement by the Councillor making the claim that he or she is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under the scheme, and appropriate receipts shall be provided.

VAT

The Council may recover any VAT element of expenses reimbursed. Receipts will either itemise VAT amounts, or indicate that amounts shown are VAT inclusive.

- (1) Show the expenses claimed net of VAT in the columns headed 'Expenses etc'.
- (2) Show the VAT amount in the final two columns.
- (3) The sheet should be totalled in the total boxes at the bottom of the 'Expenses etc' column to show the following:-

	£
VAT exclusive amount	2.00
VAT amount	0.35
Total Reimbursement claimed	2.35

Dependant Carers Allowance (DCA)

In claiming for DCA, you are certifying that your claim meets the statutory definition of approved duties which are covered by those included in the Members' Allowances Scheme.

Constitution (Version Nov 2016)

Stroud District Council
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