

## **Kirklees Council Members' Allowances Scheme 2012-2013**

This Members' Allowances Scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003, and the Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003. In making this scheme the Council had regard to the recommendations of its Members' Allowances Independent Review Panel, which met on 8 November 2011.

1. The Members' Allowances Scheme will apply from 1 April 2012 to 31 March 2013.
2. **Basic allowances for ward duties**
  - 2.1 The amount allocated per annum to each elected councillor for ward duties is £12,566.
  - 2.2 The basic allowance recognises the time devoted (on average 80 hours a month of which the first 20 are reflected as voluntary) and expenses incurred in dealing with their constituents, political group and cross party discussions on a ward basis.

No additional payment will therefore be made for travel and subsistence costs for duties within the Kirklees district or the costs of telephone and mobile phone line rental and calls. However, the council will provide mobile telephones for certain councillors of the council, such as leader, deputy leader, cabinet members, group leaders and business managers for special responsibility role business only.

The council will pay subsistence for single-party development events (and certain other events approved by the Assistant Director – Legal, Governance and Monitoring) within the Kirklees district, subject to the criteria at appendix 3.

- 2.3 Basic allowances will be paid calendar monthly in arrears to each elected councillor in equal monthly instalments.
- 2.4 Where the term of office of a councillor begins or ends otherwise than on the 1 April 2012 or 31 March 2013 his/her entitlement to the allowance will be pro-rata.

### **3. Special responsibility allowances**

- 3.1 The amounts allocated per annum to councillors of specific duties, which are additional to the basic allowance are:-

	<b>£ per year</b>
Leader	25,155
Deputy leader	18,866

<b>Band A</b>	
Cabinet member	12,274
<b>Band A1</b>	
Chair of Overview and Scrutiny	11,047
Opposition leader (30+ councillors)	11,047
<b>Band B</b>	
Opposition leader (7-29 councillors)	9,820
Business manager (30+ councillors)	9,820
<b>Band B1</b>	8,592
<b>Band C</b>	
Business manager (20-29 councillors)	7,365
<b>Band C1</b>	
Chairs of Planning sub-committees	6,138
Lead members of Overview and Scrutiny panels	6,138
<b>Band D</b>	
Business manager (7-19 councillors)	4,911
Chair of Licensing and Safety committee	4,911
<b>Band D1</b>	
Opposition leaders (2-6 councillors)	3,684
Deputy group leaders (12+ councillors)	3,684
Chair of Appeals panel	3,684
<b>Band E</b>	
Chair of Town and Valley committee	2,454
Chair of Corporate Governance and Audit committee	2,454
<b>Band E1</b>	
Adoption panel member	1,227
Fostering panel member	1,227
Overview and Scrutiny management group	1,227

Chairs of overview and scrutiny ad-hoc panels will receive £38.37 day split into half day sessions (2 x 4 hours) to commence at the start of formal meetings to their conclusion. The overview and scrutiny management group will place a time allocation on the work of the ad-hoc panel.

- 3.2 The special responsibility allowance recognises the additional time and expenses incurred by those councillors effectively performing additional special responsibilities.
- 3.3 Special responsibility allowances will be paid calendar monthly in arrears to the appropriate councillor in equal monthly instalments.
- 3.4 Where the term of office entitling a councillor to a special responsibility allowance begins or ends otherwise than on the 1 April 2012 or 31 March 2013 his/her entitlement to the allowance will be pro-rata.

3.5 No councillor shall receive more than one special responsibility allowance.

#### **4. Renunciation of allowances**

4.1 A councillor may, by giving notice in writing to the Assistant Director – Legal, Governance and Monitoring, elect to forego any part of his/her entitlement to an allowance payable under this scheme.

#### **5. Travel and subsistence outside the district**

5.1 Travel and subsistence allowances for approved duties outside the district can be paid only:

- \* approved duty are those as described in paragraph 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- \* any other duty approved by the body, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the body, or of any of its committees or sub-committees
- \* for approved duties previously authorised by the appropriate body (Cabinet or Overview and Scrutiny Management Group) and Assistant Director – Legal, Governance and Monitoring. The approval must precede the performance of the duty and not be given retrospectively.

Claims for expenses must be made and received by the Assistant Director – Legal, Governance and Monitoring within two months of the expense being incurred.

5.2 Attendance at conferences: Assistant Director – Legal, Governance and Monitoring has delegated powers to determine councillor attendance at conferences etc. For approved attendance at annual party and single-party conferences, the council will reimburse a councillor for all travel and 50% of subsistence costs if attendance is deemed part-development.

5.3 Attendance at training and development events: The council will reimburse a councillor for travel and subsistence costs, at the approved rates, for training and development events. The appropriate business manager will approve councillor attendance.

5.4 The council will book accommodation on behalf of councillors to a maximum of the rates given in Appendix 1, subject to availability. Councillors requiring overnight accommodation may claim daytime meal allowance(s) in the usual way.

5.5 The authority will pay car mileage at HMRC rates and daytime subsistence allowances at the same rates determined for officers by the National Joint Council for Local Government Officers. The allowance rates are given at Appendix 1.

- 5.6 The rate of travel by public transport shall not exceed the amount of an ordinary fare or any available cheap fare and wherever possible should be arranged through Legal and Governance Councillor Support to maximise available discounts and concessions.

Tickets or receipts must always accompany travel and subsistence claims for over £8.

- 5.7 Councillors' use of private motor vehicles should demonstrate either a substantial saving of the councillors' time, or being in the best interests of the council.
- 5.8 The rate of travel by taxicab will not normally exceed the fare for travel by appropriate public transport. In cases of urgency or where no public transport is reasonably available, the council will reimburse the amount of the actual fare and any reasonable gratuity. Taxi receipts more than £8 must support the claim.
- 5.9 Travel by any other hired vehicle is limited to the rate applicable had the vehicle belonged to the member who hired it unless prior approval to the actual cost of hiring.
- 5.10 The rate for travel by air should not exceed the rate applicable to travel by any appropriate alternative means of transport together with the equivalent saving in subsistence allowance.

Where the saving in time is so substantial as to justify payment of the fare for air travel the amount paid will not exceed:-

- (i) the ordinary fare or any cheap fare, or
- (ii) where no such service is available or in case of urgency the fare actually paid by the councillor.

## **6. Pensions**

Councillors may join the Local Government Pension Scheme on a contributory basis, based on the basic and special responsibility allowances.

## **7. Dependants' carers' allowance**

Councillors who need to engage carers to look after dependants whilst undertaking duties specified in regulation 7 of the Local Authorities (Members Allowances) (England) Regulations 2003 may receive a carers' allowance. The criteria are given at Appendix 2.

## **8. Support for a councillor with a disability**

Even though local councillors are not explicitly covered by the Disability Discrimination Act Part II (employment provisions), it is an expectation on councils that they will make every reasonable effort to meet the individual

needs of disabled councillors. The council will provide support for disabled councillors, where appropriate, by actively discussing an individual's needs and putting in place the necessary support mechanisms wherever practicable.

## **9. Information technology**

Each councillor is offered a computer to be used in their homes through a broadband link to assist them in the discharge of their functions as a councillor.

## **10. Publicity**

10.1 The regulations place certain duties on local authorities in connection with publicising the recommendations made by their independent remuneration panel, their scheme of allowances and the actual allowances paid to councillors in any given year:

- The regulations require, as soon as reasonably practicable after the end of a year to which the scheme relates, that local authorities must make arrangements for the publication in their area of the total sum paid by it to each recipient, in respect of each of the following:

- Basic allowance
- Special responsibility allowance
- Dependants' carers' allowance
- Travelling and subsistence allowance
- Co-optees' allowance

## **11. Sickness and holiday**

The scheme recognises the right of councillors to holiday and entitlement to sickness absence.

An entitlement is made for 28 days of holiday. During periods of sickness a councillor is not expected to make up any hours lost as a result of that illness.

## **12. Suspension of councillors**

Where a councillor is suspended or partially suspended from his or her responsibilities or duties as a councillor of the authority, in accordance with Part III of The Local Government Act 2000 (Conduct of Members), or regulations made under that part, the part of any allowance payable to him/her in respect of the period for which he or she is suspended may be withheld by the authority.

This provision relates to basic, special responsibility and travel and subsistence allowances.

### **13. Co-optees' allowance**

- 13.1 The external chair of Standards committee (who is not an elected councillor of Kirklees council) will receive an annual allowance of £6,138. The Co-optees' allowance will be paid calendar monthly, in arrears, in equal monthly instalments. The Co-optees' allowance includes all travel and subsistence expenses within the Kirklees district. For approved duties outside the Kirklees district, the council will pay the rates determined for elected councillors.

Where the term of office of a chair of Standards committee begins or ends otherwise than on the 1 April 2012 or 31 March 2013 his/her entitlement to the allowance will be pro-rata.

- 13.2 The independent members of Standards committee (who are not elected councillors of Kirklees council) will receive an allowance of £114 for a meeting lasting over 4 hours or £65 for a meeting lasting less than 4 hours.

### **14. Education appeals panel members**

Members of education appeals panels (who are not elected councillors of Kirklees Council), will receive an allowance of £114 for a full day meeting and £65 for meetings less than four hours.

## APPENDIX 1

### Travel and subsistence rates from 1 April 2012 (for approved duties performed outside Kirklees only)

#### 1. Motor mileage rates

##### Car

First 10,000 business miles in the tax year: 45p per mile

Each business mile over 10,000 in the tax year: 25p per mile

**Bicycle or other non-motorised forms of transport:** 20p per mile

**Motor cycle (for journeys less than 10,000 miles per year):** 24p per mile

**Passenger supplements:** The supplement remains unchanged; an increase in the above rates by 5p per person per mile not exceeding four passengers.

(Subject to change by HMRC)

#### 2. Day subsistence

**Breakfast allowance** £6.06

(more than 3 hours away from normal place of residence before 11.00 a.m.)

**Lunch allowance** £8.37

(more than 3 hours away from normal place of residence to include the period 12.00 noon - 2.00 p.m.)

**Tea allowance** £3.29

(more than 3 hours away from normal place of residence to include the period 3.00 p.m. - 6.00 p.m.)

**Evening meal allowance** £10.35

(more than 3 hours away from normal place of residence ending after 7.00 p.m.)

#### 3. Overnight accommodation costs up to:

London/LGA annual conference £105.00

Outside London £90.00

(maximum room/bed-breakfast rates per person per night, but subject to availability)

#### 4. Meals on trains

Where **main meals (i.e. breakfast, lunch or dinner) are taken on trains** during a period for which there is an entitlement for a day subsistence allowance, the reasonable cost of meals (including VAT) may be reimbursed in full. This reimbursement would replace the entitlement to the day subsistence allowance for the appropriate meal period. Councillors are asked to submit receipts for meals when claiming.

Kirklees Council

COUNCILLORS' ALLOWANCES

Criteria for dependants' carers' allowance

1. Councillors who care for children or dependants can claim a carer's allowance paid at the rate of the national minimum wage for age 21 and above, subject to paragraph 3 below.
2. Payment is claimable in respect of children aged 14 years or under. In respect of dependant relatives, payment is claimable subject to written medical or social work evidence.
3. The Corporate Governance and Audit Committee will determine any application by a councillor on the grounds of special circumstances for payment of dependants' carers' allowance at a higher rate than that of the national minimum wage for age 21 and above.
4. The carer must not be a member of the same household.
5. Councillors should submit their claims, using a claim form and supported by receipts and, if applicable, declare any other care payment received from another agency, to the Councillors' Allowances section each calendar month in arrears.
6. Councillors can only claim for the carers' allowance in respect of expenses of arranging for care of their children or dependants necessarily incurred for attendance at meetings and performance of duties specified in the regulations, and any other duties approved by the Council including training sessions held within the induction period following an election. **Approved duties do not include meetings with officers and constituents and attendance at political group meetings.**
7. The council's Standards Committee will consider any allegations of abuse of the scheme.
8. The dependants' carers' allowance is subject to annual review.



**Kirklees Council**

**Members' Allowances**

**Criteria for single-party development events within the Kirklees district**

- **What the council will pay for:**
  - ✓ If the development is a one-day event, the council will pay for lunch and incidental subsistence such as tea and coffee
  - ✓ Where the need for an overnight stay is justified as part of the development opportunity, the council will pay for lunch, tea, coffee, evening meal and overnight accommodation
  - ✓ The Assistant Director - Legal and Governance will confirm any development programme lasting for more than one day, including the justification of any overnight stay
  - ✓ Individual group training budgets will stand the cost of any training/conference rooms, trainers/facilitators fees and expenses
  
- **What the council will not pay for:**
  - × The council will not pay for any alcoholic drinks
  - × The council will not pay for any expenses incurred by partners of training event attendees