

County Council

23 January 2019

Members Allowance Scheme –

Recommendations of the

Independent Remuneration Panel



Report of Corporate Management Team

John Hewitt, Corporate Director of Resources

Electoral division affected:

Countywide

Purpose of the Report

- 1 To advise Council of the outcomes of the review of the Members' Allowances Scheme carried out by the Independent Remuneration Panel for 2019/20, and to ask Council to agree a scheme of allowances for that financial year, taking into account the views of the Panel.

Executive summary

- 2 The Council is required to have a scheme which makes provisions for the payment of allowances and expenses to elected members, and council is to consider the scheme to make for 2019/20. When approving any changes to the scheme council must have regard to any recommendations of the Independent Remuneration Panel. The Panel have met in October and December 2018, and January 2019, and included in the report are its recommendations for council to consider. At its meeting on 11 January 2019 Constitution Working Group considered the Panel's recommendations, and were not minded to support any change to the allowances scheme for the next financial year.

Recommendation

- 3 Council is asked to consider the recommendations of the Independent Remuneration Panel for the Members' Allowances Scheme for

2019/20 and determine whether the allowances scheme should be amended.

Background

- 4 All local authorities are required to have a scheme which makes provision for the payment of a range of allowances and expenses to elected members. Each local authority must appoint an Independent Remuneration Panel (IRP) to make representations on allowances, including the amounts payable. When approving any changes to its Scheme, the Council must have regard to the Panel's recommendations.
- 5 The last changes made to the Member Allowance Scheme were for the year 2014/15. At that time, the IRP recommended a 1% increase to the basic allowance. Council considered that recommendation and decided not to introduce an increase. However, when Council set its budget for 2014/15 it agreed to reduce the Members Mileage Allowance to 0.45p per mile in line with HMRC rate. This is the only change to the scheme since it was adopted in 2009, following LGR.
- 6 The Council's Member's Allowance Scheme for 2018/19 was considered by the Panel on 23 October and 4 December 2017 when no changes were recommended. Council considered the IRPs reasons at its meeting on 24 January 2018 and agreed that no changes would be made for the forthcoming year.

Independent Remuneration Panel

- 7 On 24 October and 4 December 2018, and 8 January 2019 the Panel met to consider the review of the allowances scheme for 2019/20.
- 8 In reviewing the Members Allowance Scheme, the Panel was made aware of the changes to the Council's Committee Structures and the scheme since the last review which included:-
 - (a) At the annual council meeting in May 2018 it was agreed to discontinue the Human Resources Committee given the low level of business it had been conducting. Oversight of health and safety obligations were transferred to the Audit Committee, and the Corporate Director of Resources was given delegated authority in-line with appropriate consultation to make decisions on Early Retirement and Voluntary Redundancy applications, and compassionate pension cases. The special responsibility allowances paid to the Chairman and Vice Chairman of the Human Resources Committee now represents a reduction in the allowances paid of £2660, and £1330 respectively.
 - (b) The number of political groups on the council has increased to 7 from 6 due to the formation of the North East Party Group in May 2018. As a result, there is an increase in the number of opposition group leaders who are able to claim the allowance

of £3325 per annum, which is the rate where the group has less than 20% membership of the council members.

- (c) The list of outside bodies in the appendices to the scheme have been reviewed and updated to reflect the appointments made following annual council.
- 9 In preparation for the review of the scheme by the Independent Remuneration Panel, elected Members were asked to express views or make submissions to be considered by the Panel, and the following responses were considered:-
- (a) An allowance for Cabinet support officers should be considered.
- (b) As with other authorities, councillors be allowed free off-peak parking in council car parks. Thereby reducing the paper work on expense claims for council business on those car parks, and a cost neutral benefit to councillors to make use of council facilities.
- (c) Two councillors requested that there be no change to allowances. One of whom referencing that as the council was in some degree of financial crisis there should be a freeze on allowances.
- 10 In the past the Panel have found it helpful to be aware of any changes to allowances schemes for other councils. At its meeting in October the Panel had been provided with the current rates of basic allowance that are paid by councils in the region to its members and which shows where changes were made to the basic allowances for 2018/19 (Appendix 2). There were also tables to show comparisons with other authorities for the cost per head of the allowances scheme.
- 11 At the Panel meeting on 4 December 2018 members were provided with additional information which they had sought from their first meeting. This included:
- Role of the Cabinet Support Members
 - Information from Neighbouring Authorities on Cabinet support members and Special Responsibility Allowances, car park concessions, and plans for amending members allowance scheme for 2019/20.
- 12 The Panel took into consideration all of the information provided, and unanimously agreed that an additional allowance should not be paid to Cabinet Support Members and that members should not be offered free off peak parking in Council car parks. The majority view of the Panel was to recommend a 1% increase to the members basic allowance.

In summary the reasons included:-

- There was a lack of evidence to support payment of a special responsibility allowance to Cabinet Support Members;
- There was no case for a change in the car parking arrangements and the management of such a scheme was likely to increase administrative costs.
- It has been a number of years since the IRP last recommended an increase and Member Allowances have remained at the same level since 2009;
- An increase of 1% to the basic allowance acknowledged in part the increased costs of living since 2009;
- An increase to the allowance this year would help ensure that allowances remain at an appropriate level to avoid potentially larger increases;

13 If Council were to accept the IRP's recommendation, the basic allowance would increase by £133 from £13,300 to £13,433.

Constitution Working Group

14 At its meeting on 11 January 2019 Constitution Working Group considered the Panel's recommendations, and were not minded to support any change to the allowances scheme for the next financial year.

Next Steps

15 Council is asked to consider and agree a scheme of allowances for the next financial year taking into account the views of the Independent Remuneration Panel. The current scheme of allowances is appended to the report at Appendix 3. If the Council was to agree with the recommendations of the Panel, then the allowance scheme document as attached would be amended accordingly, and be agreed for 2019/20.

Background papers

The Local Authorities (Members' Allowances) (England) Regulations 2003

Contact: John Hewitt

Tel: 03000 261943

Appendix 1: Implications

Legal Implications

The Local Authorities (Members' Allowances) Regulations (England) Regulations 2003 (as amended) require the Council to review members allowances at least once every four years for the purpose of agreeing how it will index link its scheme of allowances. Before any amendments to the Scheme are made, the County Council must have regard to the recommendations made by the IRP and determine whether and how these are implemented.

Finance

There are 126 members and a basic allowance of £13,300 is paid to each. There are also special responsibility allowances for members taking on additional responsibility for example, cabinet or chairing roles and these are set out in the scheme.

Consultation

Members were invited to submit representations for consideration by the IRP.

Equality and Diversity / Public Sector Equality Duty

None specific within this report.

Human Rights

None specific within this report.

Crime and Disorder

None specific within this report.

Staffing

None specific within this report.

Accommodation

None specific within this report.

Risk

None specific within this report.

Procurement

None specific within this report.

Appendix 2: Basic Allowances- councils in the region

Authority	Basic Allowance per member 17/18 £	Basic Allowance per member 18/19 £
Darlington	8,027	8,188
Durham	13,300	13,300
Gateshead	10,550	10,550
Hartlepool	7,792	7,948
Middlesbrough	6,253	6,378
Newcastle	8,775	8,775
North Tyneside	9,956	10,155
Northumberland	12,625	12,625
Redcar and Cleveland	9,550	9,550
South Tyneside	7,370	7,370
Stockton-on-Tees	9,300	9,300
Sunderland	8,369	8,369

Appendix 3: Members Allowance Scheme

DURHAM COUNTY COUNCIL

MEMBERS' HANDBOOK

AND

ALLOWANCES GUIDE

Allowances as at 1 April 2018

Preface

This booklet is intended to provide Councillors with a detailed guide to the rules governing the payment of allowances together with details of the amounts payable and the procedures to be followed in making claims, etc.

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H North East Regional Employers' Organisation Scheme

I LGA Members' Allowances Scheme

J List of ABI approved insurance companies

1. ALLOWANCES PAYABLE

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require that an authority shall make a scheme in respect of the succeeding financial year on or before 31st March each year. The scheme may be amended at any time but may only be revoked with effect from the beginning of a year.
- 1.2 Under these regulations Councils are required to establish and maintain an independent remuneration panel to provide the local authority with advice on its scheme and the amounts to be paid. Local authorities must have regard to this advice.
- 1.3 The prescribed components of the County Council Scheme are as follows:

(a) **Basic Allowance**

- (i) Payable to each Member of the authority who is a County Councillor. Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a financial year the amount of basic allowance due is calculated as follows:

$$\frac{\text{Number of days in office}}{\text{Number of days in year}} \times \text{annual basic allowance}$$

- (ii) Basic Allowance is intended to recognise the time commitment of all Councillors, including such inevitable calls on their time as meeting with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes. The allowance is also intended to cover the cost of meals and other incidental expenses incurred within the region.
- (iii) The amount of allowance per Member as at 1st April 2018 is £13,300 per annum and is to be paid at £1108.33 per month.

(b) **Special Responsibility Allowance**

- (i) Payable to Members of the Council specified in the Scheme who have special responsibilities. Where a Councillor takes up or relinquishes any special responsibility otherwise than at the beginning or end of the financial year the amount of special responsibility allowance payable is calculated as follows:

Number of days performing		annual
<u>special responsibility</u>	X	special responsibility
Number of days in year		allowance

- (ii) No Member can receive more than one Special Responsibility Allowance.
- (iii) The amounts currently payable are shown in Appendix A.

(c) **Dependant Carers' Allowance**

- (i) A dependant carers' allowance is payable at a rate not exceeding £7.38 an hour to those Councillors who incur expenditure for the care of dependent relatives or children whilst undertaking approved duties. "Approved duties" are specified in the Regulations and are as follows:
- (ii)
 - a. A meeting of the Executive;
 - b. A meeting of a committee of the Executive;
 - c. A meeting of the Authority;
 - d. A meeting of a committee or sub-committee of the authority;
 - e. A meeting of some other body to which the authority makes appointments or nominations; or
 - f. A meeting of a committee or sub-committee of a body to which the authority makes appointments or nominations;
 - g. 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;
 - h. 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
 - i. 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);
 - j. A meeting of a local authority association of which the authority is a member;

- k. 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;
- l. 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.

- (iii) Payment is claimable in respect of children aged 16 or under and in respect of other dependants where there is medical or social work evidence that care is required. Evidence would take the form of a letter from a doctor or social worker stating the maximum time that the dependant could be left without care.
- (iv) The allowance is paid against actual expenditure evidenced by receipts. The allowance is not payable to a member of the claimant's household. The maximum rate payable will be increased each October in line with the national minimum wage. (The hourly rate is paid in line with national minimum wage at age 21). This will be increased each October in line with national changes.

1.4 The amounts specified in paragraph 1.3(a) and Appendix A of this document are subject to an annual review by the Independent Remuneration Panel.

Foregoing Allowances

1.5 A member may, by notice in writing given to the Corporate Director of Resources, elect to forego any part of his / her entitlement to an allowance under this scheme.

Co-opted Members

a. Co-opted Members (including Parent Governor Representatives) are entitled to claim travelling allowance at the rates given in Appendix C. This allowance is taxable. A claim form should be completed and forwarded to the Committee Services contact as soon as practicable after the duty has been performed.

2. DEFINITION OF APPROVED DUTIES

Travelling and Subsistence Allowances

2.1 Payable in respect of expenditure incurred in the performance of approved duties. Subsistence allowance is not payable for duties performed within the boundaries of the counties of Durham (including Darlington) and Northumberland, and the former administrative counties of Tyne & Wear and Cleveland.

2.2 The definition of an approved duty is as follows:

- (a) A meeting of the County Council or of the Cabinet or of any committee, or sub-committee of the County Council, or of any body to which the County Council makes appointments or nominations, or of any committee or sub-committee of such a body.

A list of bodies covered by this paragraph is given in Appendix D.

A number of such bodies operate their own schemes of allowances. A list of these is given at Appendix F.

- (b) Any other meeting the holding of which is authorised by the County Council, a committee or sub-committee of the County Council, or a joint committee of the County Council and one or more other authorities, or a sub-committee of such a joint committee, provided that it is a meeting to which Members of at least two political groups have been invited.
- (c) A meeting of any association of authorities of which the County Council is a member.
- (d) The performance of any duty in connection with arrangements made by the County Council for the attendance of pupils at any school approved for the purposes of Section 342 (approval of non-maintained special schools) of the Education Act 1996.
- (e) Any other duty approved by the County Council in connection with the discharge of the functions of the Council or of any of its committees or sub-committees including the making of official and courtesy visits on behalf of the authority. Tasks so approved are shown below:
 - (i) Attendance by County Councillors at County Hall to read official papers and deal with correspondence.
 - (ii) Attendance by chairmen and vice-chairmen of committees and sub-committees at pre-meeting discussions with officers.
 - (iii) Attendance at a meeting to which the Member is invited whether as chairman, vice-chairman or otherwise, by or on behalf of the Chief Executive, the Director of Resources or another chief officer to discuss matters or consider issues relating to the functions of the County Council, including meetings with third parties such as government departments, statutory bodies, other local authorities, trade unions and the public.
 - (iv) Attendance at press conferences to which the Member is invited by the Corporate Director, Resources in

consultation with the appropriate chairman or vice-chairman.

- (v) Attendance by a Member at the request of the Local Government Ombudsman, for interview by an officer of the Ombudsman in relation to a complaint against the County Council.
- (vi) Attendance at a meeting with the appropriate officer(s) of any of the bodies listed in Appendix D to which the Member is invited by the body, or attendance at a meeting with third parties when representing the body by virtue of his or her position as chairman or vice-chairman of the body or one of its committees or sub-committees, the purpose of his or her attendance being to discuss matters arising for the purpose of or in connection with the functions of the body.
- (vii) Attendances at conferences or meetings held inside or outside the United Kingdom and convened by any person or body (other than a person or body convening it in the course of a trade or business or a body the objects of which are wholly or partly political) for the purpose of discussing matters which in their opinion relate to the interests of their area or any part of it or the interests of the inhabitants of their area or any part of it.
- (viii) Official openings of County Council establishments, Developments and Exhibitions at the invitation of the appropriate Chief Officer in consultation with the Leader or Deputy Leader of the County Council. This is intended to cover situations where Members are required to perform a duty such as perform an opening ceremony, make a speech, give prizes etc. Courtesy invitations issued to several or all Members are functions which do not qualify for payment. Members are advised to seek guidance from appropriate Chief Officers.

2.3 Invitations from groups or bodies to attend meetings as a Local Member are not approved duties for the payment of travelling and subsistence allowances. These duties are constituency matters not connected with the discharge of the functions of the County Council.

2.4 Details of the travelling and subsistence allowances currently payable are shown in Appendix C.

Travelling to conferences, seminars, etc.

2.5 Members who in their capacity as a County Councillor receive an invitation directly to a conference, seminar etc. should, if they wish to attend, contact Member Development on 03000 265 346 who will consult with the appropriate designated Member.

Payment of expenses of official and courtesy visits, etc.

- 2.6 Subject to paragraph 2.7 the County Council will pay the cost of any travelling or other expenses reasonably incurred by or on behalf of any members in making official and courtesy visits, whether inside or outside the United Kingdom, on behalf of the County Council.
- 2.7 In the case of a visit within the United Kingdom, the amount paid under this section in respect of the expenses of any member of the County Council shall not exceed the payments which he would have been entitled to receive by way of travelling allowance or subsistence allowance if the making of the visit had been an approved duty of that member.

Ground rules for travel

- 2.8 Ground rules for Members' Claims for Travel and Subsistence are set out in Appendix B.

Meals on Trains

- 2.9 Members may claim full reimbursement of the reasonable cost (including VAT) of a main meal (full breakfast, lunch or dinner) taken on a train. Members wishing to claim must submit receipts. Where full reimbursement is claimed the allowance for the meal provided cannot also be claimed, i.e. breakfast, lunch, dinner, etc.

Travel outside the United Kingdom

- 2.10 Members may claim for reimbursement of reasonable expenses incurred. Receipts for all expenses must be submitted with any claim, as set out in Appendix B.

Out of Pocket Expenses

- 2.11 Where the attendance fee for a course or conference includes accommodation and meals, an out-of-pocket expense allowance is payable in place of the normal subsistence allowances.
- 2.12 The current rates are set out in Appendix C.

Special Functions and Occasions

- 2.13 Elected Members on occasions are invited or feel it necessary to attend functions or occasions which have a social element. No allowances are paid to Members of the Council on these occasions unless the Member is undertaking the performance of a specific duty, e.g. making a speech or distributing prizes when travel and subsistence allowances may be paid. Courtesy invitations issued to several or all Members are functions which do not qualify for payments.

3. CLAIM FORMS

Completion

- 3.1 The attention of Members is drawn to the following points when completing a claim form:
- (a) The claim form must be completed and signed in ink.
 - (b) Full details/description of an approved duty must be given
 - (i) if the reason for claiming travelling or subsistence allowances is a qualifying meeting, the full title of the meeting should be given;
 - (ii) for conferences, seminars, etc., full details must be given, including names of any officers involved, conference title and location, etc;
 - (iii) VAT receipts for purchase of petrol should be attached to all claims

Submission

- 3.2 Payment of allowances is made monthly. All deadlines and payment dates are published in advance and are available to view on the Councillors page of the Intranet.
- 3.3 All travel and subsistence claims are paid along with any allowances direct into a bank/building society of your choice. There is no facility for cheque payment in relation to Allowances or claims.
- 3.4 The Local Authorities (Members' Allowances) (England) Regulations 2003 prescribe that claims **must** be submitted within two months of the date of the meeting for which the claim is made.

Advances

- 3.5 In exceptional cases, payment of an advance can be arranged via the Business Support Team on 03000 263 751

Avoidance of Duplication of Allowances

- 3.6 A councillor performing approved duties as a member of more than one body or becoming entitled to payments under any other legislation must ensure that only one claim is made for that duty.

Withholding Allowances

- 3.7 Where payment of any allowance has already been made in respect of any period during which the member concerned:-
- (a) ceases to be a member of the County Council, or

- (b) is in any other way not entitled to receive the allowance in respect of that period, the County Council requires that such part of the allowance as relates to any such period be repaid to the County Council.

4. MEMBERS APPOINTED TO OTHER BODIES

Special arrangements apply to Members who are appointed to certain bodies, such as the Local Government Association, the North East Regional Employers' Organisation and the Association of North East Councils, which operate their own allowances schemes. Notes are attached in Appendices G to I which deal with the individual schemes. Attendance allowances payable under these schemes are in addition to the basic allowance from the County Council.

5. INCOME TAX

Tax is payable on basic allowances, special responsibility allowance, attendance allowance payable by other bodies, dependant's carers' allowance and co-optees' allowance. Her Majesty's Revenue & Customs (HMRC) is notified of all new Members. However, as Members' circumstances vary, and their tax may be dealt with at other HMRC offices, it is advisable for Members to make arrangements with their Tax Inspector for a tax code number to be allocated.

6. PENSIONS

With effect from the local elections in May 2017, no councillors have access to the Local Government Pension Scheme.

7. INSURANCE

The County Council has arranged travel insurance for its Members while travelling abroad on County Council business. Cover is provided for medical expenses, baggage, cash and personal public liability: details are available from the Insurance Officer on **(03000) 269 666**.

8. SOCIAL SECURITY

National Insurance Contributions

- 8.1 National Insurance contributions are payable on all basic allowances, special responsibility allowances, attendance allowances payable by other bodies, plus elements of mileage allowances, provided the aggregate amount of these allowances reaches a lower earnings limit (£116 per week or £503 per month) and the Member is under state pension age. Members who are state pension

age – are not liable to pay National Insurance contributions provided confirmation is provided of their age in the form of a birth certificate or passport (originals only) which should be sighted by the Business Support Officer. Alternatively a certificate of non-liability could be supplied by the local office of the Department of Work and Pensions.

- 8.2 There is an annual maximum contribution liability for people with more than one job and, in some instances, Members in this position may be entitled to a refund of contributions; alternatively they may apply to the DWP to defer payment of contributions in their capacity as councillors.

Benefits

- 8.3 The National Insurance contributions paid by Members count towards the full range of contributory benefits, including statutory sick pay, state pensions, unemployment benefits, etc.

Advice

- 8.4 Advice on contributions and benefits can be obtained from the local office of the Department of Work and Pensions.

9. SICK PAY

Members who fall ill will receive their basic allowance and special responsibility allowance, as normal. As there is no deduction for being off sick, Statutory Sick Pay is not payable in addition to these allowances and it is not necessary to submit a self-certification of sickness form or a doctor's sick note when you are ill.

10. MEMBERS' SURGERIES

- 10.1 The County Council will pay the cost for one surgery per month. Invoices for room hire can be sent to Durham County Council for payment or alternatively can be reclaimed from Resources, Business Support on production of a receipt.
- 10.2 Please note that attendances at surgeries **DO NOT** qualify for travelling and subsistence, and other expenses such as advertising costs must be borne by the Members who incur them.

MEMBERS' ALLOWANCES

SPECIAL RESPONSIBILITY ALLOWANCE

Designation	Amount (£)
Chairman of the County Council	6650
Vice-Chairman of the County Council	3325
Leader of the County Council	36575
Deputy Leader of the County Council	19950
Cabinet Member (x8)	13300
Chairman of Corporate Overview and Scrutiny Management Board	13300
Vice-Chairman of Corporate Overview and Scrutiny Management Board	7980
Chairman of Appeals and Complaints Committee	2660
Vice-Chairman of Appeals and Complaints Committee	1330
Chairman of Audit Committee	2660
Vice-Chairman of Audit Committee	1330
Chairman of Corporate Parenting Panel	2660
Vice-Chairman of Corporate Parenting Panel	1330
Chairman of Highways Committee	2660
Vice-Chairman of Highways Committee	1330
Chairman of General Licensing and Registration Committee	3325

Vice-Chairman of General Licensing and Registration Committee	1662
Chairman of Statutory Licensing Committee	3325
Vice-Chairman of Statutory Licensing Committee x 2	1662
Chairman of General Licensing and Registration Sub-Committee (1)	3325
Chairman of General Licensing and Registration Sub-Committee (2)	3325
Chairman of General Licensing and Registration Sub-Committee (3)	3325
Chairman of County Planning Committee	3325
Vice-Chairman of County Planning Committee	1662
Chairman of Area Planning Committee (North Durham)	3325
Vice-Chairman of Area Planning Committee (North Durham)	1662
Chairman of Area Planning Committee (Central and East Durham)	3325
Vice-Chairman of Area Planning Committee (Central and East Durham)	1662
Chairman of Area Planning Committee (South and West)	3325
Vice-Chairman of Area Planning Committee (South and West)	1662
Chairman of Pension Fund Committee	2660
Vice-Chairman of Pension Fund Committee	1330
Chairman of Children and Young People's Scrutiny Committee	2660
Vice- Chairman of Children and Young People's Scrutiny Committee	1330
Chairman of Safer and Stronger Communities Scrutiny Committee	2660

Vice-Chairman of Safer and Stronger Communities Scrutiny Committee	1330
Chairman of Environment and Sustainable Communities Scrutiny Committee	2660
Vice-Chairman of Environment and Sustainable Communities Scrutiny Committee	1330
Chairman of Economy and Enterprise Scrutiny Committee	2660
Vice-Chairman of Economy and Enterprise Scrutiny Committee	1330
Chairman of Adults, Wellbeing and Health Scrutiny Committee	2660
Vice-Chairman of Adults, Wellbeing and Health Scrutiny Committee	1330
Chairman of Standards Committee	2660
Where an Opposition Group has 20% or more of the Council Members allowance is £6650, where Group has less than 20% membership allowance is £3325	
Leader of Opposition Group (Conservative)membership	3325
Leader of Opposition Group (Liberal Democrats) membership	3325
Leader of Opposition Group (Durham Independent Group) membership	3325
Leader of Opposition Group (DCC Independent Group) membership	3325
Leader of Opposition Group (Spennymoor Independent Group) membership	3325
Leader of Opposition Group (North East Party Group) membership	3325

**GROUNDRULES FOR MEMBERS' CLAIMS
FOR TRAVEL AND SUBSISTENCE**

1. Travel by Rail

Rail tickets should be requested from the Business Support Team in the Resources Service Grouping in advance of travel, as the Council's contract provides for a discount.

Members should either contact Members' Support who will liaise directly with Business Support on your behalf, or members can go direct to the Business Support Team.

Standard Class rail travel is the approved class of travel, although first class rail can sometimes be the cheaper option dependent upon the time of booking.

Members wishing to travel first class when it is not the cheapest option can choose to do so but will be required to pay the difference between that cost and the standard cost. The difference will be recovered by payroll deduction.

Tickets can be booked up to 3 months in advance of date of travel. Members should make their requests as far in advance as possible in order to maximise savings and should you have any special requirements to assist you with your journey please advise Members' Support or the Business Support Team at the time of the request.

Members eligible for a Senior Citizens Railcard or any other concessionary travel railcard and who may be required to travel as part of their duties are encouraged to buy one as this results in a further discount on the ticket cost. The cost of the railcard will be reimbursed upon receipt of your first claim for travel and subsistence.

2. Overnight Accommodation

Where it is considered that an overnight stay is required, then accommodation should be organised in advance by the Business Support Team.

Members should contact Members' Support who will liaise with Business Support to organise for you. Alternatively, please contact the Business

Support Team direct who will also be able to satisfy any specific queries or special requirements which you may have.

Accommodation along with Breakfast and Evening meal, if required, will be booked and paid for in advance. Members should make their requests as far in advance as possible in order to achieve best prices and should you have any special requirements in relation to your booking please advise us at the time of the request.

Reimbursement for any additional meals purchased up to the maximum amounts detailed below i.e. breakfast, lunch, tea or evening meal can be claimed retrospectively (less any meals provided) on the production of receipts. Should it not be possible to obtain subsistence within these limits then actual costs can be claimed up to a reasonable amount in liaison with Business Support Manager and upon the production of receipts.

In exceptional circumstances an advance can be given to cover incidental subsistence/travel requirements i.e. lunch, evening meal, taxis, where it has not been possible to organise these prior to travel. Receipts should be retained to cover all advance expenditure and this can be reconciled on return.

Rates are set out below and also for reference shown on members' claim forms.

Allowance	Minimum absence from home	Rate £
Breakfast	2 hours which must be before 11.00am	6.75
Lunch	2 hours which must be between 12 noon and 2.00pm	9.27
Tea	3 hours which must include 3.00pm to 6.00pm	3.65
Evening Meal	3 hours which must be after 7.00pm	11.48

Nb. No reimbursement for alcohol purchased will be made – should this be included on your receipt it will be deducted from the amount claimed.

Whilst it is appreciated that most travel is planned and can be organised in advance there may be exceptional circumstances where Members may need to organise themselves. In such circumstances, retrospective claims for travel or accommodation will be paid when submitted on monthly claim forms and on the production of receipts.

The current rates are laid out below and are intended to cover the costs of accommodation and associated subsistence during a 24 hour period. However, it is also recognised that on occasion it may not be possible to obtain accommodation and subsistence within these limits and therefore higher amounts can be claimed up to a reasonable amount upon presentation of receipts. However only in exceptional circumstances should this be the case.

Overnight allowance		Rate £
London	Up to a maximum claim on production of receipts	£124.76
Outside London	Up to a maximum claim on production of receipts	£109.39

3. Travel by car as an alternative to Rail

As a general rule, journeys outside the locality should be undertaken by rail as this is usually the cheapest mode of travel for someone travelling alone.

The ability to get to a particular destination by rail needs to be taken into account. Where the venue for the meeting is some distance from the railway station, the advantages and disadvantages of alternative methods of travel should be considered. Where Members choose to travel by car on a journey that would be reasonable to travel by rail either mileage or the cost of the cheapest available rail fare will be paid, whichever is the cheaper.

4. Air Travel

The cost of travel by air shall not exceed the cost applicable to travel by appropriate alternative means of transport. Unless in circumstances where the saving in time is so substantial as to justify payment of the fare for travel by air.

All arrangements should be made by contacting Members' Support who will liaise with Business Support to organise for you. Alternatively, please contact the Business Support Team in relation to any specific queries or special requirements which you may have.

5. Travel outside the United Kingdom

The same procedure as shown above will apply.

MEMBERS' ALLOWANCES

Travelling Allowances

Travelling allowances are payable for journeys undertaken in the performance of official duties. The rates are as follows from 1 April 2018

1. The rate for travel by a Member's own private motor vehicle, or one belonging to a member of his/her family or otherwise provided for his use, will be paid at 45.0p a mile
2. The rate for travel by a hired motor vehicle, other than a taxi-cab or cab, shall not exceed the value of the claim which would have been applicable had the vehicle belonged to the Member who hired it.
3. The rate for travel by taxi-cab or cab shall not exceed:
 - in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid (receipts should be obtained where possible);
 - in any other case, the amount of the fare for travel by appropriate public transport.

Motor Vehicle Insurance

Members are advised that when using their own vehicle for meetings they will be deemed to be using it on County Council business. It is therefore essential that vehicles should be adequately insured, and Members are therefore required to ensure that insurance covers business use as well as for the usual social, domestic and pleasure categories.

The Association of British Insurers provide a list of approved insurance companies which indemnify local authorities against all third party claims arising out of the use of their vehicle. A copy of the list is shown at Appendix J.

If a Member is covered for business use by a company not on the list, they should contact their insurer and arrange the necessary indemnity, which should be supplied in the form of a letter. An example is given in appendix J. Insurance companies not on this approved list, although they would insure for business use, would not cover injuries to a third party unless the necessary indemnity had been arranged.

Subsistence Allowances

Duties performed within the United Kingdom

When carrying out approved duties "Out of Region", Members may claim up to the approved rates as follows on production of receipts:

1. For an absence not involving an absence overnight from the usual place of residence:

<i>Allowance</i>	<i>Minimum absence from home</i>	<i>Rate (£)</i>
Breakfast	2 hours which must be before 11.00	6.75
Lunch	2 hours which must include 12.00 to 14.00	9.27
Tea	3 hours which must include 15.00 to 18.00	3.65
Evening Meal	3 hours which must be after 19.00	11.48

Travel Outside the United Kingdom

Members may claim for reimbursement of reasonable expenses incurred. **Receipts for all expenses must be submitted with the claim**, as set out in Appendix B.

Out of Pocket Expenses

Where the attendance fee for a course or conference includes accommodation and meals, an out-of-pocket expense allowance is payable, as follows:

	£ per day
Courses or conferences within the UK	5.00
Courses or conferences overseas	18.00

the day of arrival and departure being counted as one day.

Taxable and Non-Taxable Mileage

From 6 April 2016, following a change in HMRC guidance, all mileage claimed for journeys from this date should be shown as non-taxable mileage.

MEMBERS' ALLOWANCES

Schedule of other bodies, attendance at meetings of which (subject to the approval of a committee or other body) entitles a County Councillor to claim travelling and subsistence allowance.

Outside Bodies

Name of Body

Admissions Forum

Annfield Plain Gleemen

Association for Public Service Excellence

Association of North East Councils – Collaborative Procurement Board

Association of North East Councils – North East Culture Partnership Board

Association of North East Councils – Resources Task and Finish Group

Association of North East Councils - Leaders and Elected Members Board

Barnard Castle School Governing Body

Beamish Museum Board

Bishop Auckland Community Partnership (Four Clocks)

Bishop Auckland Heritage Action Zone Advisory Group

Bowes Museum

Business Durham Advisory Board - Directors

Business Durham Advisory Board - Members

Castle Eden Dene Nature Joint Advisory Committee

CDC Enterprise Agency

Central Durham Joint Crematorium Committee

Chapter Homes

Charter Trustees for the City of Durham

Chester le Street Unit of Sea Cadet Corps

Chester Moor Village Scheme

Children in Care Council

Chilton and Windlestone Community College

Citizens Advice County Durham

Cong Burn Wood Nature Reserve Management Committee

Consett Churches Detached Youth Project

Cornforth Partnership

County Councils Network

County Councils Network - Executive Committee

County Durham and Darlington Fire and Rescue Authority

County Durham and Darlington NHS Foundation Trust Council of Governors

County Durham Children and Families Partnership

County Durham Housing Group Board

County Durham Housing Group Board- Operations Committee

County of Durham School Benevolent Fund

Coxhoe and Quarrington Hill Tarmac Quarries Liaison Committee

Derwent Valley Landscape Partnership- the Land of Oak and Iron in North East England

Derwentside Bereavement Support

Derwentside District Scout Council

Derwentside Enterprise Agency Board

Durham City Access for All

Durham Cricket CIC

Durham Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee

Durham Heritage Coast Partnership

Durham Johnston Educational Foundation

Durham Tees Valley Airport

Durham Tees Valley Airport Consultative Committee

Durham Villages Regeneration Limited

Easington Colliery Regeneration Partnership

Easington Social Welfare Centre

East Durham Business Service

English Heritage - Historic Environment Local Management

Health and Wellbeing Board

Henry Smith's Charity

Horden Regeneration Partnership

Industrial Communities Alliance

Joint Health Overview and Scrutiny Committee of North East Local Authorities

Lanchester Bowling Club

Laurel Avenue Community Association

Livin Homes Limited

Local Access Forum

Local Government Association

Lord Crewe's Durham Educational Foundation - Representative Trustees

Middleton in Teesdale Community Association

Middleton Plus Development Trust

Mountsett Crematorium Joint Committee

National Association of Councillors

National Railway Museum at Shildon

Newbiggin and District Village Hall Association

Newcastle International Airport Consultative Committee

Newcastle International Airport Limited

Newcastle International Airport Local Authority Holding Company

NEWCO

North East Combined Authority- Leadership Board

North East Combined Authority - Governance Committee

North East Combined Authority - Overview and Scrutiny Committee

North East Combined Authority - Transport for North East Committee

North East Combined Authority- Economic Development and Regeneration Advisory Board

North East Disability Resource Centre

North East Local Enterprise Partnership

North East Purchasing Organisation

North Eastern Inshore Fisheries and Conservation Authority

North Eastern Regional Employers Organisation (NEREO)

North Eastern Regional Employers Organisation (NEREO) - Executive Committee

North of England Reserve Forces and Cadets Association

North Pennines AONB Partnership

North Regional Association for Sensory Support

North Regional Brass Band Trust

North Tees and Hartlepool NHS Foundation Trust Council of Governors

Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee

Northumbria Regional Flood and Coastal Committee

PATROL (Parking and Traffic Regulations outside London) Adjudication Joint Committee

Pelton Fell Community Partnership

Police and Crime Panel

Project Genesis

Roseberry Grange Golf Course Committee

Rural Services Network

Ruth First Educational Trust Executive Committee

Sacrison Community Development Group

Safe Durham Partnership

Sherburn House Charity

Standing Advisory Committee for Religious Education

Stanhope Hartwell Educational Foundation

Teesdale Development Company Limited

Teesdale Village Halls Consortium

The Bow Trust (Durham) Ltd

Thrislington Quarry Liaison Committee

Trimdon Community College Association

United Charities of Romaldkirk

Visit County Durham

Wear Valley Women's Aid Limited

Weardale Open Air Swimming Pool Association

Witham Hall Limited

Witton Gilbert Educational Foundation (formerly Jane Finney Trust)

MEMBERS' ALLOWANCES

Schedule of outside organisations which pay travelling and subsistence allowances directly to Members for attendance at meetings convened by the organisation, subject to the Members' attendance having been authorised.

North East Regional Employers' Organisation
Committees
(for further details see Appendix H, paragraph 3)

MEMBERS' ALLOWANCES

Schedule of outside organisations which are recharged by the County Council in respect of attendance allowance paid to Members for attendance at meetings convened by the organisation, subject to the Members' attendance having been authorised.

Association of North East Councils

North East Regional Employers' Organisation

ASSOCIATION OF NORTH EAST COUNCILS

MEMBERS' ALLOWANCES SCHEME

1. Eligible Members

Those eligible for the ANEC scheme are representatives of member authorities at the meetings of the Association, Executive and Standing Committees and the Regional Assembly.

2. Approved Duties

For the purposes of the Association's scheme, approved duties include:

- attendance at meetings of the Association, Executive and Standing Committees and the Regional Assembly;
- duties carried out by Members as the Association's appointed representatives on any public body, charity, voluntary body or other body formed for a public purpose (and not for the personal benefit of its members) except where such remuneration would be prohibited by another enactment;
- attendance on behalf of the Association at briefing meetings, Chairman's meetings and at meetings with Ministers, Government Departments or other bodies.

3. Rate of Allowance 2018/19

An allowance of £22.00 for a twenty-four hour period will be payable, irrespective of the number of duties undertaken.

Travelling and subsistence allowance in respect of attendance at the meetings outlined in paragraph 2 above will be reimbursed by the County Council.

4. Payment Arrangements

The County Council will meet the cost of attendance allowance initially with subsequent reimbursement from the Association.

The County Council is requested to submit invoices monthly, or for longer periods in arrears, to the Association. Each invoice should be supported by a schedule which sets out the following details:

- name of Association representative
- dates of approved duties
- detail of approved duties
- amount of claim

The County Council will be responsible for making the appropriate returns to the Her Majesty's Revenue & Customs (HMRC) and Department for Work and Pensions (DWP).

NORTH EAST REGIONAL EMPLOYERS' ORGANISATION

MEMBERS' ALLOWANCES SCHEME

1. Eligible Members

Those eligible for the North East Regional Employers' Organisation Scheme are representatives of member authorities at meetings of the full North East Regional Employers' Organisation, Councils and Committees.

2. Approved Duties

For the purposes of the Organisation's scheme, approved duties include attendance at meetings of the full North East Regional Employers' Organisation, Councils and Committees.

3. Rate of Allowance 2018/19

An allowance of £21.00 for a twenty-four hour period will be payable, irrespective of the number of duties undertaken.

Members who attend **ALL** meetings of North East Regional Employers' Organisation Committees will be reimbursed the necessary travelling and subsistence expenses, in cash, by the North East Regional Employers' Organisation.

Members who **DO NOT** attend **ALL** meetings of North East Regional Employers' Organisation Committees will be reimbursed travelling and subsistence allowances by the County Council.

4. Payment Arrangements

The County Council will meet the cost of attendance allowance initially with subsequent reimbursement from the Organisation.

The County Council is requested to submit invoices, in arrears, to the Association. Each invoice should be supported by a schedule which sets out the following details:

- name of Member
- date
- association/council/committee attended

The County Council will be responsible for making the appropriate returns to the Her Majesty's Revenue & Customs (HMRC) and Department for Work and Pensions (DWP)

LOCAL GOVERNMENT ASSOCIATION MEMBERS' ALLOWANCES SCHEME

Introduction

1. The Constitution of the Local Government Association empowers the LGA Executive to establish a scheme for payments to members attending meetings and other approved duties of the Local Government Association and in the light of independent advice to make payments to office holders of the Association and such other members as may be specified in recognition of duties carried out on the Association's behalf.

2. In June 1998, the Management Sub-Committee of the LGA appointed an Independent Panel to consider the existing arrangements and to establish a framework on which a suitable scheme for adoption by the Association could be based. The LGA accepted the principles on which the Panel's recommendations were based, and the recommendations themselves, and formally adopted the recommended scheme with the full support of all political parties represented on the Association.

3. The scheme has now been independently reviewed to reflect the changes to the member structure agreed by the General Assembly in July 2004. The proposed changes were agreed by the LGA Executive on 29 July 2004. The revised scheme is set out in the following paragraphs.

Key Features of the Scheme

- Members of all bodies listed in the Annex to the Scheme are paid an allowance reflecting both the time which might be spent and the level of responsibility involved in carrying out these posts (payments agreed by the LGA are set out below).

- The LGA does not pay Travel and Subsistence for attendance at its own meetings (i.e. Boards, Panels, Policy Review Groups, Task Groups), with the exception of the Chairman, 2 Vice chairmen and 4 Deputy Chairmen of the Association; and the Chairmen of the LGA Boards.
- The LGA does not pay Travel and Subsistence for General Assembly, conferences, seminars, etc. where members are representing their local authorities; and
- Allowances are index-linked to the principal local government pay settlement.

MOTOR CONFERENCE

Motor Conference

Motor Conference is the body that represents members of ABI transacting motor insurance business and the motor syndicates of Lloyd's Motor Underwriters Association (LMUA). Motor Conference is representative of some 98% of the motor insurance business transacted in the UK. Many of ABI's activities – for example, representations to Government – are carried out under the auspices of Motor Conference.

A number of undertakings have been given on behalf of all members of Motor Conference to various bodies e.g. Government Departments, local authorities and voluntary organisations. The undertakings allow an individual with motor insurance which includes use for personal business to use his or her own vehicle for the business of their employer. They also provide that the receipt of a mileage allowance will not constitute use for "hire or reward". This is to ensure that individuals in receipt of such an allowance continue to be covered under their insurance policy, notwithstanding any general exclusion of hire and reward use.

Please note that there may be a small number of insurance policies issued by certain insurers that are covered by the undertakings. To check whether any individual insurer not currently listed is a subscriber, contact motor@abi.org.uk

To check whether your insurer is a member of the Association of British Insurers please click this link

[Member directory ABI](#)

SAMPLE

Dear Sirs

Motor Policy No. _____

It is hereby declared and agreed that the policy, which permits the use of the vehicle by the Policyholder in person in connection with his business, shall be deemed to permit such use of the vehicle on the business of the employer and the receipt of an allowance from such employer for such use or in respect of the carriage by him of official passengers shall not be deemed for the purpose of the policy to constitute use hiring or for the carriage of passengers for hire or reward.

We will indemnify Durham County Council in the terms of the Third Party section of the Policy in respect of such use provided that:

- (a) this indemnity does not apply in connection with a vehicle belonging to Durham County Council
- (b) Durham County Council is not entitled to indemnity under any other policy
- (c) Durham County Council shall as though it were the Policyholder observe fulfil and be subject to the terms and exceptions and conditions of the Policy insofar as they can apply.

Yours faithfully

