

County Council

20 January 2021

Members Allowance Scheme 2021-22



Report of Corporate Management Team

Paul Darby, Corporate Director of Resources

Electoral division affected:

Countywide

Purpose of the Report

- 1 To advise Council of the outcome of the review of the Members' Allowances Scheme by the Independent Remuneration Panel and to ask Council to agree a scheme of allowances for 2021/22, taking into account the views of the Panel.

Executive summary

- 2 The Council is required to have a scheme which makes provision for the payment of allowances and expenses to elected members, and council is requested to consider the scheme attached at Appendix 4 for 2021/22.
- 3 When approving any changes to the scheme council must have regard to any recommendations of the Independent Remuneration Panel (IRP).
- 4 The IRP met in November 2020 and included in the report are its recommendations for council to consider. At its meeting on 8 January 2021, 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. The proposals in this report therefore are to retain a scheme in line with the current year.

Recommendation

- 5 Council is asked to consider the recommendations of the Independent Remuneration Panel for the Members' Allowances Scheme for 2021/22 and to determine whether the allowances scheme should be amended.

Background

- 6 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.
- 7 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 45p per mile in line with HMRC rate. This is the only change to the scheme since it was adopted in 2009, following Local Government Review.
- 8 The Council's Member's Allowance Scheme for 2020/21 was considered by the Panel in December 2019. The Panel took into consideration all of the information provided, and it agreed unanimously to recommend that there be no change to the allowance scheme for 2020/21.

In summary the reasons included:-

- As councillors were not employees of the council, it would not be appropriate to link the allowance they receive with the national living wage. The Regulations relating to allowances set out that an allowance is intended to reflect a time commitment and was not a salary. There is no breach of employment legislation. Some Councillors saw their role as full-time whereas others held jobs outside of the Council.
- The Panel noted that the basic allowance in Durham was higher than the average of the north east councils, and that it had been set by Council in 2010. It was set based on a lengthy set of discussions by the IRP at the time of Local Government Reorganisation, including interviews with councillors and information from the Local Government Association. The size of the unitary council, its population and geography together with having both urban and rural parts would impact on a councillors time and the issues raised.
- There was a lack of evidence to support payment of a special responsibility allowance to Cabinet Support Members. It was noted that this had been considered by the panel the previous year and it was agreed then not to make any changes;

- There was no widespread call from councillors for an increase and no evidence that the level of allowances was deterring candidates standing as councillors.

9 Council considered the IRPs reasons and recommendations at its meeting on 22 January 2020 and agreed that no changes would be made for the forthcoming year.

Independent Remuneration Panel

10 On 10 November 2020 the Panel met to consider the review of the allowances scheme for 2021/22. The Members of the Panel are Joyce Drummond-Hill, Alan Fletcher, Steve Lowthian, Ray Morris, and Ian Youll.

11 When reviewing the Members Allowance Scheme, it is helpful for the Panel to be aware of any changes to the Council's Committee Structures since the last review however this year there have been no changes.

12 The list of outside bodies in the appendices to the scheme have been reviewed and updated to reflect the appointments made following annual council.

13 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:-

- (i) One member had serious concerns that the Allowance has remained unchanged since 2010, a time in which there has been 35% inflation and considered this to imply that last year members were not worth the money. The member also considered it was inequitable that the post of Cabinet Support carries no remuneration. With elections due to take place in May, this year was an opportunity to set a realistic allowances level without members seeming to line their own pockets. The member suggested that the allowance be linked to a yardstick for the future, such as the CPI, or the officers' settlement.
- (ii) One member suggested that it would be appropriate for all Community Associations and Village Hall meetings to be included in Appendix D of the scheme and commented that they had been included until 2010.
- (iii) Three members commented that there should be no increase in the allowances paid.

14 In the past the Panel have found it helpful to be aware of any changes to allowances schemes for other councils. At its meeting 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 2020/21 (Appendix 2). There were also tables to show comparisons of basic allowances for unitary authorities of a similar population size to Durham (Appendix 3).

15 The Panel took into consideration all of the information provided, and the majority agreed to recommend an increase to the Basic Allowance for 2021/22 of 0.7% in line with the inflation as measured by the Consumer Price Index (CPI). Using this measure, the increase would change the basic allowance from £13,300 to £13,393 per annum. Comments from the Panel included:-

- If any recommendation was made by the Panel based on inflation, then this should only be on an annual rolling inflation basis since the last review and not an attempt to address backdated inflation of 35% which the Member feedback had referred to.
- There had been very little Member feedback to consultation with the majority considering there should be no increase in Basic Allowance for 2021/22. The current COVID-19 situation had resulted in added budgetary pressures for the Council and had also led to job losses in the wider economy.
- The majority of feedback received from Members showed there to be no appetite for an increase, previously recommended increases by the Panel had been rejected and it was not currently a good climate for an increase, however a recommended increase of 0.7% in line with CPI was considered easier to accept.
- An increase the Basic Allowance in line with CPI to recognise inflationary increases would avoid a continuing deficit.
- The Panel considered that inclusion of Community Associations and Village Hall meetings could result in an increased cost to the Members Allowances Scheme, given the potential number of Community Associations and Village Hall meetings. This was not considered appropriate given that Members did not serve as council appointed representatives.
- The Panel unanimously agreed that to capture all Village Hall and Community Associations would be an onerous task at a time when all staff were particularly busy and had the possibility of not capturing all Associations which may exist within the County. The Panel agreed there was no justification for their inclusion in Appendix D of the Members' Allowances Scheme.
- With reference to the feedback that there should be a Special Responsibility Allowance for Cabinet Support Members the Panel

maintained their views which had been expressed at their meeting on 3 December 2019 and agreed that this role should not attract a Special Responsibility Allowance.

Constitution Working Group

- 16 The Group met on 10 December and made the following observations and requests for further information prior to their re-consideration of the report on 8 January 2021.
- To include the cost per head with the comparison North East authorities
 - To check how authorities that have linked their allowances to NJC increases approve this, and whether they call an IRP meeting each year to consider allowances.
 - To consider further the inclusion or not of community association/village halls in the list of approved duties as there seemed some inconsistencies with the list of approved duties.
 - The group considered that it was not appropriate for members to determine their own allowances and that Council be asked to consider making representations to the Government to request that a different approach for Members allowances is introduced.
- 17 Further to the points raised in paragraph 16, the cost per head with the comparison North East authorities have been included in the chart at Appendix 2.
- 18 Where authorities identified that their allowances are linked to National Joint Council (NJC) it is understood that this is used as a guide as to the level of any increase. Authorities would still be required to agree its scheme for the succeeding year as increases linked to NJC are not automatically applied. Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel.
- 19 In relation to the list of outside bodies at Appendix 4 where attendance at a meeting allows the member to claim expenses, it is understood that following LGR a full review of the list of outside bodies that were provided by the former county council and district councils was undertaken, and the list updated accordingly. The outside bodies included in Appendix 4 have all requested representation from the County Council. If an outside body were to request representation from the Council, approval would be sought from the Council to include them within the Members Allowance Scheme.

- 20 The Constitution Working Group at its meeting on 8 January 2021 was minded not to support the increase, noting that it would be for council to determine.

Next Steps

- 21 Council is asked to consider and agree a scheme of allowances for 2021/22 taking into account the views of the Independent Remuneration Panel. The current scheme of allowances is appended to the report at Appendix 4. If the Council was to agree with the recommendations of the Panel, then the allowance scheme document as attached would be updated accordingly.

Background papers

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

Contact: Paul Darby

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 Independent Remuneration Panel (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. Full details of the various allowances paid are included in Appendix 4.

Consultation

Members were invited to submit representations for consideration by the IRP. The views of the IRP, together with further benchmarking information has been considered by the Constitution Working Group.

Equality and Diversity / Public Sector Equality Duty

None specific within this report.

Climate Change

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 19/20 £	Basic Allowance per member 20/21 £	Cost of allowances scheme 2019/20 £	Population	Cost per head £	Basic Allowance per member 21/22 £
Darlington	8,188	8,188	589,454	106,800	5.52	TBD
Durham	13,300	13,300	2,020,520	530,100	3.81	TBD
Gateshead	10,977	11,279		202,055		Index linked to NJC increases- meeting of IRP to be 2021.
Hartlepool	8,107	8,107				Unknown
Middlesbrough	6,378	6,955				Previously years show Index linked to NJC increases – no response
Newcastle	9,000	9,200	923,826	302,820	3.05	IRP reports to Council in Feb each year. Not linked to NJC (CPI and RPI rates have been considerations previously).
North Tyneside	10,358	10,358	790,259	207,913	3.80	Index linked to NJC increases
Northumberland	14,379	14,774	1,348,474	319,030	4.23	Index linked to NJC increases- reviewed ad hoc as required.
Redcar and Cleveland	9,550	9,550 pending an increase linked to staff pay increases)	702,873.00	137,200	5.12	Process for 2021/22 to begin November 2020.
South Tyneside	7,667	7,667		150,976		Unknown

Authority	Basic Allowance per member 19/20 £	Basic Allowance per member 20/21 £	Cost of allowances scheme 2019/20 £	Population	Cost per head £	Basic Allowance per member 21/22 £
Stockton-on-Tees	9,300	9,300	697,771	196,487	3.55	Only reviewed by IRP if a request to do so.
Sunderland	8,369	8,369	1,117,306	277,700	4.02	TBD

Appendix 3: Basic Allowances- Comparisons with Unitary Authorities - Similar Population Size

	Durham	Cornwall	Wiltshire	Bristol
Number of Members	126	123	98	70
Cost of Allowances Scheme	£2,020,550	£2,187,090	£1,982,000	£1,220,978
Population	526,980	565,968	498,064	463,405
Basic Allowance	£13,300.00	£14,188.74	£13,463.00	£12,261.09
Cost per head	£3.83	£3.86	£3.98	£2.63

	Cheshire East	Leicester	Cheshire West and Cheshire
Number of Members	82	55	70
Cost of Allowances Scheme	£1,269,655	£1,038,696	£1,138,538
Population	380,790	355,218	340,502
Basic Allowance	£12,109.00	£10,555.99	£11,992.96
Cost per head	£3.33	£2.92	£3.34

DURHAM COUNTY COUNCIL

MEMBERS' HANDBOOK

AND

ALLOWANCES GUIDE

Allowances as at 1 April 2020

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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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:

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

- (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 2019 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:

$$\frac{\text{Number of days performing special responsibility}}{\text{Number of days in year}} \quad \times \quad \text{annual special responsibility allowance}$$

(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 £7.70 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:
- 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;

- I. 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.
 - (ii) 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.
 - (iii) 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 April in line with the national minimum wage. (The hourly rate is paid in line with national minimum wage at age 21).
- 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 their entitlement to an allowance under this scheme.

Co-opted Members

- 1.6 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 chair and vice-chair of committees and sub-committees at pre-meeting discussions with officers.
 - (iii) Attendance at a meeting to which the Member is invited whether as chair, vice-chair 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 chair or vice-chair.

- (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 their position as chair or vice-chair of the body or one of its committees or sub-committees, the purpose of their 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 they 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 (£118 per week or £512 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 (£)
Chair of the County Council	6650
Vice-Chair of the County Council	3325
Leader of the County Council	36575
Deputy Leader of the County Council	19950
Cabinet Member (x8)	13300
Chair of Corporate Overview and Scrutiny Management Board	13300
Vice-Chair of Corporate Overview and Scrutiny Management Board	7980
Chair of Appeals and Complaints Committee	2660
Vice-Chair of Appeals and Complaints Committee	1330
Chair of Audit Committee	2660
Vice-Chair of Audit Committee	1330
Chair of Corporate Parenting Panel	2660
Vice-Chair of Corporate Parenting Panel	1330
Chair of Highways Committee	2660
Vice-Chair of Highways Committee	1330
Chair of General Licensing and Registration Committee	3325
Vice-Chair of General Licensing and Registration Committee	1662
Chair of Statutory Licensing Committee	3325
Vice-Chair of Statutory Licensing Committee x 2	1662
Chair of General Licensing and Registration Sub-Committee (1)	3325
Chair of General Licensing and Registration Sub-Committee (2)	3325
Chair of General Licensing and Registration Sub-Committee (3)	3325
Chair of County Planning Committee	3325
Vice-Chair of County Planning Committee	1662
Chair of Area Planning Committee (North Durham)	3325
Vice-Chair of Area Planning Committee (North Durham)	1662
Chair of Area Planning Committee (Central and East Durham)	3325
Vice-Chair of Area Planning Committee (Central and East Durham)	1662

DESIGNATION	£
Chair of Area Planning Committee (South and West)	3325
Vice-Chair of Area Planning Committee (South and West)	1662
Chair of Pension Fund Committee	2660
Vice-Chair of Pension Fund Committee	1330
Chair of Children and Young People's Scrutiny Committee	2660
Vice-Chair of Children and Young People's Scrutiny Committee	1330
Chair of Safer and Stronger Communities Scrutiny Committee	2660
Vice-Chair of Safer and Stronger Communities Scrutiny Committee	1330
Chair of Environment and Sustainable Communities Scrutiny Committee	2660
Vice-Chair of Environment and Sustainable Communities Scrutiny Committee	1330
Chair of Economy and Enterprise Scrutiny Committee	2660
Vice-Chair of Economy and Enterprise Scrutiny Committee	1330
Chair of Adults, Wellbeing and Health Scrutiny Committee	2660
Vice-Chair of Adults, Wellbeing and Health Scrutiny Committee	1330
Chair 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 2019

1. The rate for travel by a Member's own private motor vehicle, or one belonging to a member of their family or otherwise provided for their 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 - Leaders and Elected Members Board
 Association of North East Councils – North East Culture Partnership Board
 Association of North East Councils – Resources Task and Finish Group

Barnard Castle School Governing Body
 Beamish Museum Board
 Believe Housing Board
 Believe Housing Values Group
 Bishop Auckland Community Partnership (Four Clocks)
 Bishop Auckland Heritage Action Zone Advisory Group
 Bishop Auckland Heritage Action Zone
 Bowes Museum
 Bus Lane Adjudication Service Joint Committee
 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 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 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

Local Access Forum

Local Government Association

Lord Crewe's Durham Educational Foundation - Representative Trustees

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 Local Authority Holding Company Limited

Newcastle International Airport Consultative Committee

Newcastle International Airport Limited

NEWCO

North East Combined Authority- Audit and Standards Committee

North East Combined Authority- Economic Development and Regeneration Board

North East Combined Authority- Leadership Board

North East Combined Authority - Overview and Scrutiny Committee

North East Combined Authority and North of Tyne Combined Authority - North East Joint Transport Audit Committee
North East Combined Authority and North of Tyne Combined Authority - North East Joint Transport Committee
North East Combined Authority and North of Tyne Combined Authority - North East Joint Transport Overview and Scrutiny Committee
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 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
Ruth First Educational Trust Executive Committee

Sacrison Community Development Group
Safe Durham Partnership
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
Upper Teesdale Community Association

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, Chair's meetings and at meetings with Ministers, Government Departments or other bodies.

3. Rate of Allowance 2019/20

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 2019/20

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 Chair, 2 Vice chair's and 4 Deputy Chair's of the Association; and the Chair's 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 their 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 their 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 them 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