

# Part 13

## WILTSHIRE COUNCIL MEMBERS' ALLOWANCES SCHEME

### 1. The Scheme

This scheme may be cited as the Wiltshire Council Members' Allowances Scheme. The scheme is made in accordance with the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003. It was last approved by Wiltshire Council on 12 November 2013 and shall have effect from that date. However, some allowances are backdated to the appropriate date in May 7 2013. The scheme shall continue to have effect until revoked or amended by resolution of the council.

### 2. In this scheme:

'councillor' means an elected member of Wiltshire Council.

'co-optee' means a co-opted member of Wiltshire Council.

'year' means the period from 1 April to the following 31 March.

### 3. Basic Allowance

Subject to paragraph 7, for 2016/7 a basic allowance of £12,811.80 shall be paid to each councillor. This 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.

### 4. Special Responsibility Allowances

For each year Special Responsibility Allowances (SRAs) shall be paid to those councillors who hold special responsibilities in relation to the council that are specified in Appendix 1 of this scheme. SRAs recognise the significant additional time commitment and responsibility required in undertaking these roles.

Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in Appendix 1.

Any councillor may hold up to two roles of special responsibility and will receive both payments in full. No third SRA will be payable.

### 5. Co-optees' Allowance

For each year a co-optees' allowance shall be paid to those co-opted members who hold the posts listed in Appendix 2 of this scheme. Subject to paragraph 7, the amount of each such allowance shall be the amount specified in Appendix 2.

## 6. **Renunciation**

A councillor or co-optee may, by notice in writing given to the corporate director, elect to forgo any part of his or her entitlement to an allowance under this scheme.

## 7. **Part-year Entitlements**

The provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility allowances, and co-optees to co-optees' allowances, where, in the course of a year, this scheme is amended or that councillor or co-optee becomes, or ceases to be, a councillor or co-optee, or accepts or relinquishes a special responsibility in respect of which an SRA is payable.

If the amount of basic, special responsibility or co-optees' allowance is changed, a councillor or co-optee is entitled to an amount based on the old and new rates. The number of days at the old rate runs from 1 April to the day before the day the change takes effect. The number of days at the new rate runs from the day the change takes effect to the day before the next change or 31 March, whichever occurs first.

If a councillor or co-optee is elected or appointed to the council or ceases to be a councillor or co-optee part way through the financial year, he or she is entitled to receive an allowance only for such period as he or she holds office.

The SRA will be paid only for such period as he or she holds the post to which the SRA applies.

## 8. **Dependants' Carers' Allowance**

An allowance may be claimed when a carer has been engaged to enable a councillor or co-optee to carry out an approved duty (as set out in Appendix 5), subject to the conditions set out in Appendix 4.

## 9. **Statutory Sick and Maternity Pay**

These payments may be available for certain periods when a councillor is unable to undertake approved duties. Details are available from the corporate director.

## 10. **Senior Citizen's Railcard**

Males and females aged 65 and over, who regularly travel by train on council business, may apply for a Senior Citizen's Railcard. Use of the card offers a reduction of one third on the ticket price on most rail journeys. The cost of the railcard will be reimbursed through the payroll on production of a receipt. The payroll section will monitor the cards to ensure that savings made using the card exceed the cost of the card.

## 11. **Travel and Subsistence Allowances**

Travel and subsistence allowances can be claimed for approved duties as set out in Appendix 5. The rates for these allowances are set out in Appendix 3. Subsistence is not payable where a meal is provided free of charge.

## 12. **Claims and Payments**

- (1) A claim for travelling, subsistence and dependants' carers' allowances under this scheme shall be made on the appropriate claim form at the end of each month. The corporate director shall have delegated authority to consider late claims and the reason for lateness and to pay those he considers reasonable.
- (2) Payments of basic, special responsibility and co-optees' allowances shall, subject to sub-paragraph (3) below, be made automatically in instalments of one-twelfth of the amount specified in this scheme.
- (3) Where a payment of one-twelfth of the amount specified in this Scheme in respect of a basic, special responsibility or co-optees' allowance would result in the councillor or co-optee receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

## 14. **Updating of Allowances**

Full Council has agreed that the annual pay award to council staff as the index by which annual adjustments are made to the basic allowance and the special responsibility allowances payable to individual councillors for the period up to 2016/17.

## 15. **Withholding of Allowances**

In the event of a councillor or co-optee being suspended, any basic, special responsibility, travel or subsistence allowance may be withheld or, if already made, may be repaid, as determined by the Standards Committee after consideration of the merits of each case.

## 16. **Queries**

If you have any queries please contact one of the following:

Yamina Rhouati (Ext 18024) or Paul Kelly (Ext 13049) for advice on what constitutes an approved duty.

## Appendix 1

The Council adopts the annual pay award to council staff as the index by which annual adjustments are made to the basic allowance payable to individual councillors for the period up to 2016/17

### Basic and Special Responsibility Allowances (SRAs)

	2013/14	2014/15 Inclusive of 1% increase	2015/16 Inclusive of 2.2% increase	2016/17 Inclusive of 1% increase	2017/18 (Subject to review)
<b>Basic Allowance</b>	£12,289.00	£12,411.89	£12,684.95	£12,811.80	£12,811.80

Special Responsibility Allowance (SRA)	2013/14	2014/15 Inclusive of 1% increase	2015/16 Inclusive of 2.2% increase	2016/17 Inclusive of 1% increase	2017/18 (Subject to review)	% of Leader SRA (in 2012/13)
<b>Leader</b>	£30,722.00	£31,029.22	£31,711.86	£32,028.98	£32,028.98	Band 1 100%
<b>Deputy Leader</b>	£24,577.00	£24,822.77	£25,368.87	£25,622.56	£25,622.56	Band 2 80%
<b>Cabinet Member (8)</b>	£18,433.00	£18,617.33	£19,026.91	£19,217.18	£19,217.18	Band 3 60%
<b>Chairman of Council</b>	£12,289.00	£12,411.89	£12,684.95	£12,811.80	£12,811.80	Band 4 40%
<b>Chairman of Overview and Scrutiny Management Committee</b>	£10,753.00	£10,860.53	£11,099.46	£11,210.46	£11,210.46	Band 5 35%
<b>Chairman of Police and Crime Panel</b>	£9,216.00	£9,308.16	£9,512.93	£9,608.07	£9,608.07	Band 6
<b>Chairman of Health and Wellbeing Board</b>	£9,216.00	£9,308.16	£9,512.93	£9,608.07	£9,608.07	0.3
<b>Portfolio Holder (13)</b>	£6,912.00	£6,981.12	£7,134.70	£7,206.05	£7,206.05	
<b>Chairman of Children's Select Committee</b>	£6,912.00	£6,981.12	£7,134.70	£7,206.05	£7,206.05	
<b>Chairman of Environment Select Committee</b>	£6,912.00	£6,981.12	£7,134.70	£7,206.05	£7,206.05	Band 7
<b>Chairman of Health Select Committee</b>	£6,912.00	£6,981.12	£7,134.70	£7,206.05	£7,206.05	0.225
<b>Vice-Chairman of Overview and Scrutiny Management Committee</b>	£6,912.00	£6,981.12	£7,134.70	£7,206.05	£7,206.05	
<b>Chairman of Area Board (18)</b>	£6,912.00	£6,981.12	£7,134.70	£7,206.05	£7,206.05	

<b>Vice-Chairman of Council</b>	£6,144.00	£6,205.44	£6,341.95	£6,405.38	£6,405.38	Band 8 20%
<b>Chairman of Area Planning Committee (4)</b>	£6,144.00	£6,205.44	£6,341.95	£6,405.38	£6,405.38	
<b>Chairman of Strategic Planning Committee</b>	£4,608.00	£4,654.08	£4,756.46	£4,804.03	£4,804.03	Band 9 15%
<b>Chairman of Audit Committee</b>	£3,072.00	£3,102.72	£3,170.97	£3,202.69	£3,202.69	Band 10 10%
<b>Chairman of Licensing Committee</b>	£3,072.00	£3,102.72	£3,170.97	£3,202.69	£3,202.69	
<b>Chairman of Staffing Policy Committee</b>	£3,072.00	£3,102.72	£3,170.97	£3,202.69	£3,202.69	
<b>Chairman of Wiltshire Pension Fund Committee</b>	£3,072.00	£3,102.72	£3,170.97	£3,202.69	£3,202.69	
<b>Chairman of Standards Committee</b>	£3,072.00	£3,102.72	£3,170.97	£3,202.69	£3,202.69	
<b>Chairman of Operational Flood Working Groups</b>	£3,072.00	£3,102.72	£3,170.97	£3,202.69	£3,202.69	
<b>Lead representative on South West Councils</b>	£2,162.00	£2,183.62	£2,231.65	£2,253.98	£2,253.98	N/A

<b>Group Leaders' Allowances<sup>†</sup></b> † Exempt from the SRA per member limit (see paragraph 4)	<b>£ per annum</b> (2013/14)(2014/15)
Group Leader's Allowance	£500 flat rate + £50 per Group member
Group Responsibilities Allowance  (for remunerating Group members with roles of responsibility within the group (e.g. secretary, treasurer, spokesperson))	£100 per Group member

<b>Overview and Scrutiny Fund</b> To remunerate councillors to recognize significant additional responsibilities, such as chairing Task Groups and Rapid Scrutiny Exercises. A scheme be prepared by the Chairman of the Overview and Scrutiny Management Committee for approval by the Committee.	£15,000 per annum
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## Appendix 2

<b>Co-opted Members' Allowance</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>
Independent Person of the Standards Committee (3)	£2,240	£2,240	£2,240	£2,240
Non-voting co-opted member of the Standards Committee (Maximum of 8)	£1,120	£1,120	£1,120	£1,120
Independent co-opted members of the Police and Crime Panel	£1,926	£1,926	£1,926	£1,926
Co-opted voting member of Children's Select Committee (5)	£896	£896	£896	£896

## Appendix 3

### Rates of travel and subsistence allowances for councillors and co-optees

#### 1. Travelling Allowance

- (1) Second class rail fare, or ordinary fare for other public transport, or the appropriate cheap rate where applicable

NB second class rail travel must always be used. If the train's second class accommodation is full, councillors and co-optees may travel first class.

- (2) The millage rate is 45p rate for the first 10,000 miles, and 25p for each subsequent mile. The rates for travel by a member in a private car are linked to the inland revenue rate (currently 45p per mile) and any movement in that rate to trigger an automatic rise in the councillors' rate.
- (3) A cycle allowance of 40p per mile.
- (4) An allowance of 5p per mile when giving passengers a lift.
- (5) Hire of taxi cabs in cases of urgency or unavailability of public transport.
- (6) Expenditure on tolls, ferries, parking fees etc, and overnight parking.
- (7) If travelling by air the cost must not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in subsistence allowance consequent on travel by air.

The council has generally decided that Chief Officers are authorised to approve members travelling by air when they consider that the saving in time is so substantial as to justify payment of the fare for travel by air, and in such cases there may be paid an amount not exceeding:

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

#### 2. Subsistence Allowances

Subsistence and overnight allowances be linked to those paid for officers with the exception of lunch allowance which is payable for councillors.

In the case of an absence not involving an overnight absence from a members' usual place of residence:

- Breakfast - departure from normal place of residence before 7am for an absence of at least 3 hours - £6.50
- Lunch - departure from normal place of residence before 12 noon and return after 2pm - £8.50
- Tea - return to normal place of residence after 6.30pm, following an absence of at least 3 hours - £3.35
- Dinner - return to normal place of residence after 8.30pm, following an absence of at least 3 hours - £12.50

The rate of overnight subsistence for an overnight absence from the usual place of residence is £91.10.

The overnight subsistence allowance is the maximum payable for a complete 24 hour period of absence from normal place of residence and includes allowances for all meals listed above. It cannot be claimed if overnight accommodation has been paid for direct by the council. For an overnight absence in London the rate may be increased to £126.05.

For the purpose of this paragraph, London means the City of London and the London boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

### 3. **Meals on Trains**

When main meals (that is, a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT), may be reimbursed in full. Where the cost of meals taken on trains is reimbursed, absence from the normal place of residence must be consistent with absences listed in (2) above.



## Appendix 4

### Dependants' Carers' Allowances for councillors and co-optees

A councillor or co-optee may claim an allowance where they have incurred expenditure on engaging a carer for a dependant in order to carry out an approved duty as detailed in Appendix 5, subject to the following conditions:

1. A carer will be any responsible mature person who does not normally live with the councillor or co-optee as part of their family.
2. An allowance will be payable if the dependant being cared for:
  - (i) is a child under 14 years of age
  - (ii) is an elderly person
  - (iii) has a physical or mental disability, or
  - (iv) has a learning disability

and normally lives with the councillor or co-optee as part of their family and is unable to be left unsupervised.

3. The Dependants' Carers' Allowance shall be set at the National Minimum Wage hourly rate.

The period of duty is calculated on a 'door-to-door' basis, i.e. from the time a councillor or co-optee leaves their place of residence to carry out the council duty to the time they return.

4. More than one allowance may be claimed in any 24-hour period beginning at 3am.
5. Claims for Dependants' Carers' Allowances should be made on form 504L.
6. Tax and National Insurance will be deducted by the council in appropriate cases.
7. No claim may be made and no allowance is payable where a Dependants' Carers' Allowance or the reimbursement of carers' expenses is paid by another body.

## Appendix 5

### Approved duties

Travel and subsistence allowances are payable when expenditure on travelling and subsistence is necessarily incurred for a duty approved for this purpose.

An approved duty is:

- (1) any duty undertaken by the Chairman or Vice-Chairman of the Council in that role.
- (2) any duty undertaken by the Leader and Cabinet Members within their agreed remit and responsibility.
- (3) any duty undertaken in connection with the discharge of the functions of the council by virtue of holding the office of councillor, with the following exceptions:
  - (i) any duty or activity undertaken primarily for party political purposes as opposed to the discharge of the council's functions
  - (iii) any duty or activity undertaken by virtue of being a school governor
  - (iii) meetings with individual or groups of electors to discuss constituency issues which are covered by the Basic Allowance
  - (iv) site visits, unless authorised in advance by a committee or chief officer
  - (v) attendance at meetings of outside bodies where the bodies themselves pay expenses.
- (4) attendance at conferences and courses:
  - (i) to meet a councillor's identified learning and development needs, and/or
  - (ii) approved by the Councillor Development Group.