

REPORT OF IRP – APPENDIX 1 (CURRENT SCHEME)

COUNCILLORS' ALLOWANCES SCHEME

1. This scheme, which may be cited as the **Nottinghamshire County Council Members' Allowances Scheme**, was approved by Nottinghamshire County Council on 22 July 2021, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations").
2. This Scheme replaces all previous Members' Allowances Schemes.
3. The Allowances mentioned in this scheme:

be implemented with effect from 10 May 2021 (with the exception of the allowance for Chairman and Vice-Chairman of the County Council which shall be implemented with effect from 27 May 2021);

be updated in line with the headline pay award for Local Authority staff.
4. Any other amendments to the scheme will be determined solely by the County Council (following receipt of recommendations from the Independent Remuneration Panel unless the amendments are broadly within the spirit and overall cost envelope of the existing scheme).
5. In this scheme:

"councillor" means a Member of Nottinghamshire County Council who is a councillor;

"Independent Person" means a person appointed by the Council to provide their views regarding complaints under the Code of Conduct for Councillors and Co-opted Members;

"statutory Co-optee" means a person (other than a councillor) who is statutorily appointed to membership of a Council committee (other than the Health and Wellbeing Board) or an independent member of the Nottinghamshire Police and Crime Panel;

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

PART A – ALLOWANCES FOR COUNCILLORS

BASIC ALLOWANCE

6. Subject to paragraphs 12, 13 and 18, for each year a Basic Allowance of £15,277.76 shall be paid to each councillor.

SPECIAL RESPONSIBILITY ALLOWANCES

7. Subject to paragraphs 12, 13 and 18, for each year a Special Responsibility Allowance shall be paid to those councillors who have been appointed or

recognised by the Council or have been notified to the Chief Executive by their Group as holding the special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme.

8. Subject to paragraphs 12, 13 and 18, the amount of each such allowance shall be the amount specified against that special responsibility in Schedule 1.
9. No councillor may receive more than one Special Responsibility Allowance. In the event that a councillor holds more than one position for which a Special Responsibility Allowance is payable then s/he shall receive whichever of the applicable Allowances which s/he selects.

ATTENDANCE ALLOWANCE

10. No attendance allowance shall be payable under this scheme, either for Council duties per se, or in respect of appointments to outside bodies.

RENUNCIATION

11. A councillor may by notice in writing given to the Chief Executive elect to forego any part of his/her entitlement to an allowance under this scheme.

PART-YEAR ENTITLEMENTS

12. In accordance with the requirements of the Regulations, pro-rata payments of Basic Allowance or Special Responsibility Allowances shall be payable to eligible councillors in any of the following circumstances:
 - a. if an amendment to this scheme changes the amount to which a councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance;
 - b. where the term of office of a councillor or their appointment to a role eligible for Special Responsibility Allowance begins or ends otherwise than at the beginning or end of a year.

LONG-TERM SICKNESS

13. Nothing in this section overrides the provisions of the Local Government Act 1972 relating to vacation of office by failure to attend meetings throughout a period of six months.
14. In the event of long-term sickness absence full Special Responsibility Allowance shall be payable to eligible councillors, reducing to 50% after six months and ceasing after 12 months. The Council's Governance and Ethics Committee may vary this in exceptional circumstances.
15. If a councillor is appointed to deputise for a councillor on long-term sickness the Governance and Ethics Committee may create a deputising allowance payable after the first three months.

MATERNITY / SHARED PARENTAL LEAVE AND ADOPTION LEAVE

16. In the event of absence for maternity/shared parental leave or adoption full Special Responsibility Allowance shall be payable to eligible councillors for a period of up to six months.

PAYMENT

17. Payment of Basic and Special Responsibility Allowances shall be made in equal instalments. The frequency of those instalments shall be monthly.

TRAVEL AND SUBSISTENCE ALLOWANCES

18. Travel and in some circumstances subsistence allowances may be claimed by councillors. The arrangements for these allowances are included in Part D of this scheme.

DEPENDANTS' CARERS' ALLOWANCES

19. Councillors may claim up to £7.50 per hour per child for child care and up to £18.76 per hour per dependant (subject to the provision of receipts) (to be uprated further by the Monitoring Officer, in consultation with the Chairman of Governance and Ethics Committee, where evidenced this is appropriate) for other dependants in respect of expenses for the care of their children or other dependants when attending meetings of the Council, its subordinate bodies or other approved duty as described in Schedule 2 to this scheme.
20. Only one payment of Dependants' Carers' Allowance may be claimed in respect of the household of each councillor.
21. Payments, which will not be payable to a member of the claimant's own household, will be made only when supported by a receipt.
22. In circumstances of particular difficulty the Monitoring Officer, in consultation with the Chairman of Governance and Ethics Committee, is authorised to increase the allowance payable.

PART B – ALLOWANCES FOR STATUTORY CO-OPTEEES, OTHER CO-OPTED MEMBERS AND INDEPENDENT PERSONS

23. That all statutory Co-optees, other Co-opted Members and Independent Persons be entitled to receive an allowance of £639.

Attendance Allowance

24. No attendance allowance shall be payable under this scheme, either for Council duties per se, or in respect of appointments to outside bodies.

Renunciation

25. A Statutory Co-optee, other Co-opted Member or Independent Person may by notice in writing given to the Chief Executive elect to forego any part of their entitlement to an allowance under this scheme.

Part-Year entitlements

26. Pro-rata payments of the above allowance shall be paid in any of the following circumstances:

- a. if an amendment to this scheme changes the amount applicable;
- b. where the term of office begins or ends otherwise than at the beginning or end of a year.

Payment

27. Payment of the above allowance shall be made in equal instalments. The frequency of those instalments shall be monthly in arrears.

Travel and subsistence allowances

28. Travel and in some circumstances subsistence allowances may be claimed. The arrangements for those allowances are included in Part D of this Scheme and a description of the duties for which they may be claimed is shown at Schedule 2 to this scheme.

PART C – ALLOWANCES FOR EDUCATION APPEAL PANEL MEMBERS

29. For the purposes of the payment of financial loss allowance under Section 173(4) of the Local Government Act 1972, Members of Education Appeal Panels are to be treated as Members of the authority.

30. Subject to providing sufficient documentary evidence identifying actual financial loss, allowances up to a maximum of £229.00 per day may be claimed by Panel Members for attendance at Panel meetings.

31. Travel allowances may be claimed by Panel Members. The arrangements for those allowances are included at Part D of this scheme. Lunch will be provided by the Council at no charge for Panel meetings.

32. Panel Members may routinely claim £30 each financial year towards the costs of printing hearing paperwork (receipts are not required). Where the volume of hearings and printing by individual Panel Members results in additional costs then the Team Manager, Democratic Services may authorise one further payment of £30 in any financial year.

PART D – TRAVELLING AND SUBSISTENCE

33. The provisions contained in this part are aligned with the terms and conditions for County Council employees and any future changes to employee terms and conditions will also be reflected by changes to this part.

TRAVELLING ALLOWANCE

34. This part is in accordance with Sections 174-175 and Regulations made under the Local Government Act 1972. It applies to Councillors, Statutory Co-optees, Members of Education Appeals Panels, Independent Persons and other Co-opted Members.

35. Travelling allowances may be claimed in respect of each occasion on which one of the persons described above carries out a duty as described in Schedule 2 to this Scheme.

36. All travel arrangements must be in accordance with the County Council's TRAVEL AND ACCOMMODATION POLICY, which is appended to this scheme.

37. If a claimant uses their own motor car or one belonging to a member of his/her family, or otherwise provided for their use and subject to the claimant having the appropriate insurance, the rate for travel, which is the same as for officers using their own vehicles on a casual basis, shall be as follows:

up to 10,000 miles	over 10,000 miles	
45.0p	25.0p	
Motor Cycles		24.0p
Cycles		20.0p
Public Transport Rate		22.6p

38. The distance claimed for mileage should be the shortest most reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.

39. If a claimant travels by taxi, the claim must not exceed:

- a. in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity actually paid;
- b. in any other case, the amount of the fare for travel by appropriate public transport.
- c. Any claims by Members for travel costs where the Council has provided shared transport will only be payable in exceptional circumstance and subject to the agreement of the Team Manager (Democratic Services).

SUBSISTENCE ALLOWANCES

40. This part is in accordance with Sections 174-175 and Regulations made under the Local Government Act 1972. It applies to Councillors, Statutory Co-optees, other Co-opted Members and Independent Persons.
41. Subsistence allowances may be claimed only in exceptional circumstances such as overnight stays on occasions on which a person described above carries out a duty as specified in Schedule 2 to this scheme.
42. When carrying out approved duties within the UK and subsistence is payable due to exceptional circumstances, the amounts shown below may be claimed.
- a. Breakfast – where leave home before 7.00 am - £4.48

 - b. Lunch – where away from base for whole of lunch period (12.00 and 2.00 pm) - £6.17

 - c. Tea – if work continues after 6.30 pm - £2.43

 - d. Evening meal – if work continues after 8.30 pm - £7.64

 - e. Tea and evening meal allowances are not normally payable on same day.

 - f. Out of pocket expenses – single night - £3.63
– weekly rate - £14.55
43. Councillors, Statutory and other Co-optees and Independent Persons may aggregate daily subsistence allowances.
44. Where a Councillor, Statutory and other Co-optee or Independent Person attends a UK conference or other event which involves an overnight stay, hotel accommodation will be booked and paid for by Travel and Transport Services in accordance with the TRAVEL AND ACCOMMODATION POLICY. In exceptional circumstances where this has not been possible, the County Council will reimburse reasonable expenses, provided they are supported by receipts and subject to a maximum overnight expenditure on accommodation of £115.00 (including VAT).
45. Where a claimant attends a conference or other event which is held outside the UK, s/he may claim the amounts shown in the Council's TRAVEL AND ACCOMMODATION POLICY.

SCHEDULE 1

SPECIAL RESPONSIBILITY ALLOWANCES

Band	% of Leader's SRA	Amount of Allowance (pa)	Current role
1	100	£35,827.19	<ul style="list-style-type: none"> • Leader of the Council
2	70	£25,079.03	<ul style="list-style-type: none"> • Deputy Leader of the Council
3	66	£23,882.40	<ul style="list-style-type: none"> • Chairmen of Committees • Business Manager of Majority Group • Leader of the main Minority Group
4	50	£17,913.60	<ul style="list-style-type: none"> • Chairman of County Council*
5	33	£11,941.20	<ul style="list-style-type: none"> • Vice-Chairmen of Committees • Leader of smaller Minority Groups on the Council (provided the group has 5 or more Members)
6	24	£8,598.53	<ul style="list-style-type: none"> • Vice-Chairman of the County Council* • Deputy Leader of the main Minority Group • Business Manager of the main Minority Group
7	22	£7,881.98	<ul style="list-style-type: none"> • Main Minority Group Spokesmen on Committees**
8	12	£4,299.26	<ul style="list-style-type: none"> • Chairman of the Nottinghamshire Police and Crime Panel (where that person is a County Councillor or an Independent Co-opted Member) • Deputy Leader of smaller Minority Groups on the Council (provided the group has 5 or more Members) • Business Manager of smaller Minority Groups on the Council (provided the group has 5 or more Members)
9	11	£3,940.99	<ul style="list-style-type: none"> • Minority Group Opposition Spokespersons***

Note

* These SRAs include an element for clothing. Sections 3(5) and 5(4) (as appropriate) of Part 1 of the Local Government Act 1972, enables the County Council to make a reasonable payment to the Chairman and Vice-Chairman to enable them to meet the expenses of their office.

** The number of main Minority Group Spokespersons must not exceed more than 50% of the number of committees for which a Chairman's SRA is payable (this figure will be rounded down to the nearest Spokesperson role – e.g. 13 Committees = 6 Spokespersons). The main Minority Group will decide which committees it wishes to appoint these roles for.

*** The number of Minority Group Spokespersons must not exceed more than 20% of the number of committees for which a Chairman's SRA is payable (this figure will be rounded down to the nearest Spokesperson role – e.g. 13 Committees = 2 Spokespersons). The Minority Group will decide which committees it wishes to appoint these roles for.

SCHEDULE 2

APPROVED DUTIES (TRAVELLING AND SUBSISTENCE ALLOWANCES)

FOR COUNCILLORS

Approved Duties (Travelling and Subsistence Allowances) For Councillors

Travel Expenses will be paid to Members when they are undertaking their duties as a County Councillor.

Duties covered include:-

1. Attendance at Council meetings or Joint Committees and attendance at Council offices or establishments.
2. Attendance at conference, seminars or other training or learning events, in connection with the functions of the County Council and related to your role as an elected representative, where no fee is payable. (N.B. Travel Claim Form must clearly state the title of the event).
3. Anywhere within the County area, in connection with the functions of the County Council and related to your role as an elected representative (N.B. Travel Claim Form must clearly state the purpose of the visit).
4. Attendance at any meeting or events of Outside Bodies or organisation to which you have been appointed by the Council unless a fee or allowance is paid by that body to you to cover such expenses. If such a body has its own travel scheme, claims should be made to that body.
5. Meetings of Political Groups are not covered unless they have been arranged solely for the purpose of discussing County Council business or are requested by the Chief Executive to discuss a particular issue.
6. Travel outside of the County Council administrative boundaries is also claimable where it can be evidenced that this is essential for County Council related business or conference, seminar or training or learning event where no fee is payable.
7. Travel expenses may be payable for events not covered above but this will be with approval of the Monitoring Officer in consultation with the Chair of the Governance and Ethics Committee.

FOR STATUTORY CO-OPTees, OTHER CO-OPTED MEMEBERS AND INDEPENDENT PERSONS

Travel expenses will be paid to Statutory Co-optees, other Co-opted Members and Independent Persons when they are:-

1. Attending any meeting of the Council at which they are a properly appointed member.
2. Attending an event in connection with their role.
3. In the case of Independent Co-opted Members of the Nottinghamshire Police and Crime Panel, such costs will be recoupable through the Home Office grant received by the County Council as host authority to the Panel.

MEMBERS OF EDUCATION APPEALS

May claim travel allowance in respect of meetings and training events in connection with their role as Panel Members.

FOREIGN TRAVEL

No member, Co-optee or Independent Person can travel abroad on County Council business without prior approval in accordance with the Travel and Accommodation Policy.

SUBSISTENCE

Subsistence is only claimable in exceptional circumstances and will only be paid on receipt of actual expenses incurred and detail of meals provided. This will only apply to stays of under 72 hours. Subsistence will not be paid for any stay in excess of this without prior approval of the Monitoring Officer in consultation with the Chair of Governance and Ethics Committee.

APPENDIX

ADMINISTRATIVE MATTERS

SUBMISSION OF CLAIMS

1. Claims are processed through Democratic Services and paid through the payroll system.
2. The following deductions will be applied to late claims:
 - a. 6-12 months' delay – 10% reduction
 - b. more than 12 months' delay – 20% reduction
 - c. more than 2 years' delay – referral to Governance & Ethics Committee for consideration.

INCOME TAX

3. Tax will be deducted from payments of Basic Allowance and Special Responsibility Allowances. This will be at the standard rate of tax unless a Member makes arrangements with his Tax Inspector for a tax code to be allotted and notified to the County Council.
4. The County Council deals with:

HM Inspector of Taxes
(Nottingham 1)
Castle Meadow
Castle Meadow Road
Nottingham
NG2 1AB
5. A return of tax deducted from allowances is made to the Inland Revenue at the end of each financial year and a P60 is provided to each councillor.
6. Arrangements have been made with the Inspector of Taxes (Nottingham 1) whereby Councillors on application can obtain, where appropriate, tax relief on their expenses of office. Further guidance is available from the Chief Finance Officer.

SOCIAL SECURITY

7. Contributions
 - a. National insurance contributions are payable on any payment of Basic Allowance and Special Responsibility Allowances provided the gross amount reaches a lower earnings limit in a certain period, unless a certificate of non-liability is produced (supplied by the Contributions Agency). The Chief Finance Officer will advise on the detailed operation of the scheme.

8. Benefits

- a. The receipt of Basic and Special Responsibility Allowances affects benefits. Councillors should notify the Benefits Agency of amounts received.
- b. The contribution paid by Councillors counts toward the full range of contributory benefits.

TRAVEL AND ACCOMMODATION POLICY

1. This policy (the Nottinghamshire County Council Travel Policy) covers the approval and booking arrangements for travel and accommodation required in connection with the Council's business. It does not apply to travel and accommodation required in connection with direct service delivery e.g. school, trips, service users' outings, where the relevant Departments will have their own procedures.
2. This policy replaces all previous policies, decisions and/or precedents relating to travel undertaken in connection with the business of the Council.
3. The power to amend this policy is reserved to the full Council.
4. The practices in this policy shall, as far as possible, reflect the contents of the County Council's Members' Allowances Scheme and the Terms and Conditions of Service for Employees (see paragraph 9 of the Financial Regulations and D7 and D10 of the Personnel Handbook).
5. In the event that a conflict arises between this Policy and the Members' Allowances Scheme the Monitoring Officer and the Chief Executive will mediate and determine the matter following consultation with the Leader.

GENERAL PRINCIPLES

6. The policy is based on the following principles:
 - a. the proper conduct of business, and the overall efficiency of the Council;
 - b. transparency and accountability;
 - c. achieving Best Value in the use of the Council's resources, benefiting the community, the Council and councillors;
 - d. meeting the needs of those with disabilities and/or health problems.

APPROVAL PROCESSES

7. The following travel may be undertaken without prior approval:
 - a. day to day travel within Nottinghamshire in connection with Nottinghamshire County Council business;
 - b. travel in connection with training and development events within the East Midlands which have been authorised in accordance with relevant policies.
8. All other travel must be approved in advance in accordance with the following:

Participant	Description	Approval required from
Councillors, Statutory and other co-opted members	(a) All travel within mainland UK not described in Schedule 2 of the Members' Allowances Scheme.	Policy Committee
	(b) Outside the UK	Policy Committee
Officers	(a) Within the UK	Relevant chief or other officer in accordance with departmental procedures
	(b) Outside the UK	Relevant Corporate Director with a quarterly report to the relevant committee

9. The County Council recognises that, in cases of genuine urgency, it may not be possible to obtain formal approval from the relevant committee prior to the expected date of travel. In these cases, the Urgency Procedure (Part Five of the Constitution) should be used.

BOOKING ARRANGEMENTS

10. With the exception of travel by private car in connection with the day to day business of the Council, all arrangements and/or bookings for travel and accommodation approved under this policy must be made by Transport and Travel Services in the Place Department.
11. Provisional bookings will not be made unless approval has been given in accordance with paragraph 7b of this policy.

METHOD OF TRAVEL

12. At all times, the chosen method of travel must be the most cost-effective method, taking into account the value of time saved, anticipated subsistence and other expenses and any other relevant matters.

TRAVEL WITHIN THE UK (MAINLAND)

13. Public transport should normally be used, unless the use of private/self-drive hire/civic cars is proved to be the most cost effective option, taking into account mileage charges, anticipated subsistence, other expenses and any other relevant consideration including but not limited to those at paragraph 14
14. The use of private cars to attend events out of the County area must be determined in relation to the following criteria:

- a. cost in comparison to other options;
 - b. availability of public transport;
 - c. business requirements;
 - d. disability or health considerations.
15. Other options which must be considered prior to approving the use of private cars are:
- a. car sharing;
 - b. use of hire cars/pool cars;
 - c. use of civic cars.
16. Any travel by train within mainland UK will usually be standard class fare unless travel by other classes of ticket is cheaper overall.
17. Any councillor or officer requesting first class rail travel must give reasons which shall be recorded in the register referred to the section below.
18. Councillors are encouraged to purchase appropriate railcards if eligible, in which case the Council will reimburse two-thirds of the cost. Councillors should advise Transport and Travel Services that they have a railcard at the time of booking, to ensure that a reduced price ticket is obtained.
19. Air travel within mainland UK will be permitted only where the cost/convenience brings benefits to the Council.

TRAVEL TO NORTHERN IRELAND/REPUBLIC OF IRELAND/OUTSIDE THE UK

20. Where available, and subject as follows, economy class should be used for all air, sea or land (i.e. rail) travel where this the most cost effective.
21. The County Council recognises that there will be occasions where it is not appropriate to use economy class i.e. where there are health or disability issues to be considered. In these cases, a higher class of travel may be permitted, wherever possible, subject to prior approval being by Policy Committee.

ACCOMMODATION

22. Mid-range hotels of good standard with appropriate business facilities will be chosen within safe and reasonable access to where the business of the visit is to take place.
23. For conferences, the added value of all-inclusive packages will be evaluated against making separate hotel arrangements.

SUBSISTENCE AND OTHER EXPENSES

WITHIN THE UK (INCLUDING NORTHERN IRELAND)

24. All costs of the approved method of travel will be paid by the County Council.
25. Subsistence allowances may be claimed in exceptional circumstances. They will be the same for councillors, Statutory Co-optees, other co-opted Members and officers. Details of the amounts which may be claimed are in the Members' Allowances Scheme.
26. Claims should be made on the forms provided as follows:
 - a. officers – from their Department;
 - b. councillors and others covered by the Members' Allowances Scheme – from Democratic Services.
27. Receipts should be obtained for all expenditure incurred.

OUTSIDE THE UK

28. Accommodation will be booked and paid for by Transport and Travel Services in the Place Department on behalf of the County Council.
29. Subsistence allowance may be claimed for actual reasonable expenses incurred on meals, beverages, transport within the foreign country, laundry, 'phone calls etc.
 - a. The current maximum amount for subsistence per 24 hours for countries within the European Union is £75.00 (plus £10 per day for unreceipted out of pocket expenses).
 - b. For travel to other destinations, Transport and Travel Services will calculate a maximum amount for subsistence per 24 hours. That amount will be notified to relevant committee when approval is sought for the travel to be undertaken.
30. The above rates assume that all meals (excluding breakfast) will have to be paid for from the subsistence allowance. If meals are provided as part of the visit and at no personal cost to the Council's representative(s) the daily allowance will be reduced by 20% for each meal provided.
31. Receipts must be obtained wherever practicable for all claimable expenditure. Where this is not possible, a written statement will be required from the person claiming allowances.

ADMINISTRATION OF THE POLICY

32. All travel tickets and/or accommodation required under this policy must be booked through Transport and Travel Services in the Place Department.

33. Before any bookings are made, Transport and Travel Services will require written confirmation of approval. Where the cost is to be met by a Department, the appropriate budget code(s) for the expenditure will also be required.
34. Subject to normal formalities, Transport and Travel Services can arrange advances of cash, foreign currency and travellers' cheques. Any unspent cash/currency or travellers cheques must be returned to Transport and Travel Services within one month of return from the visit.
35. All claim forms, together with receipts and details of expenses incurred must be submitted within one month of return from the visit.
36. County Council credit cards must only be used for claimable expenses incurred in carrying out the County Council's business and all receipts/vouchers in respect of any expenditure met in this way must be passed to Financial Services within one month of return from the visit.
37. Where the Council's representative wishes, for personal reasons, to extend their stay at the destination to which they have travelled, this is permitted on the strict understanding that no additional cost falls to be met by the Council and that all expenses in connection with the extension of stay are reimbursed before the date of outward travel.
38. Where the Council's representative is accompanied by a partner, the Council must be reimbursed for all expenses to be incurred in respect of travel arrangements made by Transport and Travel Services in respect of the partner before the date of outward travel.

RECORD KEEPING

39. Transport and Travel Services will maintain a public register of the following information in respect of each item or travel undertaken under this policy:
 - a. name of traveller/participant;
 - b. purpose of travel/visit;
 - c. dates of travel;
 - d. destination;
 - e. method/class/cost of travel and/or accommodation;
 - f. cost of insurance;
 - g. amount(s) of allowances paid;

- h. details of the date approval was given and the identity of the decision maker (including details of specific additional approvals from time given in respect of, for instance, travel by other than standard class);
- i. the date on which the Council's representative(s) submitted a report on the outcome/value of the visit, where appropriate.

40. The register shall be available for public inspection and shall be published on the Council's website.

41. Annual reports shall be made which shall give:

- a. details of the totality of travel undertaken under this policy;
- b. information as to occasions upon which other than standard/economy class travel or its equivalent has been used.

