

BARNSLEY METROPOLITAN BOROUGH COUNCIL

MEMBERS' ALLOWANCES SCHEME

2019/2020

Notes:-

This part contains the current Members' Allowances Scheme that sets out what the Council pays to councillors and co-opted members by way of basic and special responsibility allowances, attendance allowances (appeals), pensions, carers' allowances, and travelling and subsistence allowances.

The Scheme was approved by Barnsley Council and came into force on 1st April 2019.

The Council must have regard to a report from its Independent Remuneration Panel before making or amending a scheme.

Details of payments made are published annually. Payments and claim forms are open to public inspection during the Authority accounts inspection period.

Contact Members' Services (telephone 773148 / 773061) for further information.

Statutory Sources

Local Government and Housing Act 1989

Local Government Act 2000

The Local Authorities (Members' Allowances) (England) Regulations 2003 [SI 2003 No 1021] (as amended)

The Barnsley Metropolitan Council Members' Allowances Scheme 2019

The Council of the Borough of Barnsley HEREBY MAKES this scheme under The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and all other powers enabling the Borough Council in this behalf.

Introduction

- 1.1 This scheme may be cited as The Barnsley Metropolitan Borough Council Members' Allowances Scheme 2019 ("this Scheme"), and shall commence on the 1st April 2019 and shall continue in force thereafter until revoked or amended.
- 1.2 This scheme can be adjusted with reference to a formula linked to agreed National pay increase for Officers without further reference to the Independent Remuneration Panel.
- 1.3 The previous Barnsley Metropolitan Borough Council Members' Allowances Scheme which took effect from 1st April 2018 is revoked with effect from 1st April 2019.
- 1.4 In this Scheme:
 - "the Authority" means Barnsley Metropolitan Borough Council
 - "Councillor" means an elected member of the Authority
 - "Co-optee" means a person who is not a councillor but who is co-opted to serve as a member of a Committee of the Authority
 - "the Regulations" means The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) by The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003
 - "Year" means any period of 12 months ending 31 March in any year.

Basic Allowance

- 2.1 Each year a Basic Allowance set out in Schedule 1 shall be paid to each Councillor.
- 2.2 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor will be entitled to such part of the Basic Allowance as is proportionate to the number of days served by that Councillor in that year as is proportionate to the total number of days in that year.
- 2.3 Where payment of any allowance has already been made in respect of any period during which a Councillor ceases to be a Councillor, in anyway not entitled to receive the allowance in respect of that period the Authority may require repayment of the allowance.
- 2.4 A Councillor may, by notice of writing given to Members' Services, elect to forgo all or any part of his or her allowance under this scheme.
- 2.5 The Scheme may be amended at any time.

Special Responsibility Allowance

- 3.1 Each year a Special Responsibility Allowance shall be paid to those Councillors who have the special responsibilities in relation to the Authority that are specified in Schedule 2.
- 3.2 The amount of each Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2.
- 3.3 Where a Councillor does not have throughout the whole year any such special responsibilities as entitle them to a Special Responsibility Allowance, his or her entitlement to such part of the Special Responsibility Allowance as is proportionate to the number of days served by that Councillor in that year as is proportionate to the total number of days in that year.
- 3.4 Any Councillor who holds more than one Special Responsibility position shall be entitled to receive the higher allowance listed in Schedule 2. Councillors may not receive an allowance for more than one position.
- 3.5 Where payment of any allowance has already been made in respect of any period during which a Councillor ceases to be a Councillor, in anyway not entitled to receive the allowance in respect of that period the Authority may require repayment of the allowance.
- 3.6 A Councillor may, by notice of writing given to Members' Services, elect to forgo all or any part of his or her allowance under this Scheme.
- 3.7 The Scheme may be amended at any time.

Travel Allowance

- 4.1 Each year a Travel Allowance shall be paid to each Councillor in respect of travel undertaken in connection with or relating approved duties.
- 4.2 The amount of Travel Allowance paid shall be calculated based on the mileage between the Town Hall postcode and the Councillor's home postcode, using an on-line route finder. The amount paid will be the distance for the shortest route and will relate to specific bands of mileage travelled..
- 4.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor will be entitled to such part of the Travel Allowance, as is proportionate to the number of days served by that Councillor in that year as is proportionate to the total number of days in that year.
- 4.4 A Councillor may, by notice of writing given to Members' Services, elect to forgo all or any part of his or her allowance under this Scheme.
- 4.5 The Scheme may be amended at any time.

Travel and Subsistence Allowance (Outside the Borough)

- 5.1 Councillors are able to claim incurred expenditure in respect of travel undertaken in connection with or relating approved duties, outside the Borough, Councillors can also submit a prior written approval form to Members Services to enable them to take their car and claim the lesser of the mileage or 2nd class return fare as specified in Schedule 5
- 5.2 Councillors are able to claim incurred expenditure in respect of subsistence undertaken in connection with or relating approved duties, outside the Borough as specified in Schedule 7

Appeals, Awards and Standards Regulatory Board

- 6.1 The remit of the Appeals, Awards and Standards Regulatory Board was expanded in July 2012 to include the consideration of ethical standards issues arising out of the new code of conduct for Elected Members.
- 6.2 Members of the Appeals, Awards and Standards Regulatory Board will be paid an Attendance Allowance (£42 per half day (up to 4 hours) / £84 per full day (over 4 hours)) at panel meetings that consider staffing appeals, which should be deemed as 'approved duty'.
- 6.3 Attendance Allowance is not payable in respect of meetings of panels to consider any other matter within the remit of the Board.
- 6.4 Section 28 of the Localism Act 2011, under which the new ethical standards arrangements were established, requires the appointment of an 'Independent Person' whose views will be sought on any allegation that a Member has breached the code of conduct.

Dependants' Carers' Allowance

- 7.1 An allowance will be paid to each Councillor who is the main carer and needs to incur the expenses of arranging for the care of their children or dependants while undertaking approved duties.
- 7.2 The Dependants' carers' allowance will be payable in respect of actual expenditure up to the amount specified by Barnsley Social Services rates (these will be verified once the application has been submitted) and is subject to observing the protocol on the claims procedure and eligibility criteria.

Note Claims may only be made where a Care Agency, Registered Child Minder or Nursery has been employed. Claims may not be made where caring duties have been performed by a member of the immediate family. Members cannot claim for multiple carers for multiple dependants within the same category of care.

South Yorkshire Pension Authority

- 8.1 Each year a Basic Allowance shall be paid to those Councillors who are representatives on the South Yorkshire Pension Authority
- 8.2 In addition each year a Special Responsibility Allowance shall be paid to those Councillors who are elected Chairman and/or Vice Chairman who are representatives on the South Yorkshire Pension Authority.
- 8.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor will be entitled to such part of the Allowances as is proportionate to the number of days served by that Councillor in that year as is proportionate to the total number of days in that year.
- 8.4 Where payment of any allowance has already been made in respect of any period during which a Councillor ceases to be a Councillor, in anyway not entitled to receive the allowance in respect of that period the Authority may require repayment of the allowance.
- 8.5 A Councillor may, by notice of writing given to Members' Services, elect to forgo all or any part of his or her allowance under this scheme.
- 8.6 The Scheme may be amended at any time.

Amendments and Repayments of Part of Allowances

- 9.1 This Scheme may be amended at any time.
- 9.2 Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made, the entitlement to such allowance as amended may apply with effect from the beginning of the year in which the amendment is made.
- 9.3 Where payment of any allowance has already been made in respect of any period during which the Councillor concerned is:
 - a) Ceases to be a Councillor;
 - b) Is in any way not entitled to receive the allowance in respect of that period;

The Authority may require that such part of the allowance as relates to any such period be repaid to the Authority.

Election to forgo allowances

- 10.1 A Councillor may, by notice in writing elect to forgo all or any part of his or her entitlement to any allowance under the Scheme. The requisite forms are available from Members' Services on request.

Claims and Payments

- 11.1 Payments of Basic, Special responsibility and Travel allowances shall be made in instalments of one twelfth of the amount specified in this scheme on the last Friday of each month. Members will be informed in writing of any exceptions to the payment date.
- 11.2 Where a payment of one twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount by virtue of paragraphs 2.1 - 2.6 and 3.1 - 3.8 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.
- 11.3 A claim for the following allowances must be made by the person to whom they are payable within two months from the date on which an entitlement to the relevant allowance arises:
- (a) Dependants' carers' allowance.
 - (b) Travelling and subsistence allowance (Outside the Borough).
- 11.4 Nothing in paragraph 11.3 shall prevent the Authority from making a payment where the allowance is not claimed within the period specified in paragraph 11.3.

Audit Committee

- 12.1 Each year a Special Responsibility Allowance shall be paid to the co-opted members of the Audit Committee who have the special responsibility in relation to the Authority that are specified in Schedule 2.
- 12.2 The amount of Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2.
- 12.3 Where a co-opted member of the Audit Committee does not have throughout the whole year any such special responsibility as entitle them to a Special Responsibility Allowance, he or she will be entitled to such part of the Special Responsibility Allowance as is proportionate to the number of days served by them in that year as is proportionate to the total number of days in that year.
- 12.4 Where payment of any allowance has already been made to a co-opted member of the Audit Committee in respect of any period during which he or she ceases to be a co-opted member, in anyway not entitled to receive the allowance in respect of that period the Authority may require repayment of the allowance.
- 12.5 A co-opted member of the Audit Committee will receive a special responsibility allowance. The allowance will be paid in full in one single instalment to be paid on the last Friday in March every year.
- 12.6 A co-opted member of the Audit Committee may, by notice of writing given to Members Services elect to forgo all or any part of his or her allowance under this scheme.
- 12.7 The scheme may be amended at any time.

SCHEDULE 1

Basic Allowance

Subject to paragraphs 2.2 and 2.3 of this scheme, the amount of the basic allowance is £11,309

(NB – This amount also includes a flat rate communications Allowance)

SCHEDULE 2

Special Responsibility Allowance

The following are specified as the special responsibilities in respect of which special responsibility allowance is payable, and the amounts of those allowances, subject to the provisions contained in paragraphs 3.3 to 3.5 of this scheme:

OFFICE HOLDER	ANNUAL AMOUNT £
Leader	27,255
Deputy Leader	17,716
Cabinet Spokespersons	
Core Services	13,627
Adult & Communities	13,627
Children's Services	13,627
Place (Environment & Transportation)	13,627
Place (Regeneration & Culture)	13,627
Spokesperson Without Portfolio	13,627
Chair Overview & Scrutiny Commissions	8,722
Chair Audit Committee	8,722
Chairs Area Councils	
Central	8,722
South Barnsley	8,722
North	8,722
North East	8,722
Dearne	8,722
Penistone	8,722

OFFICE HOLDER	ANNUAL AMOUNT £
Chairs of Regulatory Boards	
Planning	8,722
Licensing	8,722
Political Group Leaders	
Political Group 1	2,725pa +31per member
Political Group 2	2,725pa +31per member
Political Group 3	2,725pa +31per member
Cabinet Support Members	
Core Services	3,087
Adult & Communities	3,087
Children's Services	3,087
Place (Environment & Transportation)	3,087
Place (Regeneration & Culture)	3,087
Spokesperson Without Portfolio	3,087
Community Cohesion Champion	2,698
Overview & Scrutiny Task & Finish Leads	
Lead 1	2,181
Lead 2	2,181
Lead 3	2,181
Co-opted Members	
Independent Person(s) Ethical Standards * 3	752
Audit Committee * 5	1,209
Pensions Authority Representatives	
Members (Basic) * 2	4,002
Section 41 Spokesperson (SRA)	6,625
Appeals, Awards and Standards (Chairman Only)	124
Appeals, Awards and Standards – Staffing Appeals	42 per half day

SCHEDULE 3

Travel Allowance - Within the Borough

The following rates shows the banding sum paid to Councillors for their travel within the Borough. The mileage is calculated on a postcode (Town Hall) to postcode (Home address) basis, shortest route:

Bands	Distance Member lives from Town Hall	Annual Sum Paid for In - Borough Travel
Band 1	<2 miles	0
Band 2	2 - 4 miles	120
Band 3	4 - 8 miles	240
Band 4	more than 8 miles	600

SCHEDULE 4

Dependants' Carers' Allowance

Rates will be determined from Barnsley Social Services at the time the application is submitted.

SCHEDULE 5

Travelling and Subsistence

Travel: Outside the Borough

A. Car

- (a) Mileage at a rate of £0.45 per mile, such rate to be increased in accordance with any increase of Inland Revenue maximum allowance.
- (b) A supplement for official passengers at a rate of £0.05 per mile per passenger.

Note For journeys of 50 miles or over, the lesser of car allowance or second class rail fare will be paid. A prior written approval form should be submitted to Members' Services for journeys of 50 miles or over.

Note Members who travel to and from work for an approved duty can only claim the equivalent home return journey.

- (c) Reimbursement of car parking charges subject to receipts or tickets being submitted.

B. Train

- (a) All travel for approved duties outside the Borough must be pre-booked by Members Services. Members Services staff will book members standard class rail tickets.
- (b) These rates shall be increased in accordance with any increase of the Inland Revenue maximum rates of allowance.

D. Taxis

- (a) The cost of taxi fares where public transport is not readily available.

Note A Councillor will be reimbursed the cost of taxi fares subject to a receipt being provided.

E. Plane

- (a) An ordinary fare for air services provided that it is more cost efficient to fly than travel by other forms of transport.

Note All travel for approved duties outside the Borough must be pre-booked by Members Services.

F. Bus

- (a) A Councillor will be reimbursed the cost of such a fare subject to a receipt being provided.

Subsistence:

Note Day subsistence is not payable for approved duties within the Borough.

A. Day Subsistence outside the Borough

The following criteria applies to each category:

Members must be absent over 4 hours

Receipts of actual expenditure incurred must be provided

Breakfast (Member is required to leave home before 6am)	£8.24
Lunch (Member is required to include the hours 12noon–2pm)	£11.37
Evening Meal (Member is required to work continuously after 8pm)	£14.10

Note A Councillor will be reimbursed the cost of subsistence outside the borough subject to receipts being provided.

B. Overnight Subsistence

London Rate	£150
Elsewhere	£120

Note All overnight stays for approved duties outside the Borough must be pre-booked by Members' Services.

C. Overseas Allowance

- (a) Where a Member is required to represent the Council overseas, all Out of Pocket expenses be paid with reference to the rates payable by the South Yorkshire Joint Authorities.
- (b) The daily allowance paid is dependant upon the level of accommodation provided, i.e. room only, half board or full board.
- (c) The current rates for overseas allowances can be obtained from Members' Services.

SCHEDULE 6

Co-optees Allowance

The following are the Co-optees in respect of which the Co-optees allowance is payable and the amount of those allowances, subject to the provisions contained in paragraphs 11.3 to 11.4 and 12.3 to 12.4 of this Scheme:

<u>Co-optee</u>	<u>Amount</u>
Independent Person(s) Ethical Standards	752
Independent Members of Audit Committee	1,209

SCHEDULE 7

Approved Duty for Travel Allowance and Dependants' Carers' Allowance

- 1. (a) Attendance at Council meetings and, if the Member has been appointed to membership, or is attending as deputy, at meetings of Cabinet, Scrutiny Commissions, Regulatory Boards, Audit Committee,, Ward Panels, Area Delivery Panels, Appointment

Panels, and other subordinate meetings (e.g. rota visits) by which the Council discharges its function.

(b) Attendance at meetings of Cabinet, Scrutiny Commissions, Regulatory Boards, Audit Committee, Ward Panels, Area Delivery Panels, Appointment Panels, or other subordinate meetings;

- (i) as Ward representative by invitation of the body;
- (ii) by invitation of its Chairman.

2. Attendance at not more than two surgeries per month.
3. Attendance by the Leader, Deputy Leader, Cabinet Members, Cabinet Support Members, and Chairman and Vice-Chairman of Scrutiny Commissions, Regulatory Boards, Audit Committee, Ward Panels, Area Delivery Panels, Appointment Panels, at any appointment arranged with an Executive Director, Assistant Director or their representative or upon any other matter arising from the discharge of the functions of the Council.
 - (a) Attendance at Council premises on any other occasion for the purposes of, or in connection with, the discharge of the functions of the Council.
4. Attendance in pursuance of a resolution of the Council;
 - (i) at meetings of the Local Government Association and any of its Committees, Sub Committees.
 - (ii) at meetings of any body to which they are appointed on the nomination of the Yorkshire and Humber Local Authority.
 - (iii) at any meeting with representatives of local or public authorities held in connection with the discharge of the functions of the Council.
5. Attendance in pursuance of a resolution of the Council at any national, provincial or local Joint Negotiating Council or Committee for local authority employees.
6. Attendance at conferences approved by the Council (excluding those held for commercial or political purpose) which, in the opinion of the Council, relate to the interests of at least some part of their area or its inhabitants.
7. Attendance approved by the Council at deputations to Ministers and Government Departments.
8. Attendance approved by the Council, at meetings of;
 - (i) any Joint Committee of two or more local authorities;

- (ii) any Joint Board, Joint Authority or other combined body, all members of which are representatives of local authorities.
- 9. Attendance approved by the Council from time to time at meetings of any other bodies and their committees, sub-committees and other subordinate bodies.
- 10. Attendance at any meetings of Members convened by the Chief Executive or Borough Secretary in connection with the discharge of functions of the Council.

Exclusion from Allowances:

- 1. The attendance at political meetings is not an approved duty for the purposes of claiming allowances.
- 2. The attendance at civic functions (including subsidiary meetings associated with the annual council) is not an approved duty for the purposes of allowances.