

BARNSLEY METROPOLITAN BOROUGH COUNCIL

MEMBERS' ALLOWANCES SCHEME

2021/2022

Notes: -

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

The Scheme was approved by Barnsley Council and came into force on 1st April 2021.

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 membersservices@barnsley.gov.uk or telephone 773148 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 2020

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

This scheme may be cited as The Barnsley Metropolitan Borough Council Members' Allowances Scheme 2020 ("this Scheme"), shall Commence on the 1st April 2021 and shall continue in force thereafter until revoked or amended.

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.

The previous Barnsley Metropolitan Borough Council Members' Allowances Scheme which took effect from 1st April 2020 is revoked with effect from 1st April 2021.

In this Scheme:

"the Authority" means Barnsley Metropolitan Borough Council

"Councillor" means an elected member of the Authority

"Co-opted" 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

Each year a Basic Allowance set out in Schedule 1 shall be paid to each Councillor.

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.

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.

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.

The Scheme may be amended at any time.

Special Responsibility Allowance

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.

The amount of each Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2.

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.

Any Councillor who holds more than one Special Responsibility position shall be entitled to receive the higher allowance listed in Schedule 2. A Councillor may not receive an allowance for more than one position.

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.

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.

The Scheme may be amended at any time.

Travel Allowance

Each year a Travel Allowance shall be paid to each Councillor in respect of travel undertaken in connection with or relating approved duties.

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.

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.

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.

The Scheme may be amended at any time.

Travel and Subsistence Expenditure (Outside the Borough)

Councillors can 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

Councillors can 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

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.

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'.

Attendance Allowance is not payable in respect of meetings of panels to consider any other matter within the remit of the Board.

Section 28 of the Localism Act 2011, under which the 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.

Dependents' Carers' Allowance

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 dependents while undertaking approved duties.

The Dependents' 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 dependents within the same category of care.*

Amendments and Repayments of Part of Allowances

This Scheme may be amended at any time.

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.

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

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.

Claims and Payments

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 of any exceptions to the payment date.

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:

- Dependents' carers' allowance.
- Travelling and subsistence expenditure (Outside the Borough).

Audit Committee

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.

The amount of Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2.

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.

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.

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.

The scheme may be amended at any time.

SCHEDULE 1

Basic Allowance

The amount of the basic allowance is £11,620

(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:

OFFICE HOLDER	ANNUAL AMOUNT £
Leader	28,005
Deputy Leader	18,203
Cabinet Spokespersons	
Core Services	14,002
Adult & Communities	14,002
Children's Services	14,002
Place (Environment & Transportation)	14,002
Place (Regeneration & Culture)	14,002
Spokesperson Without Portfolio	14,002
Chair Overview & Scrutiny Commissions	8,962
Chair Audit Committee	8,962
Chairs Area Councils	
Central	8,962
South Barnsley	8,962
North	8,962
North East	8,962
Dearne	8,962
Penistone	8,962

OFFICE HOLDER	ANNUAL AMOUNT £
Chairs of Regulatory Boards	
Planning	8,962
Licensing	8,962
Political Group Leaders	
Political Group 1	2,800pa +32.75per member
Political Group 2	2,800pa +32.75per member
Political Group 3	2,800pa +32.75per member
Cabinet Support Members	
Core Services	3,236
Adult & Communities	3,236
Children's Services	3,236
Place (Environment & Transportation)	3,236
Place (Regeneration & Culture)	3,236
Spokesperson Without Portfolio	3,236
Community Cohesion Champion	2,772
Overview & Scrutiny Task & Finish Leads	
Lead 1	2,241
Lead 2	2,241
Lead 3	2,241
Co-opted Members	
Independent Person(s) Ethical Standards * 3	773
Audit Committee * 5	1,242
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

Dependents' Carers' Allowance

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

SCHEDULE 5

Travelling and Subsistence outside the Borough

Car

Mileage at a rate of £0.45 per mile, such rate to be increased in accordance with any increase of Inland Revenue maximum allowance.

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.

Reimbursement of car parking charges subject to receipts or tickets being submitted.

Train

All travel for approved duties outside the Borough must be pre-booked by Members Services. Members Services staff will book members standard class tickets.

Bus

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

Taxis

A Councillor will be reimbursed the cost of taxi fares where public transport is not readily available subject to a receipt being provided.

Subsistence:

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

Day Subsistence outside the Borough

The following criteria applies to each category:

Breakfast (Member is required to leave home before 6am)
Lunch (Member is required to include the hours 12noon–2pm)
Evening Meal (Member is required to work continuously after 8pm)
The current rates for Day subsistence outside the Borough can be obtained from Members' Services.

Members must be absent over 4 hours

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

Overnight Subsistence

All overnight stays for approved duties outside the Borough must be pre-booked by Members' Services. Consideration will be taken of current market rates.

Overseas Allowance

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.

SCHEDULE 6

Co-opted Allowance

The following Co-opted allowance is payable:

<u>Co-opted</u>	<u>Amount</u>
Independent Person(s) Ethical Standards	773
Independent Members of Audit Committee	1,242

SCHEDULE 7

Approved Duty

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 (i.e. Rota visits) by which the Council discharges its function

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

As Ward representative invitation of the body
By invitation of its Chairman.

Attendance at not more than two surgeries per month.

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, Service Director or their representative or upon any other matter arising from the discharge of the functions of the Council.

Attendance at Council premises on any other occasion for the purposes of, or in connection with, the discharge of the functions of the Council.

Attendance in pursuance of a resolution of the Council;

At meetings of the Local Government Association and any of its Committees, Sub Committees.

At meetings of a body to which they are appointed on the nomination of the Yorkshire and Humber Local Authority.

At any meeting with representatives of local or public authorities held in connection with the discharge of the functions of the Council.

Attendance in pursuance of a resolution of the Council at any national, provincial or local Joint Negotiating Council or Committee for local authority employees.

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.

Attendance approved by the Council at deputations to Ministers and Government Departments.

Attendance approved by the Council, at meetings of;

Any Joint Committee of two or more local authorities

Any Joint Board, Joint Authority or other combined body, which members are representatives of local authorities.

Attendance approved by the Council from time to time at meetings of any other bodies and their committees, sub-committees and other subordinate bodies.

Attendance at any meetings of Members convened by the Chief Executive in connection with the discharge of functions of the Council.

Exclusion from Allowances:

The attendance at political meetings is not an approved duty for the purposes of claiming allowances.

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