

**Wiltshire Council
Constitution
Part 13
Members' Allowances
Scheme**

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PART 13

WILTSHIRE COUNCIL MEMBERS' ALLOWANCES SCHEME

1. The Scheme

1.1 ~~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 ~~14 October 2017~~20 July 2021 and shall have effect from that date. However, some allowances are backdated to ~~the appropriate date in May 8-2017~~10 May 2021. The scheme shall continue to have effect until revoked or amended by resolution of the council.

1.2 In this scheme:

- 1.2.1 'Member' means an elected member of Wiltshire Council.
- 1.2.2 'co-optee' means a co-opted member of Wiltshire Council.
- 1.2.3 'year' means the period from 1 April to the following 31 March.

2. Basic Allowance

2.1 Subject to paragraphs 6.1-6.4, a basic allowance shall be paid to each Member as detailed in appendix 1. This allowance is intended to recognise the time commitment of all Members, 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.

3. Special Responsibility Allowances

3.1 For each year Special Responsibility Allowances (SRAs) shall be paid to those Members 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.

3.2 Subject to paragraphs 6.1-6.~~5~~4, the amount of each such allowance shall be the amount specified against that special responsibility in Appendix 1.

3.3 ~~Whilst a~~Any Member may hold ~~up to two multiple~~ roles of special responsibility ~~and will receive both payments in full. No third SRA will be payable. only one special responsibility payment will be made, with the exception of the Group Leaders' allowance and Area Board Chairman's allowances which are exempt. Where multiple posts of Special Responsibilities are held, the highest of the allowances shall be the one paid.~~

4. Co-optees' Allowance

4.1 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 paragraphs 6.1-6.54, the amount of each such allowance shall be the amount specified in Appendix 2.

5. Renunciation

5.1 A Member or co-optee may, by notice in writing given to the ~~Executive Directors, Proper Officer~~ elect to forgo any part of his or her entitlement to an allowance under this scheme.

6. Part-year Entitlements

6.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Member 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 Member or co-optee becomes, or ceases to be, a Member or co-optee, or accepts or relinquishes a special responsibility in respect of which an SRA is payable.

6.2 If the amount of basic, special responsibility or co-optees' allowance is changed, a Member 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.

6.3 If a Member or co-optee is elected or appointed to the council or ceases to be a Member 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.

6.4 The SRA will be paid only for such period as he or she holds the post to which the SRA applies with the exception of in an election year when the SRAs for the Leader, Deputy Leader and Cabinet Members continue until the new Cabinet are appointed by the Full Council, provided the members have been re-elected and continue to fulfil duties informally during this period -

6.46.5 SRAs will be paid during periods of long-term sickness or parental leave as detailed in section 8. No changes or additional payments in relation to the basic allowance are applicable during periods of long-term sickness or parental leave.

7. Dependants' Carers' Allowance

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

8. Statutory Sickness and Maternity PayParental Leave

~~8.1 These payments may be available for certain periods when a Member is unable to undertake approved duties. Details are available from the Executive Director.~~

8.1 Members entitled to a Special Responsibility Allowance (SRA) will continue to receive this in full during a period of long-term sickness, maternity, paternity, shared parental, or adoption leave. Long-term absence is defined as a duration of at least one month.

8.2 For claims under section 8.1 above, long-term absence from Members should be communicated by the Member to the Monitoring Officer and Group Leader (where applicable) in writing for assessment as to the appropriate course of action under sections 8.3-8.6 below.

8.3 Where a replacement is appointed to cover the period of leave, that person will receive the SRA on a pro rata basis for the period of the temporary appointment. The replacement will be appointed by the Leader, Political Group, Council or Committee as appropriate under the circumstance, and the SRA may be backdated to the start of the temporary arrangements.

8.4 The payment of SRAs (to the primary SRA holder or replacement), shall continue for up to six months, or until the date of the next Annual Council Meeting, or the date where council must consider whether to make an exemption to the 'six month rule' on non-attendance (whichever is sooner). At that point, the position will be reviewed, and will be subject to a possible extension for a further six-month period with reasons given for the extension.

8.5 Should a Member appointed to replace the Member on leave already hold an SRA position, the ordinary rules relating to one SRA payment shall apply.

8.6 In the event the Member taking leave is removed from their post, or they cease to be a member of the council, the member's leave will end at that time.

9. ~~Senior Citizen's Railcards~~

9.1 ~~Males and females aged 65 and over, Members~~ who regularly travel by train on council business, may apply for a ~~Senior Citizen's Railcard~~ 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.

10. Travel and Subsistence Allowances

10.1 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.

11. Claims and Payments

- 11.1 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 ~~Executive Directors~~Proper Officer shall have delegated authority to consider late claims and the reason for lateness and to pay those they consider reasonable.
- 11.2 Payments of basic, special responsibility and co-optees' allowances shall, ~~subject to paragraph 11.3 below,~~ be made automatically ~~in instalments of one twelfth of the amount specified in this scheme.~~on a pro-rata basis
- 11.3 ~~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 Member or co-optee receiving more than the amount to which, by virtue of paragraphs 6.1-6.4, 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.~~

12. Updating of Allowances

- 12.1 ~~Full Council has agreed~~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 Members for the period up to 2020/21~~from April 2022-March 2025.

13. Queries

- 13.1 If you have any queries in relation to any part of this scheme please contact committee@wiltshire.gov.uk

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 Members for the period up to 2020/2021.

Basic Allowance 2021/22	£14,500	
	<u>2021/22</u>	<u>Band</u>
<u>Leader of the Council</u>	<u>£36,000</u>	<u>1</u>
<u>Deputy Leader of the Council</u>	<u>£29,000</u>	<u>2</u>
<u>Cabinet Member</u>	<u>£22,000</u>	<u>3</u>
<u>Chairman of Overview and Scrutiny Management Committee</u>	<u>£15,000</u>	<u>4</u>
<u>Chairman of the Council</u>	<u>£8,000</u>	<u>5</u>
<u>Portfolio Holder</u>	<u>£8,000</u>	<u>5</u>
<u>Chairman of Police and Crime Panel</u>	<u>£8,000</u>	<u>5</u>
<u>Chairman of Scrutiny Select Committee</u>	<u>£8,000</u>	<u>5</u>
<u>Chairman of Area Board</u>	<u>£8,000</u>	<u>5</u>
<u>Vice-Chairman of Overview and Scrutiny Management Committee</u>	<u>£8,000</u>	<u>5</u>
<u>Chairman of Strategic Planning Committee</u>	<u>£8,000</u>	<u>5</u>
<u>Chairman of Area Planning Committee</u>	<u>£8,000</u>	<u>5</u>
<u>Chairman of Audit & Governance Committee</u>	<u>£8,000</u>	<u>5</u>
<u>Vice-Chairman of the Council</u>	<u>£4,000</u>	<u>6</u>
<u>Chairman of Licensing Committee</u>	<u>£4,000</u>	<u>6</u>
<u>Chairman of Staffing Policy Committee</u>	<u>£4,000</u>	<u>6</u>
<u>Chairman of Wiltshire Pension Fund Committee</u>	<u>£4,000</u>	<u>6</u>
<u>Chairman of Standards Committee</u>	<u>£4,000</u>	<u>6</u>
<u>Chairman of Operational Flood Working Group</u>	<u>£4,000</u>	<u>6</u>

<u>Group Leaders' Allowance</u>	<u>2021/22</u>
<u>Majority Group</u>	<u>£6,000</u>
<u>Opposition Group</u>	<u>£6,000</u>
<u>Any group ≥ 3 members</u>	<u>£1,000</u>

<p>Overview and Scrutiny Fund To remunerate Members to recognize significant additional responsibilities undertaken as part of overview and scrutiny activities.</p> <p>A scheme on how to allocate the fund will be prepared and approved annually by the Overview and Scrutiny Management Committee.</p>	<p>£15,000 per annum</p>
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Appendix 2

<u>Co-opted Member and Independent Person Allowances</u>	<u>2021/22</u>
<u>Non-voting co-opted member of the Standards Committee</u>	<u>£1,000</u>
<u>Co-opted voting member of the Children's Select Committee and Police and Crime Panel</u>	<u>£2,000</u>
<u>Independent Person of the Standards Committee</u>	<u>£3,000</u>

Appendix 3

Rates of travel and subsistence allowances for Members ~~and~~ co-optees and the Independent Person

1. Travelling Allowance

1.1 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, Members and co-optees may travel first class.

1.2 The mileage 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 Members' rate.

1.3 A cycle allowance of 40p per mile.

1.4 An allowance of 5p per mile when giving passengers a lift.

1.5 Hire of taxi cabs in cases of urgency or unavailability of public transport.

1.6 Expenditure on tolls, ferries, parking fees etc, and overnight parking.

1.7 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~~The Proper Officer 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 Member or co-optee.

2. Subsistence Allowances

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

2.2 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

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

2.4 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.

2.5 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

3.1 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 Members and co-optees

A Member 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 Member 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 Member or co-optee as part of their family and is unable to be left unsupervised.

3. The Dependants' Carers' Allowance shall be paid at actual cost (up to a maximum rate of £30 per hour) or set at the National Minimum Wage hourly rate when informal case is provided by a friend or family member.

The period of duty is calculated on a 'door-to-door' basis, i.e. from the time a Member 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.~~

~~6.5.~~ Tax and National Insurance will be deducted by the council in appropriate cases.

~~7.6.~~ 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 Member, 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 Member's identified learning and development needs, and/or
 - (ii) approved by the Member Development Group.

5. Attendance of non-Executive members at meetings of the Cabinet

5-6. Attendance at parish and town council meetings