Avon & Somerset Police Authority

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REVISED SCHEME OF ALLOWANCES

FOR MEMBERS

EFFECTIVE FROM 20 JUNE **2012**

AVON & SOMERSET POLICE AUTHORITY

REVISED SCHEME OF MEMBERS' ALLOWANCES – wef 20 June 2012

1 INTRODUCTION

1.1 The Police Authority's Scheme provides for payment of:-

- a *Basic Rate Allowance* (BRA), payable to each Authority member; or
- a *Special Responsibility Allowance* (SRA) for members undertaking 'special duties', as defined by the Authority.

1.2 There are also *Travel Allowances, Subsistence Allowances and Incidental Expenses* payable in connection with approved duties.

2 GENERAL POINTS

2.1 The term "Member" in these notes means a Police Authority member by virtue of being:

- a Councillor appointed to the Authority; or
- an Independent Member appointed to the Authority.

2.2 Allowances will be paid automatically, in monthly instalments, so claims are not necessary.

2.3 Members have the option of not claiming all or part of an allowance. You should notify the Treasurer in writing if you wish to decline your right to claim allowances.

2.4 All enquiries relating to members allowances should be made to Members Support desk, **tel: 01275 816377**.

2.5 All claims and enquiries should be forwarded to:

Treasurer
Avon and Somerset Police Authority
Police HQ
Portishead
BS20 8JJ

3 BASIC RATE ALLOWANCE (BRA)

3.1 BRA is:-

- payable to all Members other than those in receipt of a Special Responsibility Allowance;
- a sum of **£9,444** per annum, will be payable in monthly instalments;
- special supplementary allowances may, in addition, be payable for a temporary period but these are subject to specific Authority approval.

3.2 **Definition of BRA**

BRA recompenses Members for time devoted to their work on Authority business, estimated to be at least 1 day per week, and is intended to cover:-

- approved duties, including use of the Member's home;
- dealing with correspondence;
- attendance at Authority, Committee, Sub-Committee, Working Groups, Boards or Working Party meetings, (including travelling time to and from meetings);
- attendance on 'outside bodies';
- attendance at seminars, conferences and training sessions;
- other incidental costs, such as the use of the Member's private telephone, office equipment and office furniture.

3.3 Where the Member's term of office begins or ends at any time other than the start or end of the financial year, they will be entitled to the appropriate proportion of the annual allowance.

4 SPECIAL RESPONSIBILITY ALLOWANCE (SRA)

4.1 SRA:-

An SRA will be paid to Members who have clearly defined special responsibilities as follows:

	RATE
Authority Chair	£33,993
Authority Deputy Chair	£20,772
Lead Member – Finance, HR, Performance	£16,524
Lead Member – Capital Assets Management, Citizen Focussed Policing, Equalities, Partnerships, Criminal Justice, Children & Young People	£14,160

- SRAs are allocated on the basis of degree of responsibility and upon a perceived call on members time, as agreed by the Authority;
- SRAs are paid in 12 equal instalments and apportioned for part year entitlements, where applicable.

- special supplementary allowances may, in addition, be payable for a temporary period but these are subject to specific Authority approval;

4.2 SRA payments cover:-

- approved duties, including use of the Member's home;
- attendance at Authority, Lead Member, Working Groups, Boards or Working Party meetings;
- meetings with Authority and Constabulary Officers;
- meetings with Committee Chairmen, the Vice-Chairman and other members;
- attendance on related outside bodies;
- dealing with related correspondence;
- visits directly connected to the performance of an SRA duty, eg
  - interviews
  - official openings
  - familiarisation/fact finding visits;
- press meetings
- attendance at seminars, conferences, and training sessions;
- travelling time to and from meetings;
- other incidental costs for which no other specific provision is made.

4.3 Where applicable, the payment of a SRA is made instead of the Basic Allowance. In cases where members may potentially qualify for more than one SRA as a result of undertaking multiple roles, only the highest such qualifying SRA will be payable.

4.4 To cater for changes in circumstances that occur during the year and to ensure that no individual cases of exceptional hardship are experienced, the Treasurer, in consultation with the Chief Executive, and Chair (where not personally affected) can approve changes in SRAs for individual members as considered appropriate. Any such changes must be reported to the first available Authority meeting.

4.5 **Police Appeal Tribunals**

An allowance for attendance at a Police Appeals Tribunal will be paid on the same basis as the rates claimable by independent members. (See Annex C.)

5 CARER'S/DEPENDANT'S ALLOWANCE

5.1 Reimbursement of expenditure incurred by Members (a) in providing child care arrangements and (b) on professional care for elderly, sick or dependant relatives to facilitate their attendance at approved duties of the Authority is provided in accordance with the details below. Such payments are not covered by any special exemptions for taxation purposes. They are treated as emoluments (remuneration) of the office and will be taxed accordingly.

5.2 Child Care

The scheme provides for the reimbursement of expenditure incurred by Members in providing child care arrangements for children for whom they have parental responsibility to facilitate their attendance at approved duties of the Authority in accordance with the following requirements:

- that payments be restricted to the care of children up to their 16th birthday who normally reside with the member;
- that no payments be made in respect of any educational or tutorial element of child care costs;
- the payments are for care provided by registered childminders and/or blood relatives of the child (excluding siblings or parents) and/or professional nannies.

5.3 Care of Dependants

The reimbursement of expenditure on professional care for an elderly, sick or disabled dependant relative normally residing with the member and requiring constant care, to facilitate attendance at approved duties, subject to payments being restricted to agencies or persons qualified to provide the care other than close relatives.

5.4 General Conditions

The following conditions will apply to both types of allowance:

- that payments are made on the basis of the reimbursement of actual expenditure incurred up to a maximum of an hourly rate of **£6.37** per hour for each hour of absence from home, and subject to a daily maximum of **£50.96**;
- that Members self-certify their claims confirming that they have incurred expenditure in accordance with the scheme;
- that qualifying meetings be restricted to those that qualify as an "approved duty" for the Member concerned;
- that neither the Member nor the person being cared for receives an allowance for care from any other source.

6 UNAVAILABILITY DUE TO SICKNESS; MATERNITY OR PATERNITY ARRANGEMENTS; OR SUSPENSION

6.1 Sickness

Members should receive their full allowance for a period of 3 months. Where a member is unlikely to be able to contribute to the Authority's work for more than 3 months the Authority's Chair together with the member concerned, should consider whether he or she can continue to serve on the Authority. If the decision is that continued membership of the Authority is no longer feasible allowance payments should cease immediately, and the Authority should be informed at the next available meeting.

Taking account of the general principles above, each case should be considered on its individual merits.

6.2 Maternity and Paternity arrangements

Whilst it is important to remember that the allowances paid to members are not, and should not, be equated with salary, it is equally important that members should not be penalised in these circumstances. As a general policy, therefore, allowances will continue to be paid for a period of 3 months. In exceptional circumstances, any extension of this period must be with the Chair and Chief Executive to the Police Authority's prior approval.

6.3 Suspension from Membership of the Authority

If a member is suspended, following a finding of a breach of the Authority's Code of Conduct or pending an investigation into an alleged breach of the Authority's code of conduct, that member should not receive any allowance whilst suspended. However, if the member is exonerated he or she should be retrospectively remunerated for the period of suspension.

7 APPROVED DUTIES

7.1 The list of approved duties for which you can claim Travel and Subsistence, and the Carer's/Dependant's Allowance, as appropriate, is shown in Annex A.

8 TRAVELLING ALLOWANCES (see Annex B for rates)

- Travelling allowances can be claimed when carrying out an Approved Duty.

- Travelling expenses should only be claimed once for each journey to and from the Member's home, irrespective of the number of duties undertaken during the time of the absence.

8.1 **Rail**

- For rail travel, members are encouraged to make use of the cheapest appropriate fare available for the journey depending on the circumstances at that time. Members will be reimbursed at standard equivalent rates for journeys but may travel first class when working on authority business (for e.g. preparing for a meeting) and if travelling during peak morning hours. If members know in advance that they are travelling on a certain date they are to arrange for the cheapest fare available, either by arranging it themselves, or by contacting the Member/Office Support Officer to do so.

8.2 **Private Motor Vehicle**

- a mileage allowance may be claimed where a member uses his/her own motor vehicle;

- all mileage claims must be supported by VAT petrol receipts dated before the mileage was undertaken. The office team and Treasurer will monitor claims and raise the issue with members where this is not the case.

8.3 **Other – only if supported by valid receipts**

- reimbursement of taxi fares may be made in appropriate circumstances

- reimbursement can be claimed for expenditure on tolls, ferries, parking, etc.

- public transport costs, including taxis, will be reimbursed at actual cost.

9 <u>SUBSISTENCE ALLOWANCES</u> (see Annex B)

9.1 This allowance can be claimed where:

- a Member incurs expenditure on subsistence when performing an Approved Duty, any reimbursement can be claimed within the limits shown in Annex B.

- if it is essential for a Member to spend the night away from home, the overnight allowance may be claimed.

9.2 If a meal is provided without charge by the Authority, or any other body, as part of an approved duty, no subsequent claim for subsistence can be made.

9.3 Receipts should be submitted whenever possible to support expenditure claims **particularly where they are significant in value** as this will enable the Authority to reclaim the appropriate element of VAT.

9.4 Members will be provided with a Restaurant card which may be used, when carrying out an approved duty, to purchase a meal. Meals will be provided up to the agreed rates, free of charge.

9.5 Members use of the restaurant card is notified to the Inland Revenue, at the end of each financial year, and a Members tax code may be adjusted to reflect this.

9.6 **Hospitality**

As a general principle claims will not be permitted to cover any hospitality costs incurred by members. In the event of doubt members should refer to the Treasurer.

10 CONFERENCES

10.1 The Authority's BRA and SRA includes an allowance for attendance at conferences etc - members are, therefore, only allowed to claim subsistence in accordance with the rates shown in Annex B.

11 OFFICE AND IT CONSUMABLES

You may also claim for office and IT consumables such as:

- paper;
- small consumable hardware such as hole punches/staplers etc;
- printer ink cartridges/inks for printers;
- printing paper;
- CD roms/floppy discs.

Receipts should be submitted whenever possible to support expenditure claims as this will enable the Authority to reclaim the appropriate element of VAT.

12 CLAIMS

12.1 How to claim:

- BRA and SRA are paid *automatically* after completion of initial details.

- Travel and Subsistence Allowances must be *claimed* on the Members Expenses Claim Form.

- Claims *must be submitted monthly by the 2nd of the month following the month subject to the claim*. Claims must be submitted to the Members Support desk and are then checked and signed by the Treasurer before being issued to SCC for payment.

- No allowance will be claimable for attending conferences (except for travel and subsistence where appropriate) as this will be included within the BRA and SRA.

- Late claims may result in late payment.

- The Treasurer will contact members where claims have not been submitted for a period of 3 months to highlight this to the relevant member. Where claims have not been submitted for more than 6 months, the Treasurer will write to the relevant member asking the member if they would indicate if they do indeed intend to claim for this period.

- A supply of claim forms can be obtained from the Members Support desk.

- Allowances must not be claimed where the Member is entitled to receive payment from another body.

12.2 **Payment of Claims**

- Payments are made through Somerset County Council's computerised payroll system to assist the deduction of income tax and national insurance.

- An advice slip is provided showing details of allowances paid.

- Payment can be made direct to a bank or building society account on request; this is encouraged for reasons of security and reliability of payment and usually enables the payment to be drawn on immediately.

12.3 **Partial Year Entitlement**

A member who begins or ends a term of office or an SRA post during the course of the financial year is entitled to an appropriate proportion of the BRA or SRA for that year.

12.4 **Tax and National Insurance**

- BRA, and SRAs are taxable and are subject to national insurance.

- Members can request a PAYE code from the inland revenue for the taxing of payments. If no other tax code is supplied Members will be taxed at the current basic rate.

- Some Members may be able to obtain an exemption card for national insurance from the Department of Social Security.

- Some female Members may be able to obtain a reduced rate certificate (married women or widows).

  For further information please contact Angie Copley on 01823 356232.

12.5 Unemployment Benefit and Statutory Sick Pay

- Members seeking to claim Job Seekers Allowance or Income Support may have their claim affected by the receipt of BRA or SRA, but each case would be judged on its own merits. Members should, therefore, seek advice from their local Department of Works and Pensions if they are unemployed and wish to claim benefits.

- Members are regarded under the Social Security and Housing Benefits Act 1982 as "employees" entitled to receive sick pay for first 28 weeks of sickness a year.

- If Members wish to pursue claims for sickness benefit, the period of sickness should be in excess of 3 consecutive days, and the Treasurer must be given prompt notification of sickness.

12.6 Financial Restrictions

The Authority regularly reviews expenditure on Member's Allowances to ensure the budget is not overspent. In order to assist with the maintaining of the budget, Members are requested to submit claims monthly, no matter how small.

12.7 Independent Members of the Standards Committee

Independent Members of the Standards Committee are entitled to claim a daily allowance at the current daily rate in the following proportions:-

- Attendance at each meeting for up to 4 hours – half the daily allowance
- Attendance at each meeting for over 4 hours – full daily allowance. (For current daily rate see Annex C.)

Additional expenses in respect of travel and subsistence will be payable in accordance with the rates identified in this scheme. Claims should include details of relevant journeys, qualifying expenditure and supporting receipts as set out in sections 8 & 9 of this scheme.

All duly completed claims should be submitted on a monthly basis as soon as is reasonably practicable after the relevant Standards Committee meeting.

12.8 Members of the Independent Member Selection Panel

Members of the Independent Member Selection Panel are entitled to claim a daily allowance at the current daily rate in the following proportions:-

- Attendance at each meeting for up to 4 hours – half the daily allowance
- Attendance at each meeting for over 4 hours – full daily allowance. (For current daily rate see Annex C.)

Additional expenses in respect of travel and subsistence will be payable in accordance with the rates identified in this scheme. Claims should include details of relevant journeys, qualifying expenditure and supporting receipts as set out in sections 8 & 9 of this scheme.

All duly completed claims should be submitted on a monthly basis as soon as is reasonably practicable.

12.9 **Independent Members of Police Misconduct Panels**

Independent Members of Police Misconduct Panels shall be entitled to claim allowances and expenses in accordance with the provisions outlined in section 12.7 above. (For current daily rate see Annex C.)

All duly completed claims should be submitted on a monthly basis as soon as is reasonably practicable after the relevant Misconduct Panel meeting.

Mark Simmonds
Treasurer to the Police Authority

ANNEX A

DEFINITION OF "APPROVED DUTY"

- Attendance at any:

  - Authority meeting, Committee or Lead Member meeting, Project Boards and Panels to which Members are appointed, or which a Member attends as a nominated substitute, or invitee.

  - Ad hoc panel meeting set up by the Authority or its Committees and Lead Members, whether attending as an appointed Member or invitee.

  - Attendance on Committee and Lead Member tours of inspection, to which the Member is appointed and at Members' conferences and seminars.

  - Attendance at APA meetings on behalf of the Authority, as appropriate.

  - Attendance at any approved conference or meeting by any Member appointed by the Authority.

  - Community Safety Partnerships or any meetings associated with a Member's lead role or as a representative of the Authority.

  - Any other attendance for which prior approval has been given by the Chief Executive or Treasurer.

ANNEX B

TRAVEL AND SUBSISTENCE EXPENSES FOR POLICE AUTHORITY

Hotel Accommodation

Hotel accommodation will normally be booked and paid directly by the authority.

Payable from December 2011

Subsistence Rates

Half Day up to 4 hours	**£5.84**
Day (between 4 hours and 12 hours)	**£11.68**
Day (over 12 hours/less than 24 hours)	**£23.35**
Overnight (24 hours)	**£33.92**

Meals on trains	Actual receipted expenditure
Travel	
Rail	Cheapest appropriate fare, standard class or equivalent rate
Taxi	Actual receipted expenditure
Bicycle rates	**7 pence** *a mile*

Payable from 1 April 2011

The rate for travel by a member's own private motor vehicle, or one belonging to a member of his/her family or otherwise provided for his/her use, are as follows:

Rates:

Up to 10,000 miles	45 pence per mile*
Over 10,000 miles	25 pence per mile*

*currently for all car sizes

The Mileage rate will track changes announced from time to time by HMRC to the Fixed Profit Car Scheme rate.

ANNEX C

Independent Members of Standards Committee Allowance

Updated annually in line with the % increase in the Police Support Services Pay Award.

Payable from 1 December 2011

Half Day (up to 4 Hours)	**£105.27**
Full day (over 4 Hours)	**£210.54**