

Scheme for the Payment of Members' Allowances

1 APRIL 2022 TO 31 MARCH 2023

Local Authorities are legally¹ required to make a scheme for the payment of allowances to councillors. They are also required to set up an independent remuneration panel to review their members' allowances schemes² and before making, amending or reworking its allowances scheme, are required to have regard to the recommendations of an independent remuneration panel³. Camden uses the Independent Remuneration Panel for London ('the Panel'). The Panel last issued a report in January 2018 and is required to do so a minimum of every 4 years.

The Members' Allowances Scheme for 2022-23 was approved by full Council on 4th July 2022.

Where the Scheme is amended during the period to which it relates, any increases in allowances agreed shall have effect from the beginning of the financial year.

1. BASIC ALLOWANCE

- 1.1. Each Member of the Council will be entitled to receive a Basic Allowance of £10,985, which is intended to cover the cost of intra-borough travel and subsistence.

2. SPECIAL RESPONSIBILITY ALLOWANCES

- 2.1. Members holding the following posts will be entitled to receive the amounts listed in addition to their Basic Allowance:

Band	Post	Amount
1	Leader of the Council	£42,655
2	Cabinet Members (x 9)	£26,660
3	Leader of the opposition	£17,355
	Mayor	£17,355
4	Chief Whip of the administration group	£11,570
	Chair of Planning Committee	£11,570
5	Chairs of Scrutiny Committees (x 5)	£9,595
	Chair of Pension Committee	£9,595
	Chair of Licensing Committee	£9,595
	Chair of Audit and Corporate Governance Committee	£9,595
	Member of the Adoption, Fostering and Permanence Panel	£9,595
6	Leader of the second opposition group	£5,865
	Deputy Leader of the largest opposition group	£5,865
	Whip of the largest opposition group	£5,865
	Deputy Whip of the administration group	£5,865
	Deputy Mayor	£4,265
7	Cabinet Advisors (x4)	£2,130

¹ Local Government and Housing Act 1989; Local Authorities (Members' Allowances) Regulations 1991; Local Authorities (Members' Allowances) (Amendment) Regulations 1995, Local Authorities (Members' Allowances) (England) Regulations 2001

² Local Government Act 2000

³ By virtue of Regulation 3 of the Local Authorities (Members' Allowances) (England) Regulations 2001

2.2. No Member may receive more than one Special Responsibility Allowance.

3. WITHHOLDING ALLOWANCES

3.1 If a Member of the Council does not serve as an elected member for the whole of the 12 month period, becomes disqualified or if they cease to perform the duties for which the allowance is payable in respect of Special Responsibility Allowances, they will only be entitled to pro-rata payments for the period(s) during which they undertake the duties.

4. TRAVELLING, SUBSISTENCE, MOTOR MILEAGE AND CYCLE ALLOWANCES

4.1. Travelling, subsistence, motor mileage and cycling allowances will be paid at the rates set out below, subject to the clauses in each sub-section. The following clauses apply to all of these allowances:

- i) The rate payable is the rate in force on the day on which the qualifying duty is undertaken;
- ii) Payments will only be made for approved meetings outside of the borough, bar the cycle allowance. Intra-borough travel and subsistence is incorporated into the basic allowance;
- iii) The amount reimbursed will be the actual amount spent, subject to any cap as set out below; and
- iv) Receipts must be produced in respect of all claims.

a) Travelling Allowance

4.2. Payments in respect of the travelling allowance are capped as follows:

Type of transport	Method of capping
Public transport	The amount of the standard fare or any available cheap fare.
Taxis	In cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid.
	In any other cases, the amount of the fare for travel by appropriate public transport.
Hired motor vehicles other than a taxi	The applicable motor mileage allowance rate.
Air	Where it is agreed that the saving in time is so substantial as to justify the payment of the fare for travel by air, or the cost of the airfare is less than other appropriate means of transport, the standard fare or any available cheap fare.
	Where no appropriate alternative means of transport is available or in cases of urgency, the fare paid.
	In all other cases, the rate payable had the journey been undertaken by appropriate alternative means of transport.

b) Subsistence

- 4.3. Subsistence rates are based on the time at which the meal is taken and the number of hours away from the normal place of residence. The current maximum amounts which may be claimed, are as follows:

Meal	Requirement to make claim	Maximum claimable
Breakfast	More than 4 hours away before 11.00	£6.46
Lunch	More than 4 hours away including 12.00 to 14.00	£11.53
Tea	More than 4 hours away including 15.00 to 18.00	£3.55
Evening	More than 4 hours away ending after 19.00	£11.09
Overnight	Normal overnight absence	£95.86
	Stays in London or where attending an approved conference.	£108.99

- 4.4. Where a meal is provided free of charge, the subsistence rate payable for a particular period is reduced accordingly.
- 4.5. Where there is an entitlement to subsistence, the reasonable cost of a meal taken on a train may be reimbursed in line with the relevant meal allowance.

c) Motor Mileage Claims: casual users

- 4.6. Mileage allowance claims must be submitted with the required information regarding vehicle capacity. Where the relevant information is not supplied; payment will be made at the lowest rate applicable on the day to which the claim relates.

Engine Capacity (cc)	Up to 8500 miles per annum (pence per mile)	After 8500 miles per annum (pence per mile)
451 to 999cc	46.2	14.3
1000 to 1199cc	50.5	14.7
1200+	63.3	17
Motorcycle	20.5	

d) Cycle Allowance

- 4.7. Members who regularly use their cycles to travel to and from the Town Hall and for travelling around the borough whilst carrying out their official duties may claim a regular casual user's allowance of £194.99 per annum, noting:
- The Borough Solicitor may remove the allowance at any time but will consult the Member in advance;
 - The allowance is paid in 12 monthly instalments;
 - Members must notify the Borough Solicitor if the cycle is no longer available for use.

5. CO-OPTED MEMBERS OF SCRUTINY COMMITTEES

- 5.1. Statutory co-opted members of scrutiny committees are entitled to claim back reasonable travel and subsistence expenses incurred in respect of their attendance at approved meetings.
- 5.2. Co-opted members will be expected to produce tickets and / or any receipts to the clerk of the Scrutiny Committee for onward transmission and processing by the Head of Member Support.
- 5.3. Letters explaining the scheme will be sent to all co-opted members at the start of their term of office.

6. INDEPENDENT PERSONS OF THE COUNCIL AND INDEPENDENT MEMBER OF THE AUDIT AND CORPORATE GOVERNANCE COMMITTEE

- 6.1. Independent Persons⁴ appointed by the Council and an independent member of the Audit and Corporate Governance Committee are entitled to an allowance of £1,130 per annum, which will be paid in monthly instalments.

7. DEPENDENT CARERS' ALLOWANCES

- 7.1. Members who are the main carers of dependent relatives, and require care provision for a dependent relative or co-habitee to enable the councillor to perform an approved duty, may be reimbursed their actual costs incurred up to a maximum gross hourly rate equal to the London Living Wage (currently £11.05).
- 7.2. The allowance is payable for the length of the qualifying duty plus up to half an hour each side to cater for care during the councillor's travel to and from the duty.
- 7.3. Dependants are defined as:
 - Children aged fifteen or less;
 - Relatives and co-habitees requiring full time care.
- 7.4. The list of qualifying duties are set out in Appendix A.
- 7.5. Payments made under this scheme are considered by Her Majesty's Revenue and Customs as a taxable benefit and as such both tax and National Insurance are payable.
- 7.6. The allowance is not payable in respect of a close relative or member of the councillor's household who has provided the care, nor if the carer is under the age of sixteen.
- 7.7. Councillors wishing to claim the allowance will need to complete a Dependent Carers' Allowance claim form, the form of which will be determined by the Borough Solicitor.

⁴ As defined and statutorily appointed under Section 28(7) of the Localism Act 2011

8. MATERNITY, ADOPTION, SHARED PARENTAL, PATERNITY AND SICKNESS PAY

- 8.1. All Members shall continue to receive their Basic Allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave.
- 8.2. Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave. The Council (or Leader in case of Cabinet Members) may, depending on the circumstances, appoint a replacement to cover the period of absence who will be entitled to the SRA pro rata for the period of the temporary appointment.
- 8.3. Full details of entitlement to leave and allowances as a result of maternity, adoption, shared parental, paternity and ill health are attached at Appendix B.

9. PAYROLL ARRANGEMENTS

- 9.1. All elected Members of the Council will automatically be put onto the Council's payroll to receive their Basic Allowance and any Special Responsibility Allowance payment to which they may be entitled.
- 9.2. Councillor claims for other payments not covered by monthly payroll transfer such as out of borough travel and subsistence are to be made on forms, which are obtainable from Member Support.
- 9.3. Members should write to the Head of Member Support if they do not wish to receive any/all of their allowances.

10. TIME LIMIT ON CLAIMS

- 10.1. All claims for allowances not covered by automatic monthly payroll transfers, must be submitted to the Head of Member Support, together with the appropriate receipts, within 2 calendar months of the date on which the qualifying duty was carried out.

11. ANNUAL UPLIFT

- 11.1 The Council has decided to annually uplift all allowances – other than the Dependent Carers Allowances which is set at the London Living Wage – in line with the national cost of living increase in the local government pay settlement for officers awarded for the previous financial year.

12. MEMBER ACCESS TO THE LOCAL GOVERNMENT PENSION SCHEME (LGPS)

- 12.1. Following regulations issued by the Government, no new councillors elected after 1 April 2014 are able to join the Local Government Pension Scheme. Any councillor who was a member of the Local Government Pension Scheme previously has ceased to have access to the Scheme but retains their previously accrued rights in accordance with the regulations.

13. ADVICE / ASSISTANCE

- 13.1. Elected members, Independent Persons, the independent member of the Audit and Corporate Governance Committee, and co-opted members of the scrutiny committees who require advice or assistance regarding their claims should use the following contacts:

Head of Member Support Olivia Mensah 020 7974 6409 Email: olivia.mensah@camden.gov.uk	HR Services Phone: 020 7974 6655 Email: HRServices@camden.gov.uk
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Appendix A: Duties of a councillor

The following categories are those duties defined in legislation⁵ for which claims for travel, subsistence and dependent carers' allowances can be made:

- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that -
 - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited, or
 - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996, and
- (h) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.

The Borough Solicitor will interpret these categories where there is any uncertainty in connection with an allowances claim, and their ruling will be final.

⁵ The Local Authorities (Members' Allowances) (England) Regulations 2003

Appendix B: Members' entitlement to leave and allowances as a result of maternity, adoption, shared parental, paternity or ill-health

1. INTRODUCTION

- 1.1. This document sets out Members' entitlement to allowances in cases of maternity, adoption, shared parental, paternity and sickness leave.

2. ALLOWANCES DURING MATERNITY, ADOPTION, SHARED PARENTAL AND PATERNITY LEAVE

- 2.1. A Member on maternity, adoption, shared parental or paternity leave will continue to receive the basic allowance as long as they remain a councillor. They will continue also continue to receive their SRA allowance for a six month period subject to review and possible extension by six months.

3. DURATION AND NOTIFICATION OF MATERNITY, ADOPTION, SHARED PARENTAL AND PATERNITY LEAVE⁶

- 3.1. On receipt of the information set out below, Democratic Services will within two weeks acknowledge that the period of absence has been noted and forward the information to HR services as appropriate.
- 3.2. The Head of Member Support will write to the Member to confirm the continuation of allowances and until what date they will continue subject to review.
- 3.3. Leave arrangements are unaffected by the number of children born from a single pregnancy or placed as part of a single adoption.

a) Maternity Leave

- 3.4. A Member is entitled to take up to 52 weeks maternity leave starting no earlier than the 11th week before the expected week of childbirth.⁷
- 3.5. The Member must notify the Head of Member Support of their intention to take maternity leave in writing no later than 28 days before the date they wish the period of maternity leave to start and:
 - i) Confirm the expected date of childbirth;
 - ii) Provide a copy of the MATB1 (available from a doctor or midwife);
 - iii) Confirm the dates which the Member will be absent.

b) Adoption Leave

⁶ **Borough Solicitor's Note:** The right to have extended maternity, paternity, shared parental, adoption and sickness leave does not waive the legal requirement for a councillor to attend at least one meeting of the authority or one of its committees or sub-committee every six months. Therefore, once an application for extended leave has been made the Borough Solicitor will present a report to Council seeking approval for the Member to be absent for the period requested. At the end of the agreed period of absence, the requirement for the Member to attend a meeting at least once every six months will start again.

- 3.6. A Member is entitled to take up to 52 weeks of adoption leave starting no earlier than 14 days before the child is expected to be placed and no later than the expected placement date.
- 3.7. The Member must notify the Head of Member Support of their intention to take adoption leave in writing no later than 28 days before the date they wish the period of adoption leave to start and:
- i) Confirm they are the Main Adopter and the date the child is expected to be placed for adoption (UK Adoption) or the date on which the date on which the child is expected to enter Great Britain (Overseas Adoption);
 - ii) Provide a copy of the matching certificate/official notification;
 - iii) Confirm the dates which the Member will be absent.

c) Shared Parental Leave

- 3.8. A Member is entitled to Shared Parental Leave if they have (or share with the other parent) the main responsibility for the care of the child and are either the Mother, Father, Main Adopter or Other Adopter of the child, or the spouse, civil partner or partner of the Mother/Main Adopter.
- 3.9. A Member may share up to 50 weeks leave if the Mother/Main Adopter curtails their maternity/adoption leave before using their full entitlement of 52 weeks. The number of weeks available as Shared Parental Leave will be reduced by the number of weeks maternity or adoption leave that has already been taken by the Mother or Main Adopter.
- 3.10. Shared Parental Leave can be taken as one continuous block or in multiples of complete weeks, but must end no later than one year after the birth/placement of the child.
- 3.11. The Member must notify the Head of Member Support of their intention to take shared parental leave in writing no later than 28 days before the date they wish the period of shared parental leave to start and:
- i) Confirm their entitlement to shared parental leave and the expected (or actual) date of birth/placement;
 - ii) Confirm the start and end dates of the Mother/Main Adopter's maternity/adoption leave, the amount of shared parental leave available and how much each parent intends to take;
 - iii) Provide a copy of the MATB1 or matching certificate/official notification;
 - iv) Confirm the dates which the Member will be absent.

d) Paternity Leave

- 3.12. A Member is entitled to take up to two weeks paternity leave to help care for the child if they are either: the biological father of the child; the spouse, civil partner or partner of the Mother/Single Adopter; or are the Other Adopter of the child.

- 3.13. The Member may take one week or two consecutive weeks of paternity leave, but not single days or less than a week's duration. Paternity leave must be taken within two months of the birth or adoption.
- 3.14. The Member must notify the Head of Member Support of their intention to take paternity leave in writing no later than 28 days before they wish the period of paternity leave to start and:
- i) Confirm the expected date of childbirth; or date the child is expected to be placed for adoption (UK Adoption); or the date on which the date on which the child is expected to enter Great Britain (Overseas Adoption);
 - ii) Provide a copy of the MATB1 or matching certificate/official notification;
 - iii) Confirm the dates which the Member will be absent.

4. VARYING THE DATES OF MATERNITY, ADOPTION, SHARED PARENTAL AND PATERNITY LEAVE

- 4.1. If the Member wishes to change the start date of a period of leave they should write to the Head of Member Support no later than 28 days before either the original start date or the new start date (whichever is earlier). The Head of Member Support will ensure that HR Services are informed within 2 working days of receipt of the details.
- 4.2. If the Member wishes to change the end date of a period of leave they should write to the Head of Member Support at least 28 days before either the original end date or the new end date (whichever is earlier). The Head of Member Support will ensure that HR Services are informed within 2 working days of receipt of the details.
- 4.3. HR Services will provide confirmation that the information on revised dates has been received and that relevant re-instatement or adjustment of any SRA has taken place, with a copy to Democratic Services, within 10 working days.

5. SICKNESS LEAVE

- 5.1. A Member who is sick for a period longer than 2 months will continue to receive the basic allowance as long as they remain a councillor. They will also continue to receive any SRA for a six month period subject to review and a possible extension by six months.

6. RESIGNING FROM OFFICE AND ELECTIONS

- 6.1. If a Member decides not to return to office following during their maternity, adoption, shared parental, paternity or sickness leave the Head of Member Support must be notified. HR Services must then be informed within two working days of receiving notification. Allowances will cease from the effective resignation date.
- 6.2. If an election is held during the Member's maternity, adoption, shared parental, paternity or sickness leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate

will cease from the Monday after the election date when they would technically leave office.

ENDS