

## Members' Allowances

All councillors are legally entitled to a "basic allowance" in respect of their duties as a member of the Council. They may also receive certain other allowances if the authority so decides. The County Council, in the light of a report and recommendations of an independent Remuneration Panel set up for the purpose, has agreed allowances in respect of:

- special responsibilities borne by some members;
- travelling and subsistence expenses necessarily incurred to enable them to perform certain duties as a councillor;
- costs incurred by councillors in arranging for childcare and the care of other dependent relatives where necessitated by their duties as a councillor.

The allowances and pension entitlements - including the amounts of the allowances agreed by the Council, conditions for payment and the categories of duty eligible for travelling, subsistence and carers' allowances - are set out in a formal "Allowances Scheme" under section 18 of the Local Government and Housing Act 1989 (as amended) and the Local Authorities (Members' Allowances) (England) Regulations 2003. The provisions of the current Scheme are set out on the following pages.

## Members' Allowances Scheme

Set out below are the provisions of the County Council's current **Members' Allowances Scheme** that applied from 1 April 2015, as amended by the decisions of Council on 2 April 2019 and 4 May 2020. The appended Schedule 1 reflects the annual up-lift for Members Allowances at the agreed rates in line with staff pay awards.

### Basic Allowance

1. Subject to the provisions of this Scheme, a basic allowance of £11,013.77 shall be paid to each councillor for each year.

### Special Responsibility Allowances

2. Subject to the provisions of this Scheme, a special responsibility allowance shall be paid for each year to those councillors who have the special responsibilities in relation to the authority that are specified in Schedule 1.
3. Subject to the provisions of this Scheme, the amount of each such allowance shall be the amount specified against that special responsibility in Schedule 1.
4. Any special responsibility allowance payable under paragraphs 2 and 3 shall be in addition to the basic allowance payable under paragraph 1.

### Part-Year Entitlements

5. The provisions of the following paragraphs shall have effect to regulate the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year:
  - (a) this Scheme is amended, or
  - (b) a person becomes, or ceases to be, a councillor, or
  - (c) a councillor accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
6. Where as a result of such an event an entitlement to an allowance commences or terminates, the amount payable shall be assessed on the basis of the number of days in the year on which the entitlement applies, as a proportion of the number of days in that year.
7. Where the effect of such an event is to amend an entitlement in respect of the amount of the allowance, the amended amount shall be payable from the beginning of the day on which the amendment comes into effect, and subject thereto the amounts payable shall be assessed on the basis of the number of days in the year on which the respective entitlements apply, as a proportion of the number of days in that year.

## Indexation

8. The basic and special responsibility allowances and the co-optee's allowance to the Chairman of the Audit Working Group (sections 15 and 16), shall be amended annually by reference to the annual pay settlement for local government staff. The amendment shall take effect on the date on which the settlement for staff takes effect.

## Travelling and Subsistence Allowances

9. Subject to paragraph 13, an allowance shall be paid to:
  - (a) any councillor; and
  - (b) any co-opted member;in respect of travelling and subsistence undertaken in respect of any duty specified in Schedule 2.
10. Subject to paragraph 13 below the amounts payable shall be the amounts which are for the time being payable to officers of the Council in respect of travelling and subsistence undertaken in the course of their duties.
11. The payment of travelling and subsistence allowances is subject to the following conditions and limitations:
  - (a) Travelling allowance by rail is the standard class fare.
  - (b) Expenses are not payable to the extent that they are claimable from any other body.
  - (c) In calculating the length of time to be taken into account for the purposes of subsistence allowance, the time reasonably spent by the councillor in travelling to and from the place at which the relevant duty is performed shall be included.
  - (d) No allowances are payable in respect of attendance at meetings of governing or managing bodies of schools.
  - (e) When meals are provided by the County Council, subsistence allowance is not payable.

## Dependants' Carers' Allowances

12. An allowance shall be paid to any councillor in respect of such expenses of arranging for the care of his/her child(ren) or dependant(s) as are necessarily incurred in carrying out any duty specified in Schedule 2.

13. The amount payable shall be the actual cost incurred in providing such care up to the following maximum hourly rates:
  - (a) Child care - £6 per hour;
  - (b) Care for an adult dependent relative - £17 per hour.
14. In calculating the length of time to be taken into account for the purposes of the preceding paragraph, the time reasonably spent by the councillor in travelling to and from the place at which the relevant duty is performed shall be included.

## **Co-optees' Allowances**

15. A co-optees' allowance shall be payable to an independent co-opted member of the Audit & Governance Committee when the co-opted member serves as chairman of the body known as the Audit Working Group which exists to advise that Committee.
16. The allowance payable under the preceding paragraph shall be £5,370.85 per annum.

## **Claims and Payments**

17. Subject to the following paragraph, payments shall be made in respect of basic and special responsibility allowances in instalments of one-twelfth of the amounts respectively specified in this Scheme, paid on the last working day of each month.
18. 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 to which, by virtue of paragraphs 5-7, 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.
19. Where a councillor is also a member of another authority that councillor may not receive allowances from more than one authority in respect of the same duties.
20. A claim under the travelling and subsistence and dependants' carers' allowance provisions of this Scheme:
  - (a) shall be made in writing within two months from the date of performance of the duty in respect of which the claim is made;
  - (b) shall be accompanied by:
    - (i) receipts and/or any other relevant evidence of the costs incurred;

- (ii) a statement by the councillor who is claiming the allowance that he/she is not receiving remuneration in respect of the matter to which the claim relates otherwise than under this Scheme; and
21. shall be subject to such validation and accounting procedures as the Council's Chief Finance Officer may from time to time prescribe.
22. Payments shall be made in respect of such claims on the last working day of each month in respect of any claim received by the monthly deadline.

## **Renunciation and Suspension**

23. A councillor may at any time and for any period, by notice in writing given to the Head of Paid Service, elect to forego any part of his/her entitlement to an allowance under this Scheme.
24. In the event that a councillor or co-opted member is suspended from office all allowances that would otherwise have been payable to him/her under this Scheme in respect of the period for which the suspension is effective shall be withheld.

## **Interpretation and General**

25. In this Scheme:
- (a) any reference to a paragraph or Schedule means a paragraph or Schedule to this Scheme;
  - (b) "councillor" means a member of the Oxfordshire County Council who is a councillor;
  - (c) "co-opted member" means any co-opted member of a committee or sub-committee of the Council who is not a councillor;
  - (d) "year" means the 12 months ending on 31 March in any year.

## SCHEDULE 1

### Special Responsibility Allowances (per annum)

#### The Cabinet

- |                                |            |
|--------------------------------|------------|
| • Leader of the Council        | £31,940.87 |
| • Deputy Leader of the Council | £22,027.55 |
| • Other Members of the Cabinet | £17,622.65 |

#### Committees

- |                                   |            |
|-----------------------------------|------------|
|                                   | Chairman   |
| • Each Scrutiny Committee         | £ 6,608.88 |
| • Horton HOSC#                    | £ 4,957.00 |
| • Audit & Governance Committee    | £ 6,608.88 |
| • Planning & Regulation Committee | £ 6,608.88 |
| • Pension Fund Committee          | £ 6,608.88 |

#### Other Office Holders

- |   |            |
|---|------------|
| • Chairman of the Council               | £ 9,361.55 |
| • Vice-Chairman of the Council          | £ 2,340.65 |
| • Leader of the Opposition              | £ 8,810.81 |
| • Shadow Cabinet Members                | £ 2,753.70 |
| • Locality Meeting Chairman             | £ 550.74   |
| • Police and Crime Panel member*        | £ 1,652.22 |
| • Police and Crime Panel chairman*#     | £ 6,608.88 |
| • Police and Crime Panel vice-chairman* | £ 3,304.44 |

\* Allowance only payable if the postholder is not a Cabinet Member

# Agreed by Council 2 April 2019

## SCHEDULE 2

### Travelling and Subsistence Allowance Dependants' Carers' Allowance Approved Duties

#### Duties specified by Regulation 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003

- (a) Attendance at a meeting of the Council or of any committee or sub-committee of the authority (i.e. where attending as a member of that committee or sub-committee).
- (b) Attendance at a meeting of any other body to which the Council make appointments or nominations, or of any committee or sub-committee of such a body.
- (c) Attendance at any other meeting the holding of which is authorised by the Council or a committee or sub-committee of the Council, or by a joint committee of the Council and one or more other authorities or a sub-committee of such a joint committee, provided that:
  - (i) so long as the Council 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 Council is not so divided, it is a meeting to which at least two members of the authority have been invited.
- (d) Attendance at a meeting of any association of authorities of which the Council is a member;
- (e) Attendance at a meeting of the Cabinet or any of its committees (i.e. when attending as a member of Cabinet or the committee).
- (f) The performance of any duty in pursuance of any standing order requiring a member or members to be present while tender documents are opened.
- (g) The performance of any duty in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises.
- (h) The performance of any duty in connection with arrangements made by the Council for the attendance of pupils at school approved for the purposes of section 342 (special schools) of the Education Act 1996.
- (i) The carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Council, or of any of its committees or sub-committees.

**Meetings authorised generally as provided by (c) above**

- (j) One pre-meeting with officers if such is held in relation to a meeting of a committee, sub-committee or working party by the Chairman, the Deputy Chairman and Opposition Group Spokesperson for the committee, sub-committee or working party (or their nominated substitutes).
- (k) One pre-meeting with officers if such is held in relation to a meeting of the Council by the Chairman and Vice-Chairman of the Council, each Group Leader (or his/her nominated substitute) and (in the case of the three largest political groups) his/her nominated Deputy.

**Duties approved generally as provided by (i) above**

- (l) The performance of any duty for the purpose of, or in connection with, the discharge of the functions of the Cabinet.
- (m) Attendance at any meeting of the Cabinet by a member who is not a member of the Cabinet.
- (n) The performance of any duty reasonably required in the capacity of a member of the Shadow Cabinet, including attendance at briefings with officers when acting in that capacity;
- (o) The attendance by leaders of a political group of the Council at formal meetings of the Council, Cabinet and any Committees for the purpose of keeping themselves informed of business;
- (p) The performance of duties such as interviewing candidates for appointment.
- (q) Attendance at public meetings.
- (r) The performance of duties (including visits) in connection with the work of a committee, sub-committee or working party by its Chairman, Deputy Chairman and other Opposition Group Spokesperson (or their nominated substitutes), or any two of them, with an appropriate officer.
- (s) Visits by individual councillors to County Council establishments where such visits are undertaken as part of an organised system of such visits on the instructions rather than merely by the invitation of the Council, a committee or sub-committee or the Cabinet.
- (t) The performance by the Chairman and/or the Vice-Chairman of the Council of such duties in relation to the Council as would entitle the Chairman and Deputy Chairman of a Council committee or sub-committee to travelling and subsistence allowances if performed in relation to the work of that committee or sub-committee.
- (u) Attendance by a member in the capacity of county councillor at parish and town council meetings within the relevant member's division.



- (v) Activities undertaken by the Member Champions in accordance with the duties described in the role profiles.
- (w) Meetings with officers undertaken by members in pursuance of bona fide constituency business where it is directly related to the discharge of Council functions and cannot expediently be dealt with by other means.
- (x) Attendance at duly authorised conferences, seminars and training events.
- (y) Attendance at other meetings/interviews which members are specifically invited or requested to attend by officers in connection with Council business.