

Councillors' allowances scheme from 1 April 2022

1. South Oxfordshire District Council, in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003, considered the report of its appointed Independent Remuneration Panel on 18 May 2017 and hereby makes the following scheme.
2. The scheme will apply from 1 April 2022.
3. In this scheme:
 - (a) 'councillor' means an elected councillor of the district council (the Council)
 - (b) 'co-opted member' means a person (other than a councillor) formally co-opted by resolution on to a committee of the Council for more than one meeting.
 - (c) 'calendar year' means a period 1 January to 31 December; 'financial year' means a period 1 April to 31 March; 'municipal year' means a period between Annual Council meetings.

Basic Allowance

4. A basic allowance of £5,585 is paid to each councillor.

Special Responsibility Allowances

5. The following special responsibility allowances are paid per annum to those councillors holding positions of:

Position of special responsibility	Allowance per annum
Chair of Council	£5,585
Vice-Chair of Council	£1,676
Leader of the Council	£22,340
Deputy Leader	£13,404
Other Cabinet members	£11,170

Position of special responsibility	Allowance per annum
Leader of the main Opposition Group	£5,585
Chair of Scrutiny Committee	£3,351
Chair of Planning Committee	£6,702
Vice-Chair of Planning Committee	£3,351
Chair of the Joint Audit and Governance Committee	£3,351
Chair of General Licensing Committee	£1,676
Chair of the Community Governance and Electoral Issues Committee	£1,676
Chair of the Community Grants Panel	£1,676
Chair of Climate and Ecological Emergencies Advisory Committee	£3,351

6. Where a councillor is entitled to more than one special responsibility allowance, only the higher or highest special responsibility allowance shall be paid.
7. Chairs and vice-chairs of committees not listed here are not paid a special responsibility allowance.
8. If the council abolishes a committee, any relevant special responsibility allowance will cease.
9. If the remit of any committee is substantially altered, the existing special responsibility allowance shall continue to be paid until the Independent Remuneration Panel decides to recommend otherwise.

Co-opted members of committees

10. Co-opted members of the council's committees are entitled to travel, subsistence and other expenses in accordance with the scheme applicable to councillors.

Travel and subsistence allowance

11. Travel and subsistence allowances shall be paid where a councillor, a co-opted member or Independent Person has necessarily incurred costs on travel or subsistence in carrying out any approved duty specified in Schedule 1 to this scheme.
12. The amount of travel and subsistence allowances payable shall be at the maximum levels payable to council staff in line with the HM Revenue and Customs' rates.

13. Mileage claims can be made for travel between home and the meeting place(s) but normally in no other circumstances.
14. When it is impossible or impractical to use public transport or a councillor's normal private transport then, with the prior approval of the head of legal and democratic, the actual fare by taxi/private hire vehicle together with reasonable gratuity (up to 10 per cent of the fare) will be paid on submission of a receipt.
15. In cases where prior approval was not sought or given, a claim for mileage by private car can be made. In cases of urgency retrospective approval can be requested of the head of legal and democratic.
16. Where it is impossible or impractical for a councillor to use their private transport or use public transport due to a disability, then the councillor may seek approval from the head of legal and democratic to use a taxi or private hire vehicle to travel to attend meetings or events specified as an approved duty in Schedule 1 to this scheme. This approval shall be effective until the councillor's re-election when a new approval will be required. The council will pay the actual fare together with reasonable gratuity (up to 10 per cent of the fare) on submission of a receipt.
17. Claims must be made on the correct form, signed, and sent to democratic services.

Dependants' Carer's Allowance

18. A dependants' carer's allowance shall be paid where a councillor has necessarily incurred expenditure for the care of one or more children or a dependent relative while undertaking any of the approved duties specified in Schedule 1 to this scheme. This allowance shall be no more than the costs incurred up to the following hourly limits and include a reasonable time for travel and 15 minutes for hand-over:

Childcare and general care - in line with the Real Living Wage Rate as recommended by the Living Wage Foundation. No monthly maximum.

Specialist Dependent Relative Care - this should be reimbursed at the actual cost upon production of receipts. In the case of reimbursement for specialist care, medical evidence that this type of care is required must also be provided. No monthly maximum.

19. Claims are not restricted to care provided by formal carers but every claim must be supported by a receipt or invoice.
20. Any amount exceeding the hourly limit will be paid only in exceptional circumstances.
21. A councillor cannot claim for more than one carer at the same time.

Claims and payments

22. Where councillors attend a meeting at which they are representing more than one council or organisation, they must ensure they claim travel, subsistence and carer's allowances from one council or organisation only.

23. Any claim for payment of travel, subsistence and carer's allowances under this scheme shall be made in writing on the correct claim form within two months of the date of the duty to which the claim relates. Claims must be submitted through the council's MyView expenses system.
24. Mileage claims will not be paid unless supported by a VAT receipt for petrol. Other claims will not be paid unless dated receipts confirming the expenditure incurred are provided.
25. Basic allowances and special responsibility allowances will be paid monthly in instalments of one-twelfth of the annual amount payable. Payments will be made by BACS transfer on the same date as officers are paid. Travel and subsistence claims will be paid along with the basic allowances and special responsibility allowances.

Provision to forego allowances

26. Any councillor may elect to forego or transfer all or any part of their entitlement to allowances under this scheme. If a councillor does not want to be paid their basic allowance or special responsibility allowance they must inform the head of legal and democratic in writing.
27. If a councillor later wishes to start being paid a basic allowance or special responsibility allowance they must inform the head of legal and democratic in writing. They may not claim for more than three months' backdated allowances.
28. A councillor who has elected to forego all or part of his/her basic allowance and/or special responsibility allowance is still entitled to claim travel, subsistence, and carer's allowances.

Part year entitlements, repayment and when allowances start

29. Where a councillor becomes or ceases to be a councillor, or accepts or relinquishes any special responsibility for which an allowance is paid, allowances will be paid pro-rata to the number of days during the financial year in which he/she was a councillor or held the special responsibility.
30. Where a councillor has already received payment of any allowance for any period during which they are no longer a councillor or not entitled to receive the allowance that part of the allowance shall be repaid to the council.
31. The Chair and Vice-Chair of Council shall receive the appropriate special responsibility allowance from the day of his/her election to the specific role, ending on the day of the next annual meeting of the Council.
32. The chair of a committee shall receive the appropriate special responsibility allowance from the day of his/her election to the specific role, ending on the day of the first meeting of a committee in the municipal year where a new chair is elected to that specific role.
33. The Leader of the Council shall receive the appropriate special responsibility allowance from the day of his/her election as Leader until the day of the next post-election annual meeting or the date he/she ceases to be Leader.

34. A councillor who is nominated as a Cabinet member shall receive the appropriate special responsibility allowance from the date that the Leader states that their responsibility starts. The allowance shall cease on the date that the Leader states that their responsibility ends, or they resign the post, or cease to be a councillor, whichever is the earlier.
35. In a district council election year, all special responsibility allowances except that paid to the Chair of Council and the Leader of the Council will cease on the fourth day after the date of the election.

Pensions

36. Councillors are not eligible to join the local government pension scheme.

Publicity

37. As soon as practicable after 1 April each year the head of legal and democratic will make arrangements for the publication of the total paid to each councillor and co-opted member in each category of allowance in the preceding financial year.

Review of the scheme

38. Regulation 21(e) of the Local Authorities (Members Allowances) (England) Regulations 2003 states that the adjustments to the level of allowances may be determined according to an index, subject to a maximum of four years before its application is reviewed.
39. From May 2022 until May 2025, the basic and special responsibility allowances payable under this scheme will be increased on 1 April each year at the same rate as that applied to staff salaries. After May 2025, this scheme shall be reviewed by an Independent Remuneration Panel.
40. Travel and subsistence allowances will be increased to the maximum rates payable to officers of the council in line with the HM Revenues and Customs' rates.

Schedule 1 – approved duties for the purposes of payment of travel, subsistence, and carer’s allowances

Authorisation

1. The head of legal and democratic has the authority to approve or refuse any claim.

Meetings – general provision

2. Attendance at any meeting, the holding of which is authorised by the council or a committee or sub-committee or panel, provided that it is a meeting to which members of at least two political groups have been invited.

Council and committee meetings

3. Attendance:
 - (a) at a meeting of the Council or a committee or sub-committee or panel of which the councillor is a member or acting as a substitute member;
 - (b) at a meeting of a committee or sub-committee or panel where the councillor is attending to represent the views of their ward on a report relating to that ward, or to represent the views of their political group, **but not where** the purpose is merely to observe and not to take part in the meeting;
 - (c) by ward councillors at formal visits of a committee accompanied by an officer to a site or event;

Events organised or promoted by the authority

4. Attendance at:
 - (a) training events, seminars and presentations organised by the council;
 - (b) training events, conferences, seminars and tours not organised by the council but previously approved by the head of legal and democratic.

Meetings with officers

5. Attendance at:
 - (a) a meeting of one or more councillors called in pursuance of any function of the Council;
 - (b) a meeting with an officer at the council offices or elsewhere (but not purely in relation to ward matters);
 - (c) a meeting of a councillor in receipt of a special responsibility allowance (or their deputy) with an officer in relation to the functions for which they receive that allowance, including briefing meetings;
 - (d) a meeting for the opening of tenders where such attendance is required by the Council’s Constitution;
 - (e) a meeting of councillors and officers with other principal authorities.

Meetings outside the council

6. Attendance:

- (a) at properly convened meetings of outside organisations, after appointment by the Leader or Council to those organisations and when acting as a representative of the Council;
- (b) at a meeting of any association of authorities of which the Council is a member;
- (c) solely in the capacity of district councillor at parish and town council meetings within the relevant councillor's ward. Where the councillor is also a parish/town or acting as a county councillor, no allowance shall be paid.

Other duties

7. Any other duty approved by the head of legal and democratic for the purpose of, or in connection with, discharging the functions of the Council or its committees.

Cases where no allowance can be claimed

8. No allowances can be claimed in the following circumstances unless an officer of the council has formally requested the councillor to attend to represent the council:

- (a) travel as a result of working on ward business, local issues, or individual casework;
- (b) attendance at school governing bodies;
- (c) political group meetings including meetings of more than one group;
- (d) events of a primarily social nature, unless this is a duty undertaken by the Chair or Vice-Chair of Council in their official capacity;

9. No allowances can be claimed in the following circumstances:

- (a) for any duty where the allowance should properly have been claimed from another body;
- (b) visits to sites before committee meetings other than those organised and attended by a council officer;
- (c) duties of a party political nature;
- (d) attendance at meetings within the councillor's own ward on business relating only to that ward.