

MEMBERS' ALLOWANCE SCHEME

Lancashire Police Authority, in exercise of the powers conferred by paragraph 29 of the Police Authority Regulations 2008, hereby makes the following Scheme:

1. Period of Scheme

This Scheme shall have effect for the year 1st April 2009 to the 31st March 2010 and subsequent years.

2. Definitions

In this Scheme

"Authority" means Lancashire Police Authority.

"Member" means Councillors, Independent Members appointed under paragraphs 7 and 9 respectively of the Police Authority Regulations 2008.

"Year" means the twelve months commencing 1st April.

3. Annual Updates

- 3.1. In this scheme, the total allowances shall consist of Basic Allowances and Special Responsibility Allowances. (For the avoidance of doubt, the previous hourly "Attendance Allowance" shall not be payable under this Scheme).
- 3.2. These total allowances, and any locally determined daily rate allowances (including the Day Subsistence Allowances but excluding mileage allowances), shall be updated annually in line with Support Staff percentage pay increases.

4. Basic Allowance

- 4.1. Subject to paragraph 7 below, an equal Basic Allowance shall be paid to every Member. The amount of Basic Allowance is detailed in paragraph 1 of Schedule 'A' of this Scheme.
- 4.2. This Basic Allowance is intended to recognise the time commitment expected of Members to enable them to carry out their duties effectively and to recognise that Members use their own homes and facilities in carrying out their work.

5. Special Responsibility Allowance

- 5.1. Subject to paragraph 7 below, each Member who holds a special responsibility as specified within this Scheme, will receive a Special Responsibility Allowance as detailed in paragraph 2 of Schedule 'A' of this Scheme in addition to the Basic Allowance. Where a member undertakes more than one special responsibility, they will be entitled to the highest of the allowances attaching to those responsibilities, but may only receive one special responsibility allowance in addition to the basic allowance.
- 5.2. In the event that a Lay Member appointed to serve on the Audit and Standards Committee is appointed to the position of Chair of that Committee, the Lay Member shall receive Chair's Special Responsibility Allowance.

6. Renunciation

A Member may elect to forego any part of his/her entitlement to an Allowance under this Scheme. Such election shall be in the form of a written notice delivered to the Treasurer to the Authority.

7. Adjustments to Entitlements in Year

- 7.1. The provisions of this section shall regulate the entitlements of a Member to Allowances where, in the course of a year:
 - 7.1.1. The scheme is amended.
 - 7.1.2. A person becomes, or ceases to be, a Member.
 - 7.1.3. A Member accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
 - 7.1.4. A Member is unable to contribute to the Authority's work due to a lengthy period of ill health.
 - 7.1.5. A Member is unable to carry out his/her duties for a short period due to the arrival of a new child, including an adopted child.
 - 7.1.6. A Member is suspended from the Authority.
- 7.2. If, during the year, the Scheme is amended and this results in a change to a Member's entitlement to Special Responsibility Allowance and/or Basic Allowance, the actual entitlement shall be based on:
 - 7.2.1. A proportion of the original annual Allowance based on the number of days up to the date of amendment plus
 - 7.2.2. A proportion of the revised annual Allowance based on the number of days from the date of amendment.

- 7.3. When the term of office of a Member either begins and/or ends during the course of a year, the entitlement to Basic Allowance shall be based on the number of days in office during that year. Similar pro rata entitlements will apply in situations where Basic Allowance is amended under sub-paragraph 7.2 above.
- 7.4. Where a Member has special responsibilities (as defined within this Scheme) for part of a year, the entitlement to Special Responsibility Allowance shall be based on the number of days during that year that the Member has held such special responsibilities. The entitlement shall be pro rata to a full year. Similar pro rata entitlement will apply in situations where Special Responsibility Allowances have been amended under sub-paragraph 7.2 above.

8. Long-term Sickness

Where a Member is unable to carry out his/her duties due to a period of long-term sickness:

- 8.1.1. The Member is entitled to receive the allowances to which he/she was previously entitled for a period of three months.
- 8.1.2. Should the incapacity last longer than three months, the Authority, together with the Member concerned, should consider whether he/she could continue to serve on the Authority, each case being considered on its individual merits.

9. Maternity/Paternity Arrangements

Where a Member is unable to carry out their full duties for a short period due to the arrival of a new child, including an adopted child, the allowances to which he/she was previously entitled shall continue to be paid for a period of no greater than three months. The Authority would need to agree any extension beyond three months on an individual basis.

10. Suspension

Where a Member is suspended for a breach of the Authority's Code of Conduct, or suspended during an investigation of an alleged breach of the Code of Conduct, no allowances shall be payable during the period of suspension. The Audit and Standards Committee will be asked to advise the Authority on the question of retrospective payment of the allowances to which he/she was previously entitled for the period of suspension once the outcome of the investigation is known. If a Member is fully exonerated, retrospective allowances will be paid automatically.

11. Travel Allowances

- 11.1. Members may be reimbursed for reasonable and necessary travelling expenses by public transport, including the actual and receipted cost of taxi fares where appropriate, incurred in order to undertake Authority business. If travelling by rail, Members are entitled to travel first class.

- 11.2. Where a Member uses his/her own motor car/motor cycle or bicycle, an appropriate mileage rate may be claimed, provided that the mileage is reasonable and necessary to undertake the Authority's business. These mileage rates, which are linked to those operated for Magistrate Members, are set out in Schedule 'B' of this Scheme. These mileage rates will be updated each year in line with any revised rates payable to Magistrates.
- 11.3. When a Member submits a mileage claim form, an original VAT receipt must be retained by the Member for all fuel purchased in relation to journeys for which a claim is being made. All receipts must be retained for a period of three years from submission of the relevant mileage claim form and Members may be asked to produce receipts in the event of an audit by Her Majesty's Revenue and Customs Department.

12. Subsistence Allowances

- 12.1. Where the nature of the duties being undertaken result in a Member being absent overnight from his/her usual place of residence, hotel accommodation will normally be booked by the Authority and either paid directly by the Authority or reimbursed to the Member based on actual receipted expenditure. In exceptional circumstances when a Member books his/her own overnight accommodation, the actual receipted cost of accommodation, including breakfast, will be reimbursed subject to a maximum allowance as set out in Schedule 'B' of this Scheme.
- 12.2. In the case of an absence from the usual place of residence an appropriate day subsistence rate may be claimed based upon expenditure actually incurred up to the limits defined for the various periods of absence from the usual place of residence. These maximum rates of allowances are set out in Schedule 'B' of this Scheme.
- 12.3. Subsistence allowances are not normally subject to taxation. However, where these allowances are paid for a period of attendance at the place where the meetings of the Authority or Committee normally take place, such payments are subject to tax and national insurance.
- 12.4. When main meals (ie full breakfast, lunch or dinner) are taken on trains during a period for which there is entitlement to day subsistence, the actual cost of meals (based on receipted expenditure and including VAT) may be reimbursed in full, even if they exceed the maximum rates referred to above.

13. Approved Duties for the purpose of claiming Travel and Subsistence Allowances

A list of approved duties for the purpose of claiming travel and subsistence allowances are set out at Schedule 'D' of this Scheme.

14. Carers'/Dependants' Allowances

- 14.1. Subject to paragraph 11.2, a carers'/dependants' allowance may be claimed in respect of children aged 16 or under or in respect of other dependants where there is medical or social work evidence that care is required.

- 14.2. Payment of carers'/dependants' allowances shall:
- 14.2.1. Be subject to a maximum hourly rate as set out in Schedule 'C' of this Scheme;
 - 14.2.2. Subject to 11.2.1, be based on receipted actual expenditure incurred;
 - 14.2.3. Not be payable in respect of payments made to a member of the Member's household or a close relative of the Member.

15. Daily Rate Allowances

- 15.1. In addition to the Basic Allowance/Special Responsibility Allowance, a Member may also claim a daily rate allowance, in accordance with the rates specified in Schedule 'C' of this Scheme, in respect of duties undertaken:
- 15.1.1. in connection with the Selection Panel stage of the appointment process for selecting Independent Members to serve on the Authority;
 - 15.1.2. whilst serving as a Member on a Police Appeals Tribunal and;
 - 15.1.3. Whilst serving as a Member of a determination hearing in relation to Member Misconduct proceedings.
- 15.2. A member may also claim the daily rate allowance for other particularly non-routine and onerous tasks, subject to approval by the Chief Executive and Treasurer, in consultation with the Chair of the Authority.

16. Monitoring of Attendance at Meetings

- 16.1. The Authority's Chief Executive will be responsible for monitoring Members' attendance at Authority meetings (including Committees and Working Groups). It is expected that Members will attend at least 70% of all Authority meetings on which they serve throughout the year. If a member, without good cause, fails to attend 70% of all Authority meetings on which they serve, this will be considered during the Member's annual performance development review meeting. If a Member fails to meet the minimum attendance requirement without good cause, and is unable to adequately demonstrate satisfactory fulfilment of basic member role statement and their contribution to the Authority in other ways, the Chair and Chief Executive may submit a report to the Authority recommending an appropriate sanction which may include the repayment of a proportion of their allowances.
- 16.2. The definition of good cause in paragraph 16.1 above includes, but is not restricted to, illness, unavoidable family or work commitments and attendance at a meeting of another public body at a local, regional or national level. For any other absence to be classified as being with good cause, the Member concerned should seek agreement from the Authority's Chief Executive.

17. IT Support

To enable Members to operate as effectively as possible the Authority will tailor arrangements for the provision of IT equipment and consumables to the reasonable requirements of each Member.

18. Lay Members on Audit and Standards Committee

- 18.1. Lay Members appointed to serve on Audit and Standards Committees and who are not Members of the Authority, are entitled to claim a daily rate allowance as set out in Schedule 'C' of this Scheme, plus appropriate travel and subsistence allowances.
- 18.2. In the event that a Lay Member appointed to serve on the Audit and Standards Committee is appointed to the position of Chair of the Committee, that Lay Member will receive Chair's Special Responsibility Allowance.

19. Independent Members on Misconduct Panels

Independent Members appointed to serve on Misconduct Panels and who are not Members of the Authority, are entitled to claim a daily rate allowance as set out in Schedule 'C' of this Scheme, plus appropriate travel and subsistence allowances.

20. Method of Payment

- 20.1. Payments of Basic Allowance and Special Responsibility Allowance shall be made monthly in arrears on the last working day of each month. The monthly amount payable shall be one-twelfth of the annual allowance(s) specified in this Scheme and subject to paragraph 7 above.
- 20.2. Separately, individual claims for travel, subsistence, carers'/dependants' and daily rate allowances shall be made on a monthly basis and be submitted to the Treasurer to the Authority as soon as possible at the end of each month. In particular, it should be noted that claims for allowances covering the period up to 31 March must be submitted to the Treasurer by the end of May. Failure to submit these year end claims within this time scale could result in non-payment.
- 20.3. Each travel and subsistence claim shall be certified by the claiming Member that he/she has not made and will not make any other claim in respect of the matter to which the claim relates otherwise than under this Scheme.
- 20.4. Claims received by the Treasurer on or before the 6th of each month will be paid with that month's end payment of Basic/Special Responsibility Allowance(s). Claims received after the 6th of the month will be paid with the following month end payment.

MEMBERS' ALLOWANCE SCHEME

SCHEDULE 'A'

Annual Allowance Rates

1. Basic Allowance

An annual Basic Allowance of £9,814.00 is payable to each Member.

2. Special Responsibility Allowance

The individual annual Allowances are as follows:

<u>Office</u>	<u>Amount (£)</u>
Chairman	13,375.00
Vice-Chairman	7,361.00
Chair of each Authority Committee	4,907.00
Leading Member (higher rate)	4,907.00
Leading Member (lower rate)	2,460.00

MEMBERS' ALLOWANCE SCHEME

SCHEDULE 'B'

Travel and Subsistence Allowances

1. Travel Allowance – Mileage Rates

- 1.1. The appropriate mileage rates for travel by a Member's own motor car, or motor cycle, are as follows:
 - 1.1.1. Up to and including 1100cc – 38p per mile
 - 1.1.2. From 1101cc to 1549 cc inclusive – 45p per mile
 - 1.1.3. 1550cc and above – 60p per mile
- 1.2. If official passengers are carried, an additional 6.0p per mile may be claimed for each passenger, up to a maximum of four passengers.
- 1.3. The mileage rate for use of a bicycle is 30.0p per mile.

2. Overnight Accommodation

Overnight accommodation will normally be booked directly by the Authority. In exceptional circumstances when it necessary for Members to book their own accommodation, the actual receipted cost of accommodation, including breakfast, will be reimbursed subject to a maximum allowance consistent with the rates paid directly by the Authority (currently £100.00 but subject to revision on an annual basis in the light of experience of direct booking costs).

3. Day Subsistence Allowances

The maximum rate of day subsistence in the case of an absence from the usual place of residence shall be:

- 3.1. For an absence of more than 4 hours, but less than 8 hours - £7.34
- 3.2. For an absence of more than 8 hours, but less than 12 hours - £10.23
- 3.3. For an absence of more than 12 hours - £19.31

(Claims should be based on expenditure actually incurred)

MEMBERS' ALLOWANCE SCHEME

SCHEDULE 'C'

Other Allowances

1. Carers'/Dependants' Allowances

The maximum hourly rate payable is £7.39.

2. Daily Rate Allowances

- 2.1. The daily rate allowance for Members involved in the Selection Panel stage of the appointment process for Independent Members of the Authority is £215.00 for a full day and £107.50 for a half day. A half day is defined as a period of duty, including travelling time, of four hours or less.
- 2.2. The daily rate allowance for Members serving on Police Appeals Tribunals is £211.50 for a full day and £104.50 for a half day. These rates of allowances are those for the time being approved by the Home Secretary. A half day is defined as a period of duty, including travelling time, of four hours or less.
- 2.3. The daily rate allowance for Lay Members serving on Audit and Standards Committees is £215.00 for a full day and £107.50 for a half day. A half day is defined as a period of duty, including travelling time, of four hours or less.
- 2.4. The daily rate allowance for Independent Members serving on Misconduct Panels is £215.00 for a full day and £107.50 for a half day. A half day is defined as a period of duty, including travelling time, of four hours or less.

MEMBERS' ALLOWANCE SCHEME

SCHEDULE 'D'

Definitions of Police Authority Business

1. Meetings of the Police Authority and any Committee, Sub-Committee, Panel, Working Group, Police Appeal Tribunal, or consultation/community engagement events, established or arranged by the Authority;
2. Seminars, conferences, training courses, visits, site inspections or other meetings relating to the interests of, and organised by, the Authority provided the meeting or attendance is authorised in advance by the Authority or any Committee, Sub-Committee, Panel or Working Group it has established;
3. Attendance at County Council and Unitary Authority Meetings when the Member concerned has been appointed to answer questions;
4. Meetings of any organisation or body to which the Authority appoints one or more of its members to represent it, if allowances are not payable by the organisation or body;
5. Meetings between the Chair and/or Vice Chair, of the Authority or any Committee, Sub-Committee, Panel or Working Group established by the Authority, with the Chief Constable and/or Chief Executive, and/or Treasurer of the Authority (or their representatives) to discuss the business of the Authority;
6. Any event of a civic, ceremonial or courtesy nature, or consultative meetings undertaken by the Chair and/or Vice-Chair as the representatives of the Authority;
7. Court or Tribunal hearings on behalf of the Authority when requested by the Chief Executive;
8. Official opening of new premises, open days, passing out parades and similar functions by invitations extended to all or some members of the Authority; and
9. Meetings between the Chief Constable and/or the Chief Executive and/or the Treasurer of the Authority (or their representatives) and any member nominated by a political group, or by the independent members, to discuss the business of the Authority provided the names of such nominees are notified to the Chair and the Chief Constable.
10. Such other function, meeting, duty or event that is agreed by the Chief Executive.