

Members' Allowances Scheme

Approved by the County Council at its meeting on 16 December 2016 with effect from 5 May 2017 and containing all subsequent approved amendments up to 6 November 2020

Part 6

Members' Allowances Scheme

The following scheme is made under the provisions of the Local Authorities (Members' Allowances) Regulations 2003 (as amended).

Definitions

In this scheme the following definitions apply:

'**member**' means an elected member of West Sussex County Council;

'**co-opted member**' means a non-Council member co-opted as a member of a West Sussex County Council Committee

'**year**' means the 12 months ending with 31 March.

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Basic, Special Responsibility, Travelling, Subsistence and Carer's Allowances

1. Basic Allowance

Every member will be entitled to a basic allowance of £12,202 per annum, effective from 1 April 2020.

2. Special Responsibility Allowances

- (a) For each year a special responsibility allowance will be paid to those members who hold one of the special responsibilities specified in [Schedule 1](#) to this scheme.
- (b) The amount of each such allowance will be the amount specified against that special responsibility in [Schedule 1](#).
- (c) No more than one special responsibility allowance will be paid to a member and no more than 35 posts within the structure will receive a special responsibility allowance.

3. Travelling

Members and co-opted members are entitled to receive travelling allowances for the duties set out in [Schedule 2](#).

4. Subsistence

Conferences and Meetings

- (a)
 - (i) Subsistence allowance for attendance at conferences, seminars and meetings shall be paid where appropriate in accordance with [Schedule 3](#). Subsistence allowances shall also be paid to members when travelling abroad as a member of another body where its business relates to the functions of the County Council and where that body's own allowances scheme does not cover the cost of subsistence. All such attendances should be classified in advance as an 'approved duty' by the relevant Cabinet Member or committee.
 - (ii) In approving such duties, the relevant Cabinet Member or committee will carefully consider the need to limit the number of members attending a particular conference or meeting.
 - (iii) Otherwise, subsistence allowances shall not be payable for County Council duties, members being expected to meet any such expenses from their basic allowances.

Official Visits

- (b) The County Council may defray travelling and other expenses of members on official visits inside or outside the United Kingdom, approved in advance by the relevant Cabinet Member or committee,

but where a Cabinet Member or committee does so approve an official or courtesy visit this must in the case of a Cabinet Member be published in The Bulletin or, in the case of a committee, be clearly stated in its minutes.

5. Carer's Allowance

The County Council will pay a carer's allowance to assist members with the care of family members as a consequence of their work as councillors, within the following categories:

- (a) Childcare Support – an annual maximum of £3,621 based on actual claims, paid up to a maximum hourly rate of £9.30 (which should be linked to the 'real' living wage) on the production of a receipt or other evidence of actual spend;
- (b) Dependant Carer's Support – an annual maximum of £7,654 based on actual claims, paid up to a maximum hourly rate of £20.53 (which is linked to the County Council's maximum usual hourly payment to home support carer workers for weekday daytime care) on the production of a receipt or other evidence of actual spend.

The Director of Finance and Support Services has discretion to waive the annual limit in individual cases, taking into account the level of support that a dependent needs and the number of dependents for whom a member has responsibility. Members of the claimant's own household will not be paid.

6. Amendments to the Scheme

- (a) Amendments to the scheme may be made at any time in accordance with Regulation 10(3) of the Local Authorities (Members' Allowances) Regulations 2003.
- (b) The rates of basic and special responsibility allowance will be automatically increased annually for inflation on 1 April each year based on the percentage increase awarded to West Sussex County Council staff as agreed by the National Joint Council. The mileage rate for travel expenses for private motor vehicle, motorcycle or bicycle use will be the published HMRC rate. Carer's allowance annual total rates and the rates for subsistence allowance will be automatically increased annually for inflation on 1 April each year in line with the Consumer Prices Index. The hourly rates for the carer's allowances will be increased annually in line with increases to the rates referred to in paragraph 5. These indexes will be reviewed at least once in the life of each County Council, that is every four years.
- (c) The scheme will be reviewed before the start of each financial year.

7. Payment of Allowances

- (a) Basic and special responsibility allowances will be paid in instalments of one-twelfth of the amount specified in the scheme on the penultimate Friday of each month. Travel expenses and any subsistence allowance claims for duties in paragraph 4, will be paid at

the end of the following month, subject to receipt of a claim form by the third day of that month.

- (b) Claims for carer's allowances, travelling and any subsistence allowances, together with receipts, shall be submitted to the Director of Finance and Support Services within two months of the duty for which the allowance has been claimed. Receipts for petrol are not mandatory but allow the Council to reclaim VAT on members' mileage.
- (c) If a member becomes or ceases to be eligible for a basic or special responsibility allowance during the course of a year, the entitlement will be adjusted by reference to the number of days for which entitlement existed relative to the number of days in that year.
- (d) If a member is suspended or partially suspended for a period of time from his or her duties as a member of the County Council or is in any other way not entitled to receive an allowance, basic allowance, special responsibility allowance and travelling and subsistence allowances can be withheld and, where any payment of allowance has already been made, the County Council may require that such part of the allowance as relates to any such period be repaid. Carer's allowance may not be withheld.
- (e) If a member is also a member of another authority, that member may not receive travelling, subsistence or carer's allowance from more than one authority in respect of the same approved duty.

8. Parental and Special Leave

- (a) ***If a member notifies the Council that they are taking Parental or Special Leave in accordance with the Council's Parental Leave or Special Leave policies, the member remains entitled to the basic allowance.***
- (b) ***If a member notifies the Council that they are taking an extended period of leave of more than two months, then the entitlement to a special responsibility allowance will cease at the two-month point. If a member takes leave of an uncertain duration that eventually becomes a period longer than two months, then any special responsibility allowance will cease at the two-month point. If at any time another 'replacement' member is appointed to the role, then the special responsibility allowance for the original member will cease at the time that the replacement member begins to perform the role.***

9. Renunciation

A member may by notice in writing given to the Director of Law and Assurance elect to forego any part of his/her entitlement to an allowance under this scheme.

Schedule 1

Special responsibility allowances will be paid as follows, effective from 1 April 2020:

Special Responsibility Allowances

| Appointment | Allowance per member £ per annum |
|---|---|
| Chairman of the County Council | 20,162 21,663 |
| Leader of the Council | 33,849 |
| Vice-Chairman of the County Council | 8,450, 8,616 |
| Cabinet Member (and Deputy Leader) | 24,371 |
| Cabinet Member for Adults and Health | 21,663 |
| Cabinet Member for Children and Young People | 21,663 |
| Cabinet Member for Economy and Corporate Resources | 21,663 |
| Cabinet Member for Education and Skills | 21,663 |
| Cabinet Member for Environment | 21,663 |
| Cabinet Member for Finance | 21,663 |
| Cabinet Member for Fire & Rescue and Communities | 21,663 |
| Cabinet Member for Highways and Infrastructure | 21,663 |
| Leaders of Minority Parties with at least three members** | £5,000 |
| Leaders of Large Minority Parties with at least 15 members* | 12,995 |
| Leaders of Medium Minority Parties (five to 14 members)* | 10,640 |
| Leaders of Small Minority Parties (three to four members)* | 4,236 |
| Chairman of the Performance and Finance Scrutiny Committee | 9,552 |
| Chairman of the Children and Young People's Services Scrutiny Committee | 9,552 |
| Chairman of the Environment and Communities Scrutiny Committee | 9,552 |
| Chairman of the Fire & Rescue Service Scrutiny Committee | 9,552 |
| Chairman of the Health and Adult Social Care Scrutiny Committee | 9,552 |
| Chairman of the Planning and Rights of Way Committee | 9,552 |
| Chairman of the Regulation, Audit and Accounts Committee | 9,552 |
| Senior Adviser to a Cabinet Member | 5,658 |
| Adviser to a Cabinet Member* | £4,397 3,640 |
| Member of the Fostering Panel | 3,640 |

* Minority leader allowances are supplemented as per the table overleaf **Advisers will only receive the SRA if the terms of reference for their role is judged by the Director of Law and Assurance to be at least 50% independent of the Cabinet Member, as agreed by the Cabinet Member when the Adviser is appointed.**

** Allowances for minority group leaders will be in accordance with the following arrangements detailed in the table.

1. An allowance for the leader of a group of three or more members.
2. A basic allowance based upon the size of the group as set out above and in the table below.
3. An additional allowance of £200 per member (excluding the group leader).
4. A cap of £14,586 for any minority group leader.

| Group size | Basic SRA | Additional allowance per member |
|--------------------|------------------|--|
| 3 to 4 members | 4,236 | £200 |
| 5 to 14 members | 10,640 | £200 |
| 15 members or over | 12,995 | £200 but capped at £14,878 |

| Number of Members | Allowance |
|--------------------------|------------------|
| 3 | £5,000 |
| 4 | £5,500 |
| 5 | £6,000 |
| 6 | £6,500 |
| 7 | £7,000 |
| 8 | £7,500 |
| 9 | £8,000 |
| 10 | £8,500 |
| 11 | £9,000 |
| 12 | £9,500 |
| 13 | £10,000 |
| 14 | £10,500 |
| 15 | £11,000 |
| 16 | £11,500 |
| 17 | £12,000 |
| 18 | £12,500 |
| 19 | £13,000 |
| 20 | £13,500 |

| Number of Members | Allowance |
|--------------------------|------------------|
| 21 | £14,000 |
| 22 | £14,500 |
| 23 | £14,500 |
| 24 | £14,500 |
| 25 | £14,500 |
| 34 | £14,500 |

- ***If a member joins or leaves a group, the group leader's allowance should be amended appropriately at the first opportunity.***
- ***If a member ceases to be a member and a by-election is held within around six weeks of the leaving date, the group leader's allowance should continue unchanged until the result of the by-election is known, at which stage it should be reduced appropriately if necessary.***
- ***If a member ceases to be a member and it is not possible or not appropriate to arrange a by-election within around six weeks, then the group leader's allowance should be reduced appropriately at the first opportunity.***

Schedule 2

Members are able to claim travel expenses as set out in this schedule. Common exclusions are also clarified.

Definition of strategic duties/meetings: Business affecting the County Council more widely than your local division.

| Included in the travel expenses scheme | Excluded from the travel expenses scheme |
|--|---|
| <p>1. Attendance at any strategic meeting of which you are a member including:</p> <ul style="list-style-type: none"> • County Council • Cabinet • Committees (including County Local Committees) • Panels, Boards and Groups | Local member duties carried out within your own division – this is covered by the basic allowance. |
| <p>2. Attendance at any of the above meetings where you are not a member of that meeting, provided that the meeting’s Chairman has agreed that you may contribute due to local knowledge or special interest in the matter (in accordance with Standing Order 3.21)</p> | Watching a meeting from the public gallery for interest. This is covered by the Basic Allowance. |
| <p>3. Strategic duties carried out by members in fulfilment of their special responsibilities, comprising:</p> <ul style="list-style-type: none"> • the Chairman; • Vice-Chairman; • Leader; • Deputy Leader; • Cabinet Members; • Committee Chairmen (or Vice-Chairmen on their behalf); • Senior Advisers to Cabinet Members; • Advisers to Cabinet Members; and • Minority Group Leaders | Aside from the County Chairman and Vice-Chairman, who are the civic heads of the Council, members cannot claim for any events of a civic or social nature – this is covered by the Basic Allowance. Such events include fairs, dinners, ceremonies, church services and carol services. |
| <p>4. Attending relevant excursions, tours or site visits in connection with your role in 1 or 3 above.</p> | Local tours or site visits arranged as the local member. This is covered by the Basic Allowance. |
| <p>5. Attending meetings of parish, town, district or borough councils if you are invited in your capacity as a local county councillor.</p> | Any other local residents’ meeting is covered by the Basic Allowance. This includes resident’s associations and neighbourhood panels and forums. |
| <p>6. Travelling to a major County Council hub building to avoid an officer having to travel to meet you</p> | |

| Included in the travel expenses scheme | Excluded from the travel expenses scheme |
|---|---|
| locally, with prior agreement of the officer. This includes taking IT equipment to the nearest appropriate hub building for replacement or repair. | |
| 7. Attending as a County Council-appointed member of an outside body listed in Schedule 4. | Attendance as local member at local groups not listed in Schedule 4. These are covered by the Basic Allowance. |
| <p>8. Political group meetings held specifically for the purpose of, or in connection with, the discharge of the functions of the County Council provided that:</p> <p>(a) The approval not extending to more than two political group meetings between each successive meeting of the County Council; and</p> <p>(b) Each Group Secretary being required to certify that any such group meeting has been principally concerned with County Council business and to provide records of attendance to the Director of Law and Assurance.</p> | Any other party political activities and any group meetings not in connection with official County Council business are not covered by the scheme. This includes attendance at party political conferences. |
| 9. Attending internal training sessions and seminars and, when approved by an appropriate Cabinet Member, committee or Group Leader, external courses and conferences and observing internal meetings for development purposes. | Attending external courses or conferences without the prior approval of the appropriate Cabinet Member, Committee or Group Leader. |
| <p>10. Ad hoc meetings of members which have not been authorised by a Cabinet Member or a committee, provided that it meets each of the following requirements:</p> <p>(a) the meeting has been convened by the Director of Law and Assurance after consultation with the relevant Cabinet Member or chairman or vice-chairman of the relevant committee;</p> <p>(b) the meeting involves members of more than one political party; and</p> <p>(c) the holding of the meeting is reported to the next meeting of the relevant committee or in The Bulletin.</p> | |

Travel expenses will be paid from home address or business to the Council building or other venue in fulfilment of approved duties listed within the scheme. Your home address or business must be treated as being within West Sussex. Members are expected to use the most economic and reasonable form of transport.

Travelling allowances for approved duties performed away from a member's usual place of residence are payable as follows:

(1) Public Transport

- (a) The rate for travel by public transport shall be the amount of the second-class fare, cheap fare or such lesser amount as shall have been actually expended by the member on the journey. (Note: first class fare is payable only where the agreement of the Chief Executive, in consultation with the Cabinet Member for Finance, has been obtained in advance of the duty being undertaken. Such agreement will normally be forthcoming only where first class travel is desirable for operational purposes e.g. briefings.)
- (b) **Members may use the U7 bus between Chichester and Bognor Regis free of charge by showing their Council identity badge.**

(2) Rail Supplements

The rate specified in the preceding paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred:

- (a) reservation of seats and deposit or portage of luggage; and
- (b) on sleeping accommodation engaged by the member for an overnight journey, subject however to reduction by one-third of any subsistence allowance payable to him/her for that night.

Members who regularly use rail travel for approved duties may claim back the cost of an appropriate railcard from the County Council, **including the Easit Card**, provided that it will provide savings to the Council of at least the cost of the railcard during the year.

(3) Air

The rate for travel by air, provided the saving in time is so substantial as to justify such means of travel, shall be an amount not exceeding:

- (a) the ordinary fare or any available cheap fare for travel by regular air service; or
- (b) (b) where no such service is available, or in case of urgency, the fare actually paid by the member.

(4) Taxi

The rate for travel by taxi-cab:

- (a) in cases of urgency or where no public transport is reasonably available, shall be the actual fare and any reasonable gratuity paid; and
 - (b) in any other case shall be the amount of the fare for travel by an appropriate public service vehicle.
- (5) Hire Car
- The rate for travel by a hired motor vehicle other than a taxi-cab shall be an amount not exceeding the actual cost of the hiring.
- (6) Private Car, etc.
- (a) The rate for travel by a member's own private **petrol or diesel** motor vehicle (including travel by motor cycle), or one belonging to a member of his/her family or otherwise provided for his/her use, in circumstances which involve a substantial saving in his/her time or where it is in the interests of the body, or is otherwise reasonable that he/she should so travel rather than by public transport, shall be 45p per mile up to 10,000 miles and 25p thereafter, or 24p for a motorcycle.
 - (b) ***The rate for travel by a member's own private electric or other non-carbon motor vehicle, or one belonging to a member of his/her family or otherwise provided for his/her use, in circumstances which involve a substantial saving in his/her time or where it is in the interests of the body, or is otherwise reasonable that he/she should so travel rather than by public transport, shall be 45p per mile up to 10,000 miles and 25p thereafter. A free electricity charging network card to allow electric vehicle charging at a reduced rate at County Hall and other charging points is available to members.***
- (7) Supplement for Passengers, Tolls, etc.
- The above rate may be increased:
- (a) by 5.0p per mile for each passenger to whom a travelling allowance would otherwise be payable.
 - (b) by the amount of any expenditure incurred on tolls, ferries or parking fees (including overnight garaging).
- (8) Private bicycle
- The rate for travel by a member's own private bicycle shall be 20p per mile.
- (9) The County Council reserves the right, so far as in its opinion is practicable, to make arrangements for the issue to its members of tickets, or of vouchers, warrants or similar documents for exchange by such members for tickets, to cover journeys in respect of which payments by way of travelling allowance would otherwise fail to be made.

Schedule 3

Subsistence allowances will be paid for or towards expenditure actually incurred as follows:

- (1) For an absence, not involving an absence overnight, from the member's usual place of residence:

| Type of allowance | Amount |
|--|--------------|
| Breakfast allowance (more than 4 hours away from normal place of residence before 11.00 a.m.) | £6.65 |
| Lunch allowance (more than 4 hours away from normal place of residence including the lunch time between 12 noon and 2.00 p.m.) | £9.15 |
| Evening meal allowance (more than 4 hours away from normal place of residence ending after 7.00 p.m.) | £11.34 |
| An evening meal allowance where a meal is taken as part of an absence overnight from the usual place of residence in the performance of an approved duty. | up to £28.13 |

- (2) For main meals (full breakfast, lunch or dinner) taken on trains during a period for which there is an entitlement to day subsistence:

| Time | Amount |
|--------------------------------------|----------------------------|
| More than 4 hours and up to 8 hours | Actual cost of one meal |
| More than 8 hours and up to 12 hours | Actual cost of two meals |
| More than 12 hours | Actual cost of three meals |

Where the cost of meals taken on trains is reimbursed, the period of absence for which the claim for day subsistence allowance is made should be reduced by four hours for each meal taken.

- (3) In the case of an absence overnight from the usual place of residence the rate to cover the cost of accommodation shall be £107.91.

Provided that the Director of Finance and Support Services may approve higher subsistence allowances for members for an absence overnight from the usual place of residence, where appropriate, provided approval is sought in advance.

The rate to cover the cost of accommodation under this paragraph shall be deemed to cover a continuous period of absence of 24 hours.

- (4) An amount payable by way of subsistence allowance shall be reduced by an appropriate sum in respect of any meal provided for the claimant by an authority or body, free of charge, during the period to which the allowance relates.

Schedule 4

Adur and Worthing Business Partnership
Bognor Regis Regeneration Board
Brantridge Special School, Haywards Heath, Governing Body
Chichester Harbour Conservancy
Chichester in Partnership
Coastal West Sussex Partnership Board
Coast to Coast Local Enterprise Partnership Board
County Councils Network
Cowdray Heritage Trust
Duke of Edinburgh's Award County Committee
Environment Agency: Southern Regional Flood and Coastal Committee
Gatwick Airport Consultative Committee
Gatwick Community Trust
Gatwick Diamond Initiative Ltd
Gatwick Greenspace Partnership
Gatwick Noise Management Board
Goodwood Aerodrome Consultative Committee
Goodwood Motor Circuit Consultative Committee
Health and Wellbeing Boards/Partnerships
High Weald Area of Outstanding Natural Beauty Joint Advisory Committee
Ingfield Manor School Governing Body
Inter Authority Fire and Rescue Group
Leader Local Action Group: Central Sussex
Leader Local Action Group: Sussex Downs and Coastal Plain
Littlehampton Harbour Board
Local Government Association:

- Coastal Special Interest Group
- Fire Commission
- Rural Commission

Local Government Pension Scheme ACCESS Joint Committee
Manor Peninsula Partnership
Muntham House School Governing Body
Parking & Traffic Regulations Outside London Adjudication Joint Committee
Port of Shoreham Liaison Committee
Queen Victoria Hospital NHS Trust Governing Body, East Grinstead
Rural Services Network
Shoreham Airport Consultative Committee
Shoreham Harbour Leaders Board
South Downs National Park Authority
South East Employers
South East England Regional Improvement Partnership
South East Reserve Forces and Cadet Association
Southwick Community Centre Board of Trustees
Surrey and Sussex Healthcare NHS Trust
Sussex Arts Academy
Sussex Community NHS Trust
Sussex Inshore Fisheries and Conservation Authority Committee
Sussex Partnership NHS Foundation Trust Council of Governors
Sussex Police and Crime Panel
Sussex University Annual Forum
The Goodwood Education Trust

Transport for the South East
Waves Ahead Strategic Partnership – Adur and Worthing
Western Sussex Hospitals NHS Foundation Trust Council of Governors
West Sussex Alternative Provision College (The Links College) Management
Committee
West Sussex Fairtrade Committee
West Sussex Forum for Accessible Transport
West Sussex Standing Advisory Council on Religious Education (SACRE)
Wey and Arun Canal Trust