

## **MEMBERS' ALLOWANCES SCHEME**

Leeds City Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 has made the following Scheme after having regard to reports of the Independent Remuneration Panel.

### **1.0 CITATION**

1.1 This Scheme may be cited as the Leeds City Council Members' Allowances Scheme, and has effect from the date approved by a meeting of Full Council.

### **2.0 INTERPRETATION**

2.1 In this Scheme, "Councillor" means a Member of the Leeds City Council who is a Councillor. "Co-optee" means a person who is not a member of the authority but who is a member of a committee or sub-committee of the authority  
"year" means the 12 months ending with 31 March.

### **3.0 BASIC ALLOWANCE**

3.1 Subject to paragraphs 5 and 11, each year a basic allowance of the amount specified in Schedule 1 is payable to each Councillor. The basic allowance includes all telephone (including mobile phone) and office expenses in relation to travelling and subsistence within the city.

### **4.0 SPECIAL RESPONSIBILITY ALLOWANCE**

- 4.1 Each year, a special responsibility allowance is payable to those Councillors and Co-optees who hold the special responsibilities in relation to the authority that are specified in Schedule 1.
- 4.2 Subject to paragraphs 4.3, 4.4, 4.5, 5.1 and 11, the amount of such allowance is shown against each responsibility in Schedule 1.
- 4.3 Only one special responsibility allowance from the Council is payable per Councillor and where a Councillor is eligible to receive more than one allowance, the higher allowance will be paid.
- 4.4 Councillors may accept a special responsibility allowance from both the Council and a Joint Authority.
- 4.5 Where a Councillor is also a Member of another authority, he/she may not receive allowances from more than one authority in respect of the same duties.

## **5.0 ANNUAL UPDATING OF ALLOWANCES**

5.1 The amounts referred to in paragraphs 3, 4 and 6 will be increased yearly on 1 April. The rate of increase is index linked as follows:

- i. **Basic, Special Responsibility and Other Allowances be uplifted on the 1<sup>st</sup> April each year by a percentage equivalent to the pay award of SCP 43 on the NJC pay structure.**
- ii. **Dependent Carers Allowance payments be determined by the maximum hourly rate for the Real Living Wage**
- iii. **That these indexations apply from 1<sup>st</sup> April 2024 to 31<sup>st</sup> March 2028**

## **6.0 DEPENDANT CARERS' ALLOWANCES**

6.1 Where the Member is absent on duties specified in regulation 7 of the Local Authorities (Members' Allowances) (England) Regulations 2003 and needs to engage carers, then an allowance is payable in respect of the expenses of arranging for the care of Members' children under 15 or dependants where there is medical or social work evidence that care is required. The maximum rates of such allowances are set out in Schedule 2 and are subject to the Member observing the protocol on the claims procedure, eligibility criteria etc set out in Schedule 4.

## **7.0 INFORMATION TECHNOLOGY EQUIPMENT**

7.1 Each Member is entitled to ICT equipment to be used in their home to assist in the discharge of their functions as a Councillor.

## **8.0 TRAVELLING AND SUBSISTENCE ALLOWANCES**

8.1 The Councillor's basic allowance includes the cost of travelling and subsistence when undertaking Council business within the Leeds metropolitan area<sup>1 2</sup>. Councillors travelling to undertake Council business outside this area are eligible to claim travel and subsistence allowances at the rates claimable by officers from the point of origin in the metropolitan area and back to the end of the journey within the metropolitan area. Current rates are detailed in Schedule 2.

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<sup>1</sup> Councillors who purchase a Parking Permit for the Civic Hall Car Park may reclaim parking costs elsewhere if the Civic Hall Car Park is full or otherwise unavailable.

<sup>2</sup> Where, for convenience, travel arrangements are made for joint visits by members by taxi or mini-bus, members who do not avail themselves of the travel arrangements should not be entitled to reimbursement of the cost of travel in the Leeds Metropolitan area.

8.2 Where an overnight stay is required, accommodation should be reserved and paid for directly by the Council, taking advantage of any corporate rates on offer. Where, exceptionally, this is not possible, actual costs will be reimbursed.

8.3 All claims should be supported by receipts.

## **9.0 CO-OPTEE'S ALLOWANCE**

9.1 Subject to paragraphs 5 and 11, each year a Co-optees' allowance is payable to those Co-optees' who hold special responsibilities in relation to the authority that are specified in Schedule 1.

## **10.0 RENUNCIATION**

10.1 A Councillor or Co-optee may by notice in writing given to Governance and Scrutiny Support, elect to forgo any part of his/her entitlement to an allowance under this Scheme.

## **11.0 PART-YEAR ENTITLEMENTS**

11.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor or Co-optee to basic and special responsibility allowances where, in the course of a year, this Scheme is adopted or amended or that Councillor or Co-optee relinquishes a special responsibility in respect of which a special responsibility allowance is payable<sup>3</sup>.

11.2 If the adoption or an amendment to this Scheme changes the amount to which a Councillor or Co-optee is entitled by way of a basic or special responsibility allowance, then in relation to each of the periods:

- (a) beginning with the year and ending with the day before that on which the adoption or amendment first takes effect in that year, or
- (b) beginning with the day on which the adoption or amendment takes effect and ending with the day before that on which the adoption or amendment next take effect, or (if none) with the year.

The entitlement to a basic or special responsibility allowance shall be to the payment of such part of the amount of the allowance under this Scheme as has effect during the relevant period as bears to the whole, the same proportion as the number of days in the period bears to the number of days in the year.

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<sup>3</sup> For the avoidance of doubt any change in entitlement shall be taken to occur at 00:01 on the day of the change and allowance shall therefore be paid until and including the whole of the day before that change occurs or from and including the day of change as appropriate.

- 11.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office subsists bears to the number of days in that year<sup>4</sup>.
- 11.4 Where this Scheme is adopted or amended and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 11.2 (a), the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his/ her term of office as a Councillor subsists bears to the number of days in that period.
- 11.5 Where a Councillor or Co-optee has during part of, but not throughout, a year such special responsibilities as entitle him/ her to a special responsibility allowance, that Councillor's or Co-optee's entitlement shall be to payment of such part of that allowance as bears to the whole, the same proportion as the number of days during which he/ she has such special responsibility bears to the number of days in that year.
- 11.6 Where this Scheme is adopted or amended as mentioned in 11.2 (a) and a Councillor or Co-optee has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 11.2 (a) of that paragraph any such special responsibilities as entitle him/her to a special responsibility allowance, that Councillor's or Co-optee's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that subparagraph) as bears to the whole the same proportion as the number of days in that period during which he/she has such special responsibilities bears to the number of days in that period.
- 11.7 Appropriate adjustments will be made in respect of any basic or special responsibility allowance which:
- (a) has already been paid under the previous Scheme in respect of the remainder of the year from which this Scheme has effect; or
  - (b) is to be paid in respect of any part of the year during which the previous Scheme had effect.

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<sup>4</sup> For the avoidance of doubt a Councillor shall be taken to retire at 00:01 on the day of their retirement and allowance shall therefore be paid until and including the whole of the day before that Councillor retires. Similarly a Councillor shall be taken to commence office at 00:01 on the first day of their term of office and allowance shall be paid including the whole of that day.

## **12.0 CLAIMS AND PAYMENTS**

- 12.1 Payments in respect of basic and special responsibility allowances, will be made in instalments of one-twelfth of the amount specified in this Scheme on the 16<sup>th</sup> of each month two weeks in arrears, 2 weeks in advance.
- 12.2 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 or Co-optee receiving more than the amount which, by virtue of paragraph 11, he/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/she is entitled.
- 12.3 Claims for dependant carers, travel and subsistence allowances should be made on the approved forms, together with supporting receipts to the Head of Democratic Services within 2 months of the date of the duty in respect of which the entitlement to the allowances arise.

## **13.0 PENSIONS**

- 13.1 Councillors must make their own pension provision<sup>5</sup>.

## **14.0 NOTIFICATION FEE**

- 14.1 The Council will bear the cost of the annual registration fee payable by Members to the Information Commissioner in respect of data protection registration relating to their constituency work.

## **15.0 IMPLEMENTATION**

- 15.1 Notwithstanding the implementation date referred to in paragraph 1 of this scheme provision be made for the backdating of allowances, within the current municipal year, where specifically recommended by the Panel.

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<sup>5</sup> Councillors who were members of the LGPS on 31<sup>st</sup> March 2014 will retain access to that scheme until the end of the term of office which was current on that date. (Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014)

## SCHEDULE 1 - ALLOWANCES <sup>6</sup>

BASIC ALLOWANCE – All Members	£17,902.65	
SPECIAL RESPONSIBILITY ALLOWANCES -		% of Leader's SRA
Leader of the Council	£44,540.18	100%
Deputy/Designated Leader	£28,951.11	65%
Leader of the Opposition	£26,724.11	60%
Members of the Executive Board with portfolio	£26,724.11	60%
Members of the Executive Board without portfolio	£22,270.09	50%
The Chairs of Scrutiny Boards (7)	£22,270.09	50%
Chief Whip (Group with overall majority in Council)	£12,248.55	27.5%
Whip of the Largest Opposition Group	£10,689.64	24%
The Whips with more than 10% of membership of the Council	£8,908.04	20%
The Deputy Whips of groups with 20% or more of the membership of the Council (one per group)	£5,567.52	12.5%

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<sup>6</sup> For the purposes of clarification, all entitlements throughout the Members' Allowances Scheme which entail exceeding a percentage of membership of the Council should be interpreted as being rounded up to the next whole number of Councillors.

The Chairs of the Plans Panels (3)	£15,589.06	35%
Chair of West Yorkshire Police & Crime Panel (1 <sup>7</sup> )	£12,678.98	Fixed sum
Members of the West Yorkshire Police & Crime Panel (3 <sup>8</sup> )	£6,915.86	Fixed sum
The Chairs of Community Committees (10)	£11,691.79	26.25%
Chair of the Climate Emergency Advisory Committee	£15,589.06	35%
Shadow Chair of the Climate Emergency Advisory Committee	£6,681.03	15%
The Chair of the Licensing Committee	£10,021.53	22.5%
Additional payment for Members of the Licensing Committee <sup>9</sup>	£668.11	1.5%
The Chair of Standards & Conduct Committee	£2,895.11	6.5%
The Chair of Corporate Governance & Audit Committee	£8,908.04	20%
The Chair of the Development Plans Panel	£5,567.52	12.5%
Deputy Executive Members <sup>10</sup>	£13,362.05	30%
Support Executive Members	£5,567.52	12.5%

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<sup>7</sup> Only payable if a Leeds City Council Member is appointed chair

<sup>8</sup> Two allowances only if a Leeds City Council Member is appointed as chair

<sup>9</sup> Payable for each Member of the Licensing Committee allocated to any special sub-committee required to meet in a concentrated period on specific subjects

<sup>10</sup> The Leader may determine the number of Deputy & Support Executive Members provided that the allowances paid do not exceed the equivalent payment of 4 x Deputy and 9 x Support Executive Members plus 10%

Opposition Group Officer Holders	£5,567.52	12.5%
with more than 40% of membership of the Council (5)		
with more than 30% of membership of the Council (4)		
with more than 20% of membership of the Council (3)		
with more than 10% of membership of the Council (2)		
Lord Mayor <sup>11</sup>	£20,043.08	45%
The Chair of Leeds Grand Theatre Board (and any similar positions that may be similarly affected by the VAT regulations)	£668.11	1.5%
Statutory Co-optees on Scrutiny Board (5)	£668.11	1.5%
The Independent Co-opted Member of Corporate Governance and Audit Committee	£890.80	2%
The Council's appointed Independent Person	£2,895.11	6.5%

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<sup>11</sup> The Special Responsibility Allowance payable to The Lord Mayor is without prejudice to the Lord Mayor's Allowance which is paid against receipts to cover expenses.

## SCHEDULE 2 - ALLOWANCES

NB In all cases, claims should be supported by receipts

### TRAVEL ALLOWANCE

	Rate (pence per mile)
a) Motor Car - HMRC mileage rate.	45.0
b) Motor Cycle	24.0
c) Cycle Allowance	20.0
d) Passenger Supplements	*see below

\*The above rates are increased in respect of the carriage of each passenger, not exceeding 4, to whom a travelling allowance would be otherwise payable, by not more than 3 pence per mile, for the first passenger and 2 pence per mile for the second and subsequent passengers.

**d) Actual cost of tolls, ferries or parking fees.**

**e) Travel outside geographical area of West Yorkshire**

For such travel, Members will be reimbursed at the appropriate public transport fares or at the appropriate car allowance rate whichever is the lower.

### CARERS ALLOWANCE

**The actual care costs be the basis of payments to Dependent Carers Allowance with the maximum amount payable set at the hourly rate for the Real Living Wage.**

**Criteria for accessing the allowance are as detailed in Schedule 4**

### SUBSISTENCE ALLOWANCE

**a) Day Subsistence Rate**

Breakfast allowance £10.45(more than 2\* hours away from normal place of residence before 11am)

Lunch allowance (more than 2* hours away from normal place of residence including the lunch time between 12 noon and 2 pm)	£14.41
Tea allowance (more than 3* hours away from normal place of residence including the period 3 pm to 6 pm)	£5.66
Evening meal allowance (more than 2* hours away from normal place of residence, ending after 7 pm)	£17.87

**b) Overnight Subsistence**

Accommodation should be reserved and paid for directly by the Council. Where, exceptionally, this is not possible, actual costs will be reimbursed. All claims should be supported by receipts

**\*Council determined this lesser period on 22.5.95.**

**c) Meals provided free of charge**

Where a free meal has been provided during the period to which the allowance relates, the meal allowance cannot be claimed.

**d) Meals taken on trains**

Where main meals (i.e. breakfast, lunch or dinner) are taken on trains during a period for which there is entitlement to a day subsistence allowance, the reasonable cost of the meals (including VAT) may be reimbursed in full within the limits specified below. This cost would replace the amounts specified in “day subsistence” above.

**Limits**

For breakfast, an absence of more than 2 hours away from normal place of residence before 11am

For lunch, an absence of more than 2 hours away from normal place of residence including between 12 noon and 2pm

For dinner, an absence of more than 2 hours away from normal place of residence ending after 7pm

**e) Aggregation**

Where the period of absence gives an entitlement to more than one meal, allowances can be aggregated over the period in question.

**f) Overseas journeys**

Members are entitled to claim reasonable expenses having regard to the country visited.

### **SCHEDULE 3**

#### **LEEDS CITY COUNCILLOR – ROLE DESCRIPTION<sup>12</sup>**

**Key tasks for all Councillors** - *all Members of Council will undertake the following:*

- Represent the interests of the ward for which he/she was elected, and deal with constituents' enquiries and representations, in a manner he/she considers appropriate to the circumstances.
- Fulfil the statutory requirements of any elected Member of Council, as contained within the Members' Code of Conduct, and the local requirements of a Leeds Member as contained within the Council's constitutional arrangements.
- Contribute to Council wide decisions (by participating in meetings of full Council, the remit of which includes deciding the Budget and Policy Framework of the Council, and determining the constitutional arrangements of the Council).
- Contribute to local decisions (by participating in the area committee relating to the ward for which the Councillor was elected)
- Develop such working knowledge of the Council's services, management arrangements, powers and duties as is necessary in order to perform effectively as a City Councillor.<sup>13</sup>

**Additional tasks** - *with his/her agreement, a Member of Council may be assigned some or all of the following specific tasks*

- Contribute to the Council's Overview and Scrutiny Function (by participating as a member of a Scrutiny Board in the scrutiny of the policies, decisions and performance of the Council or of health related services provided to the population of Leeds).
- Contribute to the Council's Regulatory Function (by participating as a member of one of the Council's panels relating to its planning, personnel, licensing and other regulatory activities).

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<sup>12</sup> All Leeds City Councillors are entitled to the payment of a basic allowance in recognition of undertaking a range of tasks. These comprise tasks which are common to all Councillors and a number of additional tasks which will vary from Member to Member. Details of these tasks are contained within this role description. In addition, some Members are allocated roles which carry with them specific additional responsibilities, entitling them to payment of a Special Responsibility Allowance. These are detailed elsewhere within the Council's Members Allowances Scheme.

<sup>13</sup> The Council's Member Development Strategy offers all Councillors the opportunity to participate in a range of training and development activities in support of the tasks contained within this role description; for some specific activities, participation is considered to be an essential requirement.

- Contribute to the development of high standards of conduct for Councillors (by participating as a member of the Standards and Conduct Committee)
- Contribute to the recruitment and selection of the Council's most senior officers (by participating as a member of ad hoc Appointments Committees).
- Contribute to the running of partnership bodies and outside bodies (by participating as a member of any such organisations to which he/she has been appointed by the Council).

## Schedule 4

### Criteria for Accessing Carers Allowance

Members may claim this allowance against actual care expenses that are incurred in arranging carers to look after dependents who cannot be left by themselves by reason of age or other special needs.

The maximum rate claimable shall be set at the level of the Real Living Wage as identified annually by the Living Wage Foundation.

The allowance can only be claimed in respect of approved duties set out below.

This allowance can also be claimed when undertaking approved duties on behalf of the Joint Authorities.

The following criteria shall also apply:

- Payment is claimable in respect of children aged fifteen or under or in respect of other dependents where there is medical or social work evidence that care is required.
- The allowance is not payable to any member of the claimant's household.
- The allowance is restricted to one weekly payment.
- The claim shall cover the time spent at the meeting plus up to one hour for travel to and from the meeting.
- The claim needs to be supported by a receipt.
- The allowance is not payable for meetings of a single party group.
- Any dispute as to entitlement should be referred to the Council's Monitoring Officer for adjudication.

### LIST OF APPROVED DUTIES FOR CARER'S ALLOWANCE

The following are the categories of duties which qualify for payment of carer's allowance, where such expenditure has been incurred:

- (a) Meetings of the Council, Executive Board, Scrutiny Boards, Community Committees, Statutory Committees, Regulatory Panels, and Advisory and Procedural Committees. This includes meetings held in accordance with the requirements of the Local Government Act 1972, as well as sub-committees or working groups relating to these committees. This applies to a Councillor who is a member of a committee or, if not a member, has been invited to attend a meeting to address one or more items of business.
- (b) Attendance as the Council's representative at a meeting of any joint authority or of any Committee or Sub-Committee of the body of which the Council is a constituent member.

- (c) Attendance as the Council's representative in connection with the discharge of the Council's functions at meetings of outside bodies (excluding local authority-maintained schools), their Committees and Sub-Committees.
- (d) Attendance at any other meeting convened by the Council, Executive Board, a committee, or Sub-Committee to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one Party Group have been invited.
- (e) Attendance at any training session, seminar, presentation, or briefing arranged for all Members of a Committee, Sub-Committee or Panel to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one Party Group have been invited.
- (f) Attendance at site visits arranged by officers or approved by a relevant Committee Chair.
- (g) Attendance by any elected member invited to attend a meeting about matters concerning the discharge of the Council's functions by virtue of their formally designated special responsibility (in accordance with Schedule 1 of the Member Allowances Scheme).
- (h) Attendance by Members of the Executive Board, Chairs of Committees and Sub-Committees or Opposition Group Office Holders concerning the discharge of functions relevant to the work of their portfolio of their committees or sub-committees.
- (i) Attendance before Parliamentary Committees, official bodies, and inquiries to give evidence or make representations on the Council's behalf.