

Members'

Allowances Scheme

THE MAIDSTONE BOROUGH COUNCIL

MEMBERS' ALLOWANCES SCHEME

The Maidstone Borough Council has adopted the following Members' Allowances Scheme:-

Citation

1. This scheme may be cited as the Maidstone Borough Council Members' Allowance Scheme and the scheme shall come into operation on the following dates and be operative for subsequent years
 - a) Basic Allowance – 21 May 2022
 - b) Special Responsibility Allowance – 21 May 2022

Interpretation

2. In this scheme, "Councillor" means a Member of the Maidstone Borough Council who is a Councillor; "Co-opted Member" means a person who is not a Councillor (as above) but has been appointed to join a Committee of this Council; "year" means the 12 months ending with 31 March.

Indexation

3. Indexation rises should be applied annually to these allowances, at the same rate that staff salary cost of living rises are agreed.

Basic Allowance

4. A Basic Allowance is paid to all Councillors in recognition of their commitment to attend formal meetings of the Council as well as meetings with officers and constituents. The Basic Allowance is intended to cover any incidental costs which may arise, such as use of private telephones.
5. Subject to paragraph 9, for each year a basic allowance of £5,635 shall be paid to each Councillor (with effect from 21 May 2022).

A formula has been applied to work out the basic allowance which is as follows:-

12 (average hours spent on Council Work) x £16.42 (NOMIS hourly rate by place of residence for Maidstone 2021) x 52 weeks (minus Public Service Discount of 45%).

Mayor and Deputy Mayor's Allowances

6. The Mayor's Allowance is £3,381 per annum.

The Deputy Mayor's Allowance is £1,691 per annum.

Special Responsibility Allowance

7. (1) For each year a special responsibility allowance shall be paid in addition to the Basic Allowance to those Councillors or Co-opted Members who have the special responsibilities and additional Council duties in relation to the authority that are specified in schedule 1 to this scheme.

- (2) Subject to paragraph 6, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
- (3) No more than one special responsibility allowance can be paid to any single Councillor or Co-opted Member at one time and that the allowance to be paid be the highest that the Councillor or Co-opted Member is entitled, with the exception it will not preclude any person who receives a special responsibility allowance from being paid such an allowance for attendance at Licensing Panel Hearings.
- (4) There should be no special responsibility allowance for Vice Chairmen. However, in the event that the Chairman is absent for a significant period of time (6 months or more) then the Vice-Chairman should be given the Chairman's allowance.

Renunciation

8. A Councillor or Co-opted Member may by notice in writing given to the Head of Policy, Communications and Governance elect to forego any part of his entitlement to an allowance under this scheme.

Part-year Entitlement

9. (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (2) If an amendment to this scheme is made which affects payment of a basic allowance or a special responsibility allowance in the year in which the amendment is made, then in relation to each of the periods
 - (a) beginning with the year and ending with the day before on that which the first amendment in that year takes effect, or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days as the period bears to the number of days in the year.

- (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 of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.
- (4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Councillor does not subsist throughout a period mentioned in sub-paragraph (2) 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 term of office as a Councillor subsists in that period bears to the number of days in that period.

- (5) Where a Councillor or Co-opted Member has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's or Co-opted Member'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 or she has such special responsibilities bears to the number of days in that year.
- (6) Where this scheme is amended as mentioned in sub-paragraph (2), and a Councillor or Co-opted Member has during part, but does not have throughout the whole of any period mentioned in sub-paragraph (2) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's or Co-opted Member's entitlement shall be to payment of such part of the 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 in that period during which he or she has such special responsibilities bears to the number of days in that period.

Payments

10. (1) Payments shall be made in respect of basic and special responsibility allowances, subject to sub-paragraph (2) in instalments of one-twelfth of the amount specified in this scheme on the (last working) day of each month;
- (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-opted Member receiving more or less than the amount to which, by virtue of paragraph 7, he or she is entitled, the payment be such amount as will ensure that no more or no less is paid than the amount to which he or she is entitled.

Dependent Carers Allowance

11. Each Councillor shall be entitled to claim a Dependent Carers Allowance when they attend meetings outlined in the list of approved duties contained in Schedule 3 of the allowances scheme or in relation to specified outside bodies (see Schedule 2) and any approved conference, training or site visits at the following rates on production of a completed form and required receipts:-

Child-Care Provider - To pay a reasonable amount but it must not exceed the **Real Living Wage as recommended by the Living Wage Foundation, currently £9.90 per hour and reviewed on an annual basis.**

Specialist Carer Provider – **Based at cost on production of receipts (at a minimum rate of Real Living Wage) and in the case of specialist care a requirement of medical evidence that this type of care be required.**

Parental Leave

12. (1) **All Councillors shall continue to receive their Basic Allowance in full for a period up to six months in the case of absence from their Councillor duties**

due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence;

- (2) Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their Councillor duties to leave related to maternity, paternity, adoption, shared parental leave or sickness absence;
- (3) Where reasons connected with maternity, paternity, adoption, shared parental leave or sickness absence a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972;
- (4) If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position, the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.
- (5) If a Councillor stands down, or an election is held during the period when a Councillor is absent due to any of the above and the Councillor is not re-elected or decides not to stand for re-election, their Basic Allowance and any Special Responsibility Allowance will cease from the date they leave office.

Travel Allowance

13. Councillors and Co-opted Members are entitled to claim travel costs when they attend meetings outlined in the list of approved duties contained in Schedule 3 of the allowances scheme including meetings of certain specified outside bodies (see Schedule 2) and any approved conferences or site visits. Councillors and Co-opted Members must indicate on the claim form the purpose of all meetings attended. Travelling allowances are paid per mile as set out in the table below.

| <i>TRAVEL ALLOWANCES</i> | |
|-----------------------------|----------------------------|
| <i>Cars and Vans</i> | <i>45p per mile</i> |
| Motorcycles | 24p per mile |
| Bicycles | 20p per mile |
| Electric Vehicles | 45p per mile |

Councillors or Co-opted Members may claim an additional 5p per mile if another passenger travels in their vehicle. This again must be detailed on the Travelling and Subsistence Claim Form.

If a Councillor or Co-opted Member travels to and from meetings by public transport they are entitled to claim this back in full but receipts or tickets must be attached to their Travelling and Subsistence Claim Form.

In addition, claims can also be made for the cost of toll, parking or garage fees, again by completing the appropriate section on the Travelling and Subsistence Claim Form.

Subsistence Allowance

14. Councillors and Co-opted Members are entitled to claim a subsistence allowance when, in attending meetings which relate to functions of the Council, they are kept away from their normal place of residence for significant periods of time at certain times of day. Subsistence will only be paid upon the production of a receipt for the purchase of a required meal.

If Councillors or Co-opted Members are attending a meeting or function where a meal is provided for them they are not entitled to claim a subsistence allowance.

If a Councillor or Co-opted Member attends an approved Conference which includes an overnight stay away from his/her usual place of residence the Councillor or Co-opted Member can claim the cost of an evening meal up to a maximum of £20 per head, provided they submit a receipt with the Travelling and Subsistence Claim Form.

Members and Co-opted Members are reminded that any Travelling and Subsistence Claim Form should be submitted within two months of the approved duty for which they are claiming.

SCHEDULE 1

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable, and the amounts of those allowances:-

| <u>POST</u> | <u>SPECIAL RESPONSIBILITY ALLOWANCE</u> (w.e.f 21.5.22) |
|--|--|
| Leader of the Council | £22,540 |
| Deputy Leader (60% of Leader's Allowance) | £13,524 |
| Member on the Executive (50% of Leader's Allowance) | £11,270 |
| Chairman of Planning Committee (40% of Leader's Allowance) | £9,016 |
| Chairman of Overview and Scrutiny Committee (30% of Leader's Allowance) | £6,762 |
| Leader of the Opposition (30% of Leader's Allowance) | £6,762 |
| Chairman of Policy Advisory Committee (25% of Leader's Allowance) | £5,635 |
| Chairman of Licensing Committee (20% of Leader's Allowance) | £4,508 |
| Chairman of Audit, Governance and Standards Committee (20% of Leader's Allowance) | £4,508 |
| Mayor (15% of Leader's Allowance) | £3,381 |
| Group Leaders ¹ | £2,254 |
| Chairman of Democracy and General Purposes Committee | £2,254 |
| Deputy Mayor (50% of Mayor's Allowance) | £1,691 |
| Independent Person for Code of Conduct Issues (20% of Chairman of Audit, Governance and Standards) | £902 |
| Co-opted Members of Audit, Governance and Standards (10% of Chairman of Audit, Governance and Standards) | £451 |
| Chairman of Licensing Panel Hearing | £84.19 per meeting |
| Licensing Panel Hearing Members | £63.41 per meeting |

¹ SRA only payable to Group Leaders with at least 5 Members within the Group.