

## **6 MEMBERS ALLOWANCE SCHEME**

### **6.1 Scheme**

- (1) The Bolsover District Authority, in exercise of the duty conferred on it by the Local Authorities (Members' Allowances) (England) Regulations 2003, as amended, hereby make the following Scheme:
- (2) This Scheme may be cited as the Bolsover District Authority Members' Allowances Scheme, and shall have effect from 22<sup>nd</sup> May 2024.

In this Scheme:-

- (i) "Member" means a "Member" of the Bolsover District Authority.
- (ii) "scheme year" means the 12 months ending with 31 March.
- (iii) "Regulation" refers to a regulation contained in the Local Authorities (Members' Allowances) (England) Regulations 2003 as amended.

### **6.2 Basic Allowance**

Subject to paragraph 9 of this Scheme, a Basic Allowance of **£9902.44** will be paid to each Member.

### **6.3 Special Responsibility Allowance**

- (1) For each year a Special Responsibility Allowance shall be paid to those Members who hold special responsibilities in relation to the Authority.
- (2) Subject to paragraph 9 of this Scheme, the amount of each such allowance shall be the amount specified against that special responsibility.
- (3) No Member shall be entitled to receive more than one Special Responsibility Allowance.
- (4) The following are specified as having special responsibilities in respect of which Special Responsibility Allowances are payable and the amounts of those allowances are specified in the second column:-

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Member with Special Responsibility	Annual Allowance £	Effective Date
Leader of the Authority	14, 672.16	22/05/2024
Deputy Leader of the Authority	9,781.44	22/05/2024
Members of the Executive	4,890.72	22/05/2024
Chair of Scrutiny Committee	3,260.48	22/05/2024
Vice Chair of Scrutiny Committee	1,630.24	22/05/2024
Largest Opposition Political Group Leader	4,890.72	22/05/2024
Chair of Planning Committee	4,890.72	22/05/2024
Vice Chair of Planning Committee	2,445.36	22/05/2024
Chair of Licensing Committee	3,260.48	22/05/2024
Vice Chair of Licensing Committee	1,630.24	22/05/2024
Chair of Standards Committee (co-optee)	1,222.00	22/05/2024
Chair of Audit Committee	1,467.00	22/05/2024
Junior Executive Member	2,445.36	22/05/2024

(5) The following rules apply to payments of Special Responsibility Allowances in relation to the Leader/Deputy Leader or person acting as the spokesperson of an opposition political group:-

- (i) Either where there are two or more opposition political groups and one of these opposition groups is larger than any of the others the Leader of that group only will be paid a Special Responsibility Allowance of £4,890.72
- (ii) Or where there are two or more opposition political groups and there is no one larger group because 2 or more of those political groups are equal in size, the Leaders of the largest political groups will receive £4,890.72 divided equally amongst them, and
- (iii) In (i) or (ii) above no payment of a Special Responsibility Allowance will be made to any other opposition group.

- (iv) Where there is one opposition political group the Leader of that group will be paid a Special Responsibility Allowance of £4,890.72 in total.

#### 6.4. Travelling Allowance and Subsistence Reimbursement

- (1) Travelling allowance and subsistence reimbursements shall be paid to Members for carrying out approved duties under the categories set out in Appendix A to this scheme.
- (2) Co-optees shall be entitled to the same rates of travelling allowance and subsistence arrangements as Members.
- (3) Members shall claim for travelling allowance and subsistence reimbursements and in doing so shall be expected to satisfy themselves that they are entitled to receive the allowances claimed.
- (4) The rates of travelling allowance and subsistence reimbursements applicable to Members shall be the same as the rates applicable to the officers of the Authority.
- (5) Travelling allowance and subsistence reimbursements shall be paid in accordance with Appendix C & D.

#### 6.5 Co-optees' Allowance

- (1) An annual allowance of £500 shall be paid to Co-optees for their duties on Standards and £250 for their duties on Audit Committee.
- (2) The above allowances are subject to the Co-optee not receiving payment from any other source for the same duties.
- (3) If someone is a Co-optee of both the Standards and Audit Committee, he/she shall be entitled to both the £500 and £250 allowance in respect of both Committees.
- (4) If a co-opted member, other than the Chair, is called on to chair a meeting of the Audit Committee, then a session relief payment of £366.75 is payable. If a co-opted member, other than the Chair, is called on to chair a meeting of the Standards Committee, then a session relief payment of £203.67 is payable.

## 6.6 Carer's Dependents Allowances

- (1) An hourly rate equivalent to the national minimum wage (21+ rate (See Minute No. 878 – Authority – July 2011) for a maximum of 4 hours per day is payable in respect of approved duties, this includes up to 30 minutes travelling time each way.
- (2) Prior approval to claim this allowance must be obtained from the Monitoring Officer

## 6.7 Adjustment of Allowances

- (1) Where changes are retrospectively made to allowances or pay on which allowances under this scheme are based the following shall apply:-

Allowances under this scheme shall have the same effective date where the change is within the scheme year provided that Members are not worse off as a result of the retrospective amendment.

## 6.8 Election to For-go allowance

A Member may, by notice in writing given to the Monitoring Officer elect to forego any part of his entitlement to an allowance under this scheme, and a copy will be forwarded to the Payroll Section.

## 6.9 Part Year Entitlements

- (1) The provisions of this paragraph shall have effect to regulate the entitlements to Basic, Special Responsibility and Co-optees Allowances where, in the course of a year, this scheme is amended or that individual to whom the allowances applies, becomes, or ceases to be, a Member or Co-optee, or accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
- (2) If an amendment to this Scheme changes, the amount to which a Member is entitled by way of a Basic Allowance or a Special Responsibility Allowance, or the amount to which a Co-optee is entitled to a Co-optees Allowance, then in relation to each of the periods:-
  - (i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, and
  - (ii) 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 determined by the following formula:-

$$\text{entitlement} = \frac{A}{B} \times C$$

Where A = number of days for which claim for allowance is being made  
B = 365 days

C = appropriate yearly rate for Special Responsibility Allowance, Basic Allowance or Co-optees Allowance.

- (3) If an amendment to this Scheme changes the duties specified in the Schedule as approved duties, or the amount payable by way of Travelling allowance and subsistence reimbursements, the entitlement to such allowances shall be to the payment of the amount of the allowance under the Scheme as it has effect when the duty is carried out.
- (4) Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year, the entitlement of that Member to a Basic Allowance shall be determined as set out in paragraph 6.9(2).
- (5) Where the term of office of a Co-optee begins or ends otherwise than at the beginning or end of a year, the entitlement of that Co-optee to a Co-optees Allowance shall be determined as set out in paragraph 6.9(2).
- (6) Where a Member has during part of but not throughout a year, such special responsibilities as entitle him or her to a Special Responsibility Allowance that Members entitlement shall be determined as set out in paragraph 6.9(2).

#### 6.10 Claims and Payments

- (1) Subject to paragraph 6.9 of this Scheme, Basic, Special Responsibility and Co-optees Allowances shall be paid by monthly instalments of one twelfth of the amount specified in this scheme on the 26<sup>th</sup> day of each month.
- (2) Where a payment of one-twelfth of the amount specified in this Scheme in respect of these Allowances would result in the individual receiving more than the amount to which, by virtue of paragraph 6.9 and its sub-paragraphs, the Member is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- (3) Claims for Travelling allowance, subsistence reimbursements, and dependent carers covering a calendar month are required to be submitted by the 6<sup>th</sup> of the following month.
  - (i) Payment of these claims received by the due date shall be made on the 26<sup>th</sup> day of the month in which they are received.

- (ii) Payment of claims received after the due date shall be made on the 26<sup>th</sup> day of the following month.
- (iii) Members expense claims submitted more than three months after the expenses were incurred will be paid only with the express approval of the Director of Governance and Legal Services & Monitoring Officer.

#### 6.11 Level of Allowances

The level of allowances payable under the Scheme were set following the recommendations of an independent panel which was appointed to review the remuneration paid to Members of this Authority.

#### 6.12 Repayment of Allowances

Where payment of any allowance has already been made in respect of any period during which the Member or Co-optee concerned:-

- (i) ceases to be a Member or Co-optee of the Authority,
- (ii) is in any other way not entitled to receive the allowance in respect of that period.

The Authority may require that such part of the allowance as relates to the period be repaid.

#### 6.13 Duplication of Allowances

Where a Member of this Authority is also a Member of another authority or body, that Member may not receive allowances from more than one authority or body in respect of the same duties.

### **Members' Allowances – Guidance**

#### 6.14 Introduction

- (1) The aim of this section is to provide Members with a guide to the expenses and allowances that are payable to them under the Members' Allowance Scheme.
- (2) Any queries not addressed by this section should be directed to the Monitoring Officer or Governance Manager.
- (3) The official duties carried out by the Chair and Vice-Chair of the Authority are civic duties of the civic leader of the Authority and are not covered by the Members' Allowance Regulations. Expenses for these duties are met from the Chair's Allowance.

- (4) The work of the Independent Persons are governed by the Localism Act 2012 and not covered by the Members' Allowance Regulations.
- (5) In accordance with the recommendations of the Independent Remuneration Panel on Members' Allowances the monitoring is carried out in respect of Members.

#### 6.15 Allowances/Reimbursements

The Authority's Members' Allowance Scheme ("the Scheme") made under the provisions of the Regulations for the payment of the following allowances:-

- Special Responsibility Allowances
- Basic Allowance
- Travelling Allowance and Subsistence Reimbursements
- Co-optees Allowance
- Dependent/Carers Allowance

#### 6.16 Publishing

- (1) The Regulations require that the Authority publish within the Authority's area:-
  - (i) The Scheme
    - Following any amendment or making of a Scheme
    - Every twelve months
  - (ii) In respect of each year, details of the amounts of allowances paid under the Scheme to each member.
- (2) The Freedom of Information Act 2000 requires the Authority to produce its publication scheme which has been approved by the Information Commissioners' Office, an independent body that reports directly to Parliament and monitors the Data Protection Act 1998 and the Freedom of Information Act 2000.

#### 6.17 Payment Restrictions

- (1) Certain bodies pay their own expenses and allowances. Members should therefore claim their expenses from these bodies direct and not from this Authority.
- (2) Certain duties necessarily carried out by Members of the District Authority are not duties for the purposes of claiming Members' Allowances (see Appendix B).

- (3) Where a Member is a Member of more than one local authority or public body, payment of Members' Allowances will, in general, be made by the local authority or public body, for which the approved duty is undertaken. For example:-

if a Member serves as a co-opted Member on a County Authority Committee the allowances will be payable by the County Authority.

#### 6.18 Special Responsibility Allowances

These allowances are paid to such Members of the Authority who hold positions with a special responsibility under the provisions of the Regulations; the positions in this Authority are listed in the Scheme.

#### 6.19 Basic Allowances

- (1) This allowance is intended to recognise the time devoted by Members to their work as elected representatives, including inevitable calls on their time such as meetings with constituents, Member's surgeries and political group meetings. It is also intended to cover incidental costs incurred in the course of a Members work.
- (2) This allowance is payable to all Members, each Member receiving the same amount of allowance.

#### 6.20 Travel Allowances/Expenses – See Appendix C

- (1) See Appendix C for information on Car Parking and Travel Fees.
- (2) Criteria for the use of taxis are detailed below:-
- (i) The rate for taxi fares must not exceed the amount of the actual fare and any reasonable gratuity paid. Reimbursement will only be made on the production of receipts.
- (3) Where a Member travels in his own car any fixed penalty parking fines or other traffic violation fines are the personal responsibility of that Member.
- (4) Where a Member travels with an officer or other Member who is entitled to claim allowances, the Member may not claim travelling allowances for that journey.
- (5) When mileage allowances are claimed the miles claimed must be based on the most reasonable route. However, in respect of home to The Arc mileage, the miles claimed will always be in accordance with the approved schedule. Prior to making their claim for home to The Arc mileage, the Member must seek from Audit Services the acceptable number of miles.



- (6) Private mileage must not be included in the claim.
- (7) Where Members have to travel between their place of work and the Authority Offices to carry out approved duties the mileage allowance or travel expenses claimable shall be the lesser of:-
  - Home to approved duty
  - Work to approved duty
- (8) Members, in their own interests, must ensure that their car insurance policy covers them for use on official business for the Authority. The Governance Manager will carry out spot checks of insurance certificates to ensure full compliance.

## 6.21 Members Car Insurance / Business Mileage

- (1) Members are required to have car insurance that covers them for **business use** and they must sign the declaration on the claim form to confirm this.
- (2) The extract below explains the different types of insurance cover and the importance of having the correct cover.

### What are the different use types?

**REMEMBER** - it is important that you have the right use for your car, if you have the wrong use you may find that your insurance company will not pay out on a claim.

- Social, Domestic & Pleasure - this covers you for normal day to day driving, such as driving to visit family or friends, or shopping.
- Commuting - this covers you to drive back and forth to a permanent place of work. Please note that travelling to a railway station, where you park your car, is classed as commuting.
- Business Use - this covers you to use the car in connection with your job, driving to different sites, travelling to training courses or prearranged meetings away from your normal place of work.

Commercial Travelling - This covers the car to be used for such things as door-to-door sales.

Insurance cover for commuting does **not** cover business use. Members work from home; this means that journeys between their home and the Authority offices are **not** classed as commuting if the journeys are made during the course of their duties.

- (3) Travel expenses may be subject to income tax and national insurance contributions.

- (i) Members are deemed to have two places of work and as such the HMRC guidance states that Members can receive tax (and NI free) home to work payments where:-

The Member routinely uses their homes to see constituents (and not merely used for reading Council papers, correspondence etc)

and;

- (ii) The mileage allowance paid does not include any element of profit and is dealt with under the HMRC's approved mileage allowance payments.
- (iii) If the criteria in (i) and (ii) above are not met the home to work travel expenses will be subject to tax and national insurance.
- (iii) The Council must hold relevant documentation to demonstrate that any Members paid home to work mileage free from tax have confirmed that they meet the relevant criteria. Where this is the case, Members will need to complete a declaration to confirm this.
- (iv) Additionally the declaration on the Members' Allowance Claim form requires Members to indicate where the travel claim is classed as non-taxable.

## 6.22 Subsistence Reimbursements

- (1) In order to claim a Subsistence Reimbursement a Member must have personally incurred expenditure on subsistence. (See Appendix C for further information).
- (2) Third parties (including spouse/partner) accompanying a Member on business trips:-

Where a Member is accompanied by a spouse, partner or a third party and there is an additional cost, the extra cost should be reclaimed from the Member. This would not be the case if the spouse, partner or third party is also representing the Authority. It is the Members responsibility to indicate on their claim form where reclaims from Members Allowances are due for this reason.

## 6.23 Royal Garden Party

- (1) The HMRC do not consider that attendance at a Royal Garden Party is part of the duties of any Authority Member and as such expenses incurred would not be classed as business expenses for PAYE purposes.

- (2) This does not affect the Authority's decision to include this as an approved duty.
- (3) Any travel and subsistence costs (reimbursement or payment made directly by the Authority) have to be subject to income tax and national insurance when paid.

#### 6.24 Approved Duties outside the UK – See Appendices A, B & C

- (1) There are no specific provisions covering payments of Members' Allowances in connection with overseas visits.
- (2) Reasonable travelling expenses are paid by the Authority direct or reimbursed to the member on submission of a claim.
- (3) Officers are required to keep a record of expenditure that they make on behalf of Members.
- (4) Where possible details of amounts paid on the Members behalf including name of any officer of the Authority who has made any payments during the foreign visit.

#### 6.25 Cash Advances

Cash advances can be arranged on request. In such cases the person receiving the advance must keep records of all expenditure made and whenever possible must obtain receipts. As soon as possible after the visit, the balance of the advance (if any) and/or the full record of the expenditure made together with the receipts must be returned to the creditors section of Financial Services.

#### 6.26 Members' Surgeries

Members' Allowances are not payable in respect of the time spent on Member' surgeries. It has been agreed that an allowance is made, however, under section 111 of the Local Government Act 1972, to cover the cost of advertising and operating Members surgeries. Members should make their own arrangements for advertising and accommodation and, upon presentation of properly certified invoices, the Governance Team will reimburse up to the limit of approved allowances in any one year.

## 6.27 Making Claims

### (1) Expenses and Allowances:

There are rules enabling you to claim expenses and allowances in connection with some of your duties as a Member. These rules must be scrupulously observed.

### (2) Frequency of Claiming:

Members are requested to claim monthly as this helps in reducing administration costs. This is particularly important at the month ending 31<sup>st</sup> March, when prompt submission is required in order to assist with the closing down of the accounts, and also for income tax purposes.

### (3) Method of Payment:

Payments are made direct to a Members bank account.

### (4) Making a Claim:

(see 6.22 (2) re. persons accompanying Members)

- (i) Where, a Member performs approved duties for more than one local authority or public body the amount that is claimed from the different bodies must not exceed the amount that would be claimed had the duty been carried out as a member of only one of these bodies.
- (ii) A Member is not entitled to receive Members' Allowances under the Local Authorities (Members' Allowances) (England) Regulations 2003 in addition to any comparable allowances under any other enactment, in the same period of twenty-four hours for the same duties.
- (iii) A claim for Members' Allowance is made by completing a Members' allowance claim form. The claim form is based on a statutory format and contains all the declarations required by law. The form is available via the Intranet.
- (iv) The following details should be entered on the form in the appropriate columns:-

Name and address

Vehicle registration mark and cubic capacity of the motor vehicle (on the back of the form) if a mileage claim is made.

Date of approved duty.

Time approved duty started. This will be the time the Member left home or work to undertake the approved duty.

Place of Departure

Details of the approved duty (e.g. committee, etc.)

Place of return

Time the approved duty ended – including reasonable travelling time.

To claim a mileage allowance, enter the date, number of miles travelling on the approved duty, whether the expenses is taxable or non-taxable, the mileage rate claimed and the amount claimed.

The amount of other approved expenses (e.g. bus/train fare) indicating whether the expense is taxable or non taxable

If the journey had involved travel by more than one method of transport it is necessary to use a separate line for each such method.

The totals for each allowance claim should be entered at the bottom of each column.

The Declaration at the foot of the claim form must be signed. The certification is required by law and Members should read it carefully and ensure that the statements they are signing are correct. If in any doubt, Members should consult the Head of Paid Service or the Head of Human Resources and Payroll.

VAT receipts must be attached for all reimbursements.

Pre dated VAT receipts for fuel must be attached where mileage is claimed.

(v) The completed form should be forwarded to the Governance Manager.

(5) Cases of Doubt;

Where doubt arises, which cannot be settled between the Member and the Head of Paid Service, the matter can be referred to the appropriate body.

(6) Checks Applied to a Members' Claim;

- (i) In Members own interest, the Governance Manager checks as far as possible the attendance at official meetings, insofar as attendance records are available. It is therefore important for Members to ensure they sign the attendance sheet.

- (ii) This check does not in any way relieve the Member from personal responsibility for the correctness of the claim for allowances.
- (iii) An attendance register will be circulated at each meeting of the Authority, Executive and Scrutiny Committees, and every Member present at such meeting shall record their attendance thereat by signature. The attendance sheet together with the minutes will be the official record of attendance at meetings and will be used for the purpose of authorising payments of Members attendance allowances.

Members may consider it prudent to maintain a personal diary recording more details of approved duties than is shown on their claim form. This would assist them personally should any query be made by objectors, or the External Auditor, possibly at a much later date.

- (iv) All claims are subject to scrutiny by the External Auditor and the statutory record of Members allowances is open for public inspection.

## 6.28 Statutory Sick Pay – Effect on Members

- (1) The provisions of the above came into force for 'Employees' on 6<sup>th</sup> April 1984. It has now been stated in a circular issued by the Department of the Environment that Members who are in receipt of Members' Allowances are considered to be 'employed' by their authority and will also be included where they meet the conditions of the scheme. The reasoning behind this is that these payments are subject to National Insurance contributions where they are greater than the lower earnings limit and consequently there may be an entitlement to State Incapacity Benefit from the Department of Social Security. As Statutory Sick Pay replaces State Sickness Benefit, Members whose allowances attract National Insurance contributions may qualify for this payment. The regulations are complex and wide-ranging, and although it is unlikely that the provisions of Statutory Sick Pay (SSP) will have any widespread relevance to Members of this Authority, it is felt, nevertheless, that all Members should be aware of the entitlement.
- (2) Where Members wish to make a claim for payment of SSP it is essential that they notify the HR & Payroll Team, telephone 01246 242474 on the first day of absence due to sickness.
- (3) Further advice and documentation will then be issued. Also further details of SSP can be obtained from the Payroll Section.

### 6.29 Income Tax and National Insurance Contributions

- (1) Income Tax and National Insurance contributions are deducted from Members' Allowances in accordance with the Authority's statutory obligations.
- (2) The PAYE system operates for Members' Allowances. New Members who cannot supply a tax form P45 will be required to complete a form P46. This form can be obtained from the Payroll Office.
- (3) Her Majesty's Revenue and Customs (HMRC) is sent an annual schedule giving details of allowances and expenses paid to each member.
- (4) HMRC has allowed Members to receive an additional tax free pay allowance per annum to be used against Members' allowances; this is included in the Members tax coding.
- (5) Reduced or no National Insurance contributions are payable by the Member if the Member is aged over state pensionable age, or is a married woman with a right to opt for reduced rate contributions (this option has now ceased but protected rights exist), or where the Member will pay the maximum amount of National Insurance contributions due to earnings from another job.
- (6) Members must provide the payroll office with a certificate, which is obtained from the Members local contributions agency before no or reduced rate National Insurance contributions are deducted from a Members' Allowance.

### 6.30 Social Security Benefits

(including Housing Benefit and Authority Tax Benefit)

- (1) The benefit system is very complicated and it is difficult to know exactly how the payments a Member is entitled to receive or does receive will affect any benefits payable to that Member.
- (2) Members claiming any benefit are advised to keep their benefit provider informed about any Members' Allowances they are **ENTITLED** to receive or do receive.

### 6.31 Insurance Cover for Members, provided by the Authority.

The following types of insurance cover are provided for Members:-

(1) Officials Indemnity;

To indemnify the Assured against legal liability for damages as a result of a claim or claims made arising out of any negligent act, error or omission committed or alleged to have been committed by or on behalf of the Assured in or about the conduct of the Assured's business.

Including indemnity to all employees and elected Members of the Authority or any co-opted Members of any committee or sub-committee.

(2) Public Liability;

Indemnity against legal liability for accidental bodily injury to any person or loss of or damage to material property.

Only applicable when representing the Authority.

(3) Libel and Slander;

To indemnify the assured in respect of any amount the assured shall become legally liable to pay as damages resulting from any libel and slander committed in any form whilst undergoing the conduct of the Assured's business.

Members should be aware that statements made in official meetings are only covered by qualified privilege and that accordingly a Member may be sued on a defamatory statement made in such a meeting.



## APPENDIX A

### CATEGORIES OF APPROVED DUTIES

Travelling Allowance and \*Subsistence Reimbursements (Exceptional circumstances only – see Appendix D)

Travelling and Subsistence may be paid to Members for certain types of meeting the categories of which are defined in the Local Authorities (Members' Allowances) (England) Regulations 2003. The following is a list of those categories as defined.

Some of the categories allow for discretion to be exercised. In particular category 5 allows the Authority to approve a class of duty for the payment of Travelling allowance and subsistence reimbursements. The classes of duty approved by this Authority are listed below number 5. Any meeting which falls within that class of duty as defined under category 5 automatically qualifies for payment of Travelling allowance and subsistence reimbursements and does not need to be approved by Authority or Committee.

- 1) Authority and committee meetings where expenditure necessarily incurred in connection with the performance of an approved duty.
- (2) Meetings of outside bodies to which the Authority makes appointments and nominations and where the member has been nominated by the Authority and where expenditure is necessarily incurred in connection with the performance of an approved duty.
- (3) Meetings the holding of which is authorised in advance and where Members of both political groups have been invited and where expenditure is necessarily incurred in connection with the performance of an approved duty.
- (4) Meetings of associations where the Authority is a Member of the association and where expenditure is necessarily incurred in connection with the performance of an approved duty.
- (5) A duty or class of duty approved for the purpose of or in connection with the discharge of functions:
  - (a) Any partnership of which the Authority is a partner and to which the member is appointed by the Authority.
  - (b) Formal liaison meetings with other local authorities, representatives of other bodies and individuals.
  - (c) With the prior approval of the committees concerned visits, official visits, site visits and inspections within the Authority's area.
  - (d) Visits by Members of Executive to the Authority's offices to discuss Authority business.
  - (e) Any duty of a Chair of a Committee within the Authority's area.

- (f) Any duty of a Vice-Chair of a Committee within the Authority's area.
  - (g) Visits by Leaders and Deputy Leaders of each party (and who are nominated as such to the Head of Paid Service) to the Authority's offices to discuss Authority business. Such visits by a Leader and Deputy Leader to be additional to the visits permitted as Chair or Vice Chair of a Committee of the Authority.
  - (h) Visits by Members (other than Leaders, Deputy Leaders and Chair of Committees) to the Authority's Offices to discuss Authority business or to attend, by prior agreement of the appropriate Chair, a meeting of a Authority Committee of which the Member is not a member.
  - (i) Attendances at commercially provided conferences and seminars as approved by the Head of Paid Service including externally provided training held at the Authority offices.
  - (j) Attendances at internally provided training held at the Authority offices.
  - (k) Attendance at public meetings and public inquiries with the prior approval of the appropriate Committee.
  - (l) Attendance with **the prior written approval** of the Head of Paid Service at any meeting or visit not otherwise provided for in the scheme where the Head of Paid Service considers it appropriate and necessary on the grounds of urgency or in the interests of the Authority's improvement and learning agenda, grant such approval in the interests of efficient conduct of the Authority's affairs **provided** such approval is reported to the next available meeting of Authority together with reasons. Such attendance is additional to any entitlements contained in other headings in this scheme.
  - (m) Working Parties of this Authority with prior approval.
- (6) Conferences inside or outside the UK to discuss matters relating to the interest of the area or the inhabitants or any part, provided conference is not organised by a commercial operator or political party provided the attendance is in connection with discharging the duties of the Authority or its Committees or Sub Committees.
- (7) Meetings inside or outside the UK to discuss matters relating to the interests of the area or the inhabitants or any part provided meeting is not organised by a commercial operator or political party provided the attendance is in connection with discharging the duties of the Authority or its Committees or Sub-Committees.

## **EXAMPLES OF MEETINGS WHERE TRAVELLING ALLOWANCE AND SUBSISTENCE REIMBURSEMENTS ARE PAYABLE**

N.B. Subsistence Reimbursements are not payable for duties carried out at The Arc, Clowne

- (1) Authority and Committee Meetings where expenditure is necessarily incurred in connection with the performance of an approved duty – includes for example:

Joint ICT Committee  
Bolsover Conservation Area Joint Advisory Committee

- (2) Meetings of outside bodies to which the **Authority** makes appointments and nominations and where the Member has been nominated by the Authority and where expenditure is necessarily incurred in connection with the performance of an approved duty – includes for example:

Isabella Smithson's Charity

- (3) Meetings, the holding of which is authorised in advance and where Members of both political groups have been invited and where expenditure is necessarily incurred in connection with the performance of an approved duty.

Duties under this category are to be approved at Committee prior to the duty being performed.

- (4) Meetings of associations where the Authority is a member of the association and where expenditure is necessarily incurred in connection with the performance of an approved duty- including for example:

Association of District Authorities

- (5) A duty or class of duty approved for the purpose of or in connection with the discharge of functions.
  - (a) Any partnership of which the Authority is a partner and to which the Member is appointed by the Authority.
  - (b) Any formal liaison meetings with other local authorities, representatives of other bodies and individuals.
  - (c) With the prior approval of the Committees, official visits, site visits and inspections within the Authority's area.

Part 6 Members Allowance Scheme  
Last Updated May 2024

- (6) Meetings of outside bodies to which the **Executive** makes appointments and nominations and where the Member has been nominated by the Authority and where expenditure is necessarily incurred in connection with the performance of an approved duty – including for example:

Chesterfield and District Crematorium Joint Committee  
Groundwork Creswell, Ashfield & Mansfield

- (7) Members should seek advice from Legal Services if they are unsure of any of the above.

## **APPENDIX B**

### **DUTIES WHICH ARE NOT “APPROVED DUTIES” FOR MEMBERS’ ALLOWANCE PURPOSES**

Governing Bodies of Nursery, Primary and Secondary Schools

Local/Town/Parish Authority Meetings

Members Surgeries

Party Political Meetings

Visits to Authority offices to collect correspondence, etc.

External Management Committees

## APPENDIX C

### REIMBURSEMENT OF EXPENDITURE

#### (1) Meal Allowances

- (i) Reimbursement of expenditure for meals (subsistence) will no longer be paid.
- (ii) Exceptionally, where attendance at a seminar or similar does not include the provision of meals, reimbursement of reasonable expenses, subject to submission of receipts, may be subject to the prior approval of the Leader or Deputy Leader.
- (iii) No reimbursement of expenditure is payable for Members attending qualification training courses.

#### (2) Overnight Accommodation

- (i) For Members, overnight accommodation is currently booked through the Governance Team as part of the training and seminar booking procedure. There is no current limit on overnight accommodation, but the Leader or Deputy Leader who signs the booking form must ensure that the expenditure is reasonable.
- (ii) In exceptional circumstances, where the Authority is not being invoiced directly by the hotel, payment of expenditure will be in arrears, subject to the prior approval of the Leader or Deputy Leader and subject to submission of receipts. The expenses should be deemed to be reasonable in the circumstances.

#### (3) Car Parking

- (i) Fees will be paid at actual costs but they must be supported by receipts.

#### (4) Travel Fees

- (i) In determining the mode of transport to be used for business journeys, employees must take into account economic and environmental issues.
- (ii) The rate for public transport should not exceed the ordinary fare. Or in the case of rail travel, the second class rate. In exceptional circumstances, first class rail fare may be permitted with the prior approval of the Leader or Deputy Leader. Receipts and/or tickets must support all retrospective claims for travel fares.
- (iii) Reimbursement of expenditure will not be paid in relation to mileage incurred in relation to qualification training courses.
- (iv) The HMRC mileage rate will be paid unless an alternative rate has been approved by the Council.

#### (5) Medical Expenses

- (i) Medical expenses incurred with their approved duties will be made in accordance with the relevant Authority Policy, for example, eye tests.

## **APPENDIX D**

### **Mileage Rates**

Allowance for the performance of approved duties;

#### **(1) Travelling Allowances**

The HMRC mileage rate will be paid unless an alternative rate has been approved by the Council.

#### **(2) Overnight Absence From Home – Overnight Garaging Allowances**

Not more than the amount of any expenditure incurred in tolls, ferries, or parking fees.