

EAST RENFREWSHIRE COUNCIL**3 MARCH 2022****Report by Director of Business Operations and Partnerships****SCHEME FOR MEMBERS' REMUNERATION AND EXPENSES 2022/23****PURPOSE OF REPORT**

1. To seek approval of the Council's Scheme for Members' Remuneration and Expenses for 2022/23.

RECOMMENDATION

2. That the Scheme for Members' Remuneration and Expenses for 2022/23 be approved.

BACKGROUND

3. In accordance with the relevant legislation, the Council has in place a scheme for Members' Remuneration and Expenses.

4. The Scheme provides details of the levels of basic salary payable to all councillors, and the increased salaries payable to the Leader and the Civic Head (Provost) these amounts being prescribed in legislation. The Scheme also provides details of those positions in the Council identified as being "Senior Councillor" positions for the purposes of the Regulations, and the levels of salary to be paid to each postholder.

5. In addition, the Scheme provides details of those other categories in respect of which Elected Members are entitled to claim expenses, such as the performance of approved duties, travelling expenses, and subsistence allowances.

REPORT

6. The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2022 were laid before the Scottish Parliament on 24 January 2022 and take effect from 1 April 2022.

7. The Regulations see an increase in the basic councillor remuneration from £18,604 to £19,571; the remuneration paid to the Leader of the Council increases from £31,010 to £32,622, and the remuneration paid to the Provost increases from £23,357 to £24,467. The remuneration paid to senior councillors will also increase from £23,357 to £24,467. These increases will take effect from 1 April 2022.

8. A copy of the new Scheme is attached (Appendix 1).

RECOMMENDATION/...

RECOMMENDATION

9. That the Scheme for Members' Remuneration and Expenses for 2022/23 be approved.

Local Government (Access to Information) Act 1985

Background Papers - None

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EAST RENFREWSHIRE COUNCIL
SCHEME FOR MEMBERS' REMUNERATION AND EXPENSES
2022/2023

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MEMBERS' REMUNERATION AND EXPENSES

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591 GUIDANCE NOTES

1. Members are responsible for completing their own expenses claim forms and for signing the declaration on each form that the expenses have been necessarily incurred for the performance of eligible approved duties. **Members should, as far as possible, also ensure that cost implications are considered in decisions regarding expenses to be incurred and should where possible adopt the most cost effective mode of transport.**
2. All travel, subsistence and telephone call claim forms must be submitted to the Members Services Section who will be responsible for checking that they have been properly completed. Members Services will sign the form in the box provided as evidence that the check has been carried out.
3. Travel and subsistence claims must include the following:
 - Date for which expense is claimed
 - Time of departure /arrival.
 - Detailed description of approved duty (including category).
 - Expense items / Journey details (including journey start and finish details).
 - Receipts for expenditure incurred.
4. Claims for travelling and subsistence in respect of conferences must be claimed on the conferences claim form which should then be submitted to Members Services.
5. Advances for conferences etc. can only be made up to seven days before departure and must be signed by the Member and an authorised signatory in Members Services.
6. When an advance has been made in respect of a conference a final claim form should be submitted as soon as possible thereafter. Advances will be recovered from the earlier occurring of next salary payment due or any subsequent payment in anticipation of which the advance was given.
7. Sample claim forms are appended to this Scheme for information. Actual forms are available from Members Services.
8. **Expense Claims Timetable/...**

8. Expense Claims Timetable

<u>To be Submitted to Members Services by</u>	<u>Pay Date Friday</u>
29.04.22	20.05.22
03.06.22	17.06.22
01.07.22	15.07.22
05.08.22	19.08.22
02.09.22	16.09.22
07.10.22	21.10.22
04.11.22	18.11.22
02.12.22	16.12.22
06.01.23	20.01.23
03.02.23	17.02.23
03.03.23	17.03.23
07.04.23	21.04.24

Expenses forms should be submitted to Members Services by the dates shown above in order for any expenses being claimed to be included in salary payments made on the corresponding Pay Date Friday. Claims must be fully completed, signed and dated. Incomplete/inaccurate forms will be returned to Elected Members which may result in a delay in expenses being reimbursed. It is important that expenses claim forms are returned timeously so that expenses can be recorded in the correct period.

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PAYMENT OF MEMBERS' SALARIES

Basic Salary

Each Member of the Council will receive a basic salary of £19,571 per annum. Payment of salary will be made on the third Friday of each month by a monthly payment of £1,630.92 subject to normal Income Tax, National Insurance and Pension Contribution deductions.

Senior Councillors

In terms of the 2007 Regulations the Council has resolved to pay Senior Councillor Salaries to Members with special responsibilities. These Salaries will be paid under the same arrangements as basic salaries.

	ANNUAL SALARY £	MONTHLY PAYMENT £
Leader of the Council	32,622	2718.50
Provost	24,467	2,038.92
Deputy Provost	24,467	2,038.92
Convener for Community Services and Community Safety	24,467	2,038.92
Convener for Education and Equalities	24,467	2,038.92
Convener for Environment	24,467	2,038.92
Convener for Housing and Maintenance Services	24,467	2,038.92
Chair of Audit and Scrutiny Committee	24,467	2,038.92
Chair of Planning Applications Committee/LRB	24,467	2,038.92
Chair of Licensing Committee	24,467	2,038.92

Payment of Salaries

Payment of salaries will be made automatically monthly into each Member's bank account on the third Friday of each month.

If a Member leaves office as a Councillor or ceases to be entitled to a Senior Councillor Salary, the payment due will be calculated on a daily basis from date of appointment to the date of demitting office. In such circumstances any overpayment will require to be repaid by the Member.

Prior to election, salaries will be calculated on a daily basis up to the appointed date.

APPROVED DUTIES

Travel and subsistence expenses may be claimed for approved duties. The list below provides details of all duties in respect of which claims can be submitted. When completing a claim form Members should include the category of the approved duty as listed below (A, B, C etc) as well as providing full details of the approved duty.

Attending or Undertaking:-

- A. Meetings of Council, Cabinet and Committees.
- B. Conference meetings or seminars etc. as approved representative of Council.
- C. Meetings organised to inform members of any development or to assist members with personal development wherever held.
- D. Political group meetings of the Council held within the East Renfrewshire area.
- E. Meetings with officers of the Council.
- F. Members' surgeries.
- G. Community Councils and Parent Councils.
- H. Duties as officer of political group.
- I. Duties as Convener, or Committee Chair/Vice-Chair.
- J. Functions required as Leader or Deputy Leader of Administration.
- K. Attendance at meetings of partner bodies as approved representative of Council.
- L. Attendance at meeting of partner bodies to which the Councillor has been appointed by virtue of their position as councillor.
- M. Duties undertaken as a ward representative.

595 TRAVELLING EXPENSES

Where it is reasonable to do so, Members should use public transport in the conduct of their duties. However where public transport is not reasonably available, alternative forms of transport (e.g. private vehicle) can be used. **In cases where alternative transport is used which is more expensive than the cost of travelling by public transport, the cost of travelling by public transport can be reclaimed although as no receipts or tickets can be provided this will be subject to tax. In the event that travelling by alternative transport is cheaper than the cost of travelling by public transport, the lower rate can be reclaimed.**

Public Transport – Reimbursement of Costs

Members may travel standard class by public transport, the cost of which will be reimbursed on production of a ticket except in the case of travel by air, where not more than the cost of the economy fare or any available cheap fare for travel by regular air service will be reimbursed, on production of a ticket. In cases of urgency where no such air service is available then the actual fare paid by the Member will be reimbursed on production of a ticket.

The production of tickets is required for all modes of public transport in order that appropriate supporting documentation can be produced to HMRC which may be demanded under current legislation. In the event Members are unable to produce tickets or receipts for any journey made on public transport, any amounts claimed will be subject to tax.

ZoneCard

Members who do not claim car mileage allowance, may at the Council's cost apply for a ZoneCard, details of which may be obtained from Members Services. The ZoneCard will cover journeys from their house or place of work to the Council's Headquarters by public transport and will as far as possible cover journeys within their wards.

Any Member in receipt of a ZoneCard from the Council will have details of this benefit submitted to HMRC at the end of each tax year. Tax may be levied on this benefit by HMRC.

Rail Cards

Members will be able to claim the cost of rail cards purchased by them to allow them to obtain reduced fares when on Council business. Details of the card and the business details should be sent to Members Services to allow discounts to be obtained when tickets are booked.

Any member in receipt of a rail card reclaimed from the Council will have the details of this benefit submitted to HMRC at the end of the tax year. Tax may be levied on this benefit by HMRC.

Mileage Allowances

For the purposes of calculating claims, **a councillor's normal place of residence is regarded as their normal place of work**, so expenses associated with travel from home to the Council HQ, and other locations to conduct council business, may be claimed back. Where a councillor travels on council business from their place of employment or business (which is not Council related) they may be reimbursed for the cost of the journey. However, if the cost of making this journey would have been lower had it started from the councillor's home, then that lower cost is the maximum amount that will be reimbursed.

For example if the distance from a councillor's home to council offices is 5 miles and from a councillor's business to council offices is 10 miles, a maximum of 5 miles may be claimed and reimbursed.

In the event a Member attends a meeting which requires them to **travel from and return to** their place of employment or business, and their place of employment or business is further away than their home, the actual mileage travelled can be claimed. If a councillor does not return to work after the meeting only the mileage from home to the council office can be claimed.

For example if the distance from a councillor's home to council offices is 5 miles and from a councillor's business to council offices is 10 miles, and the councillor leaves from their business to attend a meeting and returns there after the meeting, they are able to claim the total mileage (20 miles – 2 x 10 miles). If the councillor does not return to their work after the meeting but instead goes home then the lower mileage can be claimed (10 miles – 2 x 5 miles).

Under the Regulations, the following mileage rates apply.

car	-	45 pence per mile
passenger (approved duty)	-	5 pence per mile
motorcycle	-	24 pence per mile
bicycle	-	20 pence per mile.

When claiming mileage expenses the claim should be based on the shortest route between the start and end points of the journey regardless of the actual route taken.

Other Travelling Expenditure

The rates specified for car mileage may be increased by the amount of any expenditure incurred by tolls, ferries or parking fees.

No reimbursement will be made for the above costs unless receipts are produced.

The Council will not be responsible for any parking fines incurred.

Travel by Taxi or Private Hire Car

Taxis or private hire cars should only be used in exceptional circumstances when no other public transport is reasonably available.

Taxi or private hire car journeys should be booked through Members Services who will make the booking on behalf of the Member. When making a taxi booking request, Members will need to complete a Taxi Request Form. This form requires the member to provide details of the journey, its purpose and to confirm that there was no other reasonable travel option available,

When taxis or private hire cars are pre-booked they will be paid on account and there will be no need for the Member making the journey to include the journey details and costs on any expenses claims form. However the details will be included in the annual summary of Members' Expenses.

In the event that a taxi or private hire car journey is required which cannot be booked through Members Services, the journey cannot be made on account and the cost of the journey will need to be paid for by the Member making the journey. In claiming for the cost of the journey, the Member concerned will be required to confirm that the reason for the journey was either due to urgency or that public transport was not reasonably available. If these conditions are not met, the Member concerned will be required to repay the excess over the public transport cost.

The rate for travel by taxi or private hire car shall not exceed:-

In the case of urgency or where no public transport is reasonably available the amount of actual receipted fare.

In any other case the amount of fare for travel by appropriate public transport.

Travel by Other Hired Motor Vehicle

The rate for travel by a hired motor vehicle other than a taxi or private hire car shall not exceed the lower of:-

The car mileage rate as stated above being the rate which would have been applicable had the vehicle belonged to the Member who hired it.

The cost of hiring a vehicle of less than 1200cc

In order to reclaim reimbursement the Member must provide an appropriate VAT receipt.

Travel by Council Car

Members should be aware that the Council is required to record and publish as part of the annual members' expenses exercise costs relating to the use of chauffer driven cars. This will include costs incurred on such journeys by Provost, Deputy Provost and other Councillors being conveyed in the Council car.

598 SUBSISTENCE

Entitlement

Any Member is entitled to payment of subsistence claims where expenses are *necessarily incurred* and for which appropriate receipts are produced in carrying out approved duties which require continuous time involvements shown below.

Rates

These payments may not exceed maximum rates prescribed by Scottish Ministers.

MAXIMUM ALLOWANCE	AMOUNT	HOURS AWAY FROM HOME	PERIOD THAT MUST BE INCLUDED
	£		
Breakfast	8.00	3	No overnight subsistence.
Lunch	12.00	4	12 Noon to 2p.m.
Dinner	25.00	4	
Overnight stay with friends or family	25.00	24	Continuous absence which includes overnight stay.
Overnight Stay	110.00	24	Continuous absence which includes overnight stay.
Overnight stay London	131.00	24	Continuous absence which includes overnight stay.

Exclusions

- (i) In the case of breakfast, lunch and dinner no reimbursement can be claimed when a meal has been provided free of charge.
- (ii) In the case of an overnight stay the sum reimbursed shall be reduced in respect of any meal or accommodation provided free of charge.
- (iii) Where the Council books a conference which includes accommodation and subsistence no additional sums may be claimed by Members.

TELEPHONE EXPENSES

Landline Telephone and Broadband Connections

Members can be supplied with landline telephone and broadband facilities at home which are installed and paid for by the Council. **The telephone facility should only be used for Council business. In parallel with the Council's mobile device policy, broadband facilities may be used for personal use but must not be used for any non-Council business activities. Members will be asked to sign an undertaking to that effect.**

Bills for these services are sent directly to the Council.

Some Members have chosen to use their own personal broadband connection for Council business and as the Council has made a cost effective solution available, Members are not entitled to claim for business use of this equipment.

Mobile Telephones

Members can be supplied with mobile telephones/tablets/laptops by the Council. **The use of these devices is controlled by the Council's mobile device policy.** The policy permits personal use of a Council supplied mobile device within usage plan limits, but it does not permit the use of a Council supplied mobile phone for non-Council business activities.

Should members intend to use phones, laptops and tablets overseas they should contact IT (3131) with travel details no later than 3 days before travel to allow the appropriate "bolt on" arrangements to be made. Members should also note that there may be additional costs associated with this depending on their travel destination. Should Members fail to notify IT of overseas travel and use their devices without making the appropriate "bolt on" arrangements, this may result in significant additional costs.

Bills for mobile devices are sent to Members Services. In the event that a bill exceeds the monthly usage plan limit Members will be asked to confirm whether excess costs are personal or Council related. If personal, Members will be required to pay the excess by way of deduction from their next salary.

Members will be asked to sign an undertaking confirming that they will comply with the terms of the Council's mobile device policy

CONFERENCES AND TRAVEL ABROAD

Conferences

Attendance at conferences requires to be approved in advance by the Director of Corporate and Community Resources or Head of Democratic and Partnership Services in consultation with the Leader of the Council.

Conferences have to be accounted for separately and accordingly there is a special conferences claim form.

In respect of conferences within the UK Members will be reimbursed according to normal rates for travelling and subsistence which will be subject to provision of appropriate receipts.

When the Council books overnight accommodation this should be at or below the Members' overnight allowance rate.

When the Council books a conference which includes accommodation and subsistence no additional sums may be claimed by Members.

Travel Abroad

In respect of travel outwith the UK, travelling expenses for the most appropriate form of transport and subsistence will be reimbursed provided details and receipts are produced.

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INCOME TAX AND NATIONAL INSURANCE

Income Tax and National Insurance

Normal Income Tax and National Insurance rules are applied to salary payments, travel claims and telephone rental allowance.

Tax Relief

Members may wish to claim tax relief in respect of expenses which are not reimbursed by the Council e.g. expenses in connection with constituency work. Details of these expenses should be submitted normally at the end of the Tax Year, direct to HMRC. A form and guidance notes for this purpose will be available from the Payroll Section. If Members do not wish to make a claim in respect of such expenses no action need be taken.

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