

A. Members' Allowances and duties

1. Application of Scheme in year of local authority election

- 1.1 During the year when there is an ordinary election of councillors, the scheme will be approved at the budget council meeting of the outgoing council and apply until the scheme is confirmed or amended by the incoming council. The incoming council will be asked whether it wishes to backdate approval to the date the incoming council took office (after the fourth day after the date of the election).

Basic Allowance

- 2.1 Each year a basic allowance of £10,597 will be paid to each councillor. The allowance is intended to cover costs such as:
 - a. incidental costs such as the use of councillors' homes;
 - b. intra-borough travel costs;
 - c. most subsistence costs; and,
 - d. telephony costs (line rental, broadband, call costs etc.). The Council will provide (and meet the running costs of) a laptop computer and mobile phone.
- 2.2 The Basic allowance is claimable by all Members of the Council, and payable in monthly instalments.

Civic expenses

- 3.1 A civic expenses budget of £2,000 is available to meet the costs of civic gifts and hospitality and maintenance of civic regalia.

Key duties

- 4.1 In the Ward, councillors will:
 - a. represent effectively local people to galvanise Council, voluntary and private resources and action to help meet local needs. Councillors have the elected right to assume a leadership role in their Ward and constituents expect to be assisted;
 - b. make themselves known to all residents' and tenants' associations, amenity groups, voluntary organisations, schools, places of worship and other societies where community representatives gather;
 - c. attend regularly meetings of area housing forums and other area meetings that focus on local concerns over the Council, the police or other authorities;
 - d. hold an advice surgery at least once monthly;
 - e. ensure their up to date contact details (i.e. ward surgery location (opening dates and times), correspondence address, email address, and telephone number), are provided to Democratic Services for publication on the Council's website; and,
 - f. respond promptly to constituents' queries.
- 4.2 On the Council, councillors will:
 - a. attend meetings of the Council as well as Committees, other bodies and outside organisations where appointed by the Council as a member;
 - b. help decide service priorities and participate in agreeing and setting a budget; and,
 - c. monitor performance against targets in all areas of Council activity.
- 4.3 Additionally, Cabinet Members are required to ensure that the Cabinet meets the following objectives:
 - a. to provide advice and guidance to the Chief Executive and Strategic Leadership Board on matters of policy and priorities;
 - b. to monitor the performance of the Council and recommend the targets and standards of performance to be achieved;

- c. to oversee the budget and policy development process of the Council and ensure that full and proper consultation occurs on policy proposals; and,
- d. to make recommendations to the Council on matters of policy and performance.

Childcare and Dependent Care Allowance

5.1 This allowance is discretionary, and is payable to reimburse claimants for the actual expenditure incurred, the hourly rate will be set in line with the London living wage (plus a further payment of up to £15 to pay the cost of any taxi journey home for the carer) for the care of children or dependent relatives whilst undertaking the following duties (other than in respect of a carer from the claimant's household) (as specified in the Regulations):

- a. a meeting of Cabinet;
- b. a meeting of a committee of Cabinet;
- c. a meeting of the authority;
- d. a meeting of a committee or sub-committee of the authority;
- e. a meeting of any other body to which the authority make appointments or nominations;
- f. a meeting of a committee or sub-committee of any other body to which the authority makes appointments or nominations;
- g. a meeting which has both been authorised by the authority, a committee or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a sub-committee of a joint committee and to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups);
- h. a meeting of a local authority association of which the authority is a member;
- i. duties undertaken on behalf of the authority in pursuance of any standing order made under the Local Government Act 1972, Section 135, requiring a member or members to be present while tender documents are opened;
- j. duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- k. duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of the Education Act 1996, Section 342;
- l. a meeting of an Area Housing Forum; and,
- m. attendance at Ward Surgeries.

5.2 The childcare provider must be registered with Ofsted. The carer for a dependent adult must be registered. Councillors should notify officers in advance when wanting to use a professional organisation and/or carer other than a registered carer, and officers will confirm whether this organisation is acceptable; five working days' notice is required. The carer must not be a member of the councillor's family. The maximum reimbursement will be calculated on the basis of the duration of the qualifying duty plus two hours travelling time. The amount claimed must not exceed the amount actually paid to the care provider. Claims for carers must be submitted via the proper process and accompanied by receipts. The care provider will be required to account for any tax liability arising.

Travel and subsistence expenses

Councillors

6.1 Expenses are not normally payable for travel or subsistence incurred within London. However, on the grounds of mobility and safety (e.g. travel home from late night meetings), travel expenses (submitted via the proper process) may be authorised by the Head of Democratic Services, in consultation with the group whip concerned, for travel which meets the following criteria:

- a. meetings of any body formally constituted by the Council.

- 6.2 Alternative modes of transport and shared taxis or mini-cabs should be used whenever possible.
- 6.3 Travel and subsistence costs outside London (but within the U.K.) will be paid, subject to them meeting any of the following criteria (and being submitted on the appropriate claim form):
- a. meetings of any body formally constituted by the Council;
 - b. attendance as the Council's formally appointed representative to an outside organisation;
 - c. meetings involving Council Officers in connection with the council's legitimate functions;
 - d. attendance, on behalf of the council, at conferences and meetings, provided that they are not held for commercial or political purposes where the prior approval of the Head Democratic Services to the payment of conference, travel and subsistence expenses has been obtained;
 - e. attendance at any other training session, where the prior approval of the Head Democratic Services to the payment of conference, travel and subsistence expenses has been obtained; and,
 - f. attendance at a formal meeting of the following associations of which the authority is a member (where the association's scheme does not enable payment of such expenses):
 - i. Local Government Association; and,
 - ii. London Councils;
- and where the prior approval of the Head of Democratic Services to the payment of travel and subsistence expenses has been obtained.

Co-opted members (non-councillors) and Education Appeal Panel members

- 6.4 Non-councillors serving on the Education Appeals Panels may submit claims for travel or subsistence as set out below.
- 6.5 The following duties will be reimbursed:
- a. attendance at any Panel etc. on which they serve; and,
 - b. attendance at any training session or interview they are required by the Council to attend.

Rates

- 6.6 The standard class rail fare (or any available cheap fares) may be claimed and the Council encourages the use of public transport. Where car and motorbike expenses may be claimed these may be reimbursed at these rates (rates will be updated in accordance with Government advice):
- a. Motorbike – casual users: 12.1p; and,
 - b. Car – casual users: 40.5p.
- 6.7 Subsistence costs are payable at the current rates specified for officers, upon submission of receipts, unless these costs can be claimed from another source:
- a. up to a maximum of £5.00 per meal; and,
 - b. up to a maximum of £7.64 for evening meals.
- 6.8 Public transport and subsistence expenses will only be paid where evidence is provided in the form of receipts, bus, tube or train tickets or day travel cards or receipted Oyster cards (see note below). Note that cost of season tickets (weekly, monthly or annual) will normally not be refundable by the Council as these are primarily purchased for and are available for private use.
- 6.9 Reimbursement relating to **Oyster cards** (Pay-as-you-go) applies only to Pre-paid Oyster cards whereby councillors are able to obtain receipts that clearly indicate their journey for Lambeth business purposes, typically work to work journeys. Printouts can be obtained from Underground Station. Weekly or Monthly Oyster cards, like Travel cards or Season tickets are **available for private use** and are therefore regarded by HMRC as taxable benefits, if costs are reimbursed. Costs of these would not normally be reimbursed by the Council.

6.10 Where a claim is submitted for travel by Taxi or mini-cab (see above for criteria which applies), the amount of the taxi fare is reimbursable.

Conferences etc.

7.1 Where the cost of attendance at a conference, seminar or training course (registration fee, travel and subsistence) is to be met from the members allowance budget, the approval of the Democratic Services and Scrutiny Manager must be sought prior to the booking being made. Such requests will be considered in accordance with the following criteria:

- a. funds being available within the budget allocation (the budget is divided pro-rata between the groups and independent member);
- b. an explanation of the benefit to the councillor and the Council (to be provided by the councillor concerned in making the application); and,
- c. proof that the conference is not being provided for commercial or political purposes (to be provided by the councillor concerned in making the application). For instance, conferences held under a political banner would need to cover non-political activity and be open to all rather than just party members.

7.2 The Head of Chief Executive's Office and Democratic Services will consult the whip of the party concerned before deciding whether or not to approve attendance. If attendance is approved, the councillor concerned is expected to give feedback to Head Democratic Services on the usefulness of the conference. The rules on travel and subsistence expenses are set out in the segment above.

Renunciation

8.1 A councillor may by notice in writing given to the Director of Legal and Governance elect to forego any part of their entitlement to an allowance under this scheme.

Education Appeals Panel members (non-councillors): Financial Loss Allowance

9.1 A Financial Loss Allowance will be payable to Education Appeals Panel members as follows:

- a. for a period not exceeding four hours - **£27.65**;
- b. for a period between four and 24 hours - **£55.31**; and,
- c. the aggregate of **£55.31** and such amount in (a) or (b) as is appropriate to the number of hours which the period exceeds 24 hours.

9.2 Financial Loss allowance is a financial loss payment in recognition of additional expenditure necessarily incurred by the panel member in carrying out approved duties. HM Revenue and Customs (HMRC) accepts that Financial Loss payment does not constitute emoluments from the office and will therefore not be subject to tax or NIC deduction at source. It may however be taxable on members who are self-employed. Recipients must declare it as income on any tax return. Those who are self-employed should treat it as schedule D income. Financial Loss Allowance claims must be submitted by the non-councillor concerned on the relevant claim form and this must be accompanied by written proof from their employer of the financial loss incurred.

Time limit for claims

10.1 In accordance with the Council's standard arrangements, all claims for dependent care allowance, travel or subsistence expenses, or financial loss allowance, must be made within six months of the expenditure being incurred.

Publication of scheme

11.1 The Council is required to publish the following in the press and on the website:

- a. the findings of the London Councils Independent Panel on Member Allowances;
- b. the annual allowances scheme; and,
- c. the actual payments made to each Member each year.

11.2 Records of payments to Members covered by this note are open to public inspection.

Summary of Allowances for Financial Year 2022/23

a. Special responsibility allowances (SRAs) and civic allowances

1. Introduction

1.1 The following SRAs and civic allowances are paid:

Position	£ pa
Mayor civic allowance	15,954
Deputy Mayor civic allowance	5,319
Leader of the Council	40,617
Remaining Cabinet members:	
Deputy Leader of the Council	28,518
Deputy Leader of the Council	28,518
Cabinet Member	28,518
Cabinet Member (job share)	14,259
Cabinet Member (job share)	14,259
Deputy Cabinet Members:	
Deputy Cabinet Member	10,905
Whips:	
Chief Whip	16,356
Deputy Chief Whip	5,000
Chairs and Committees:	
Chair of Overview and Scrutiny Committee	16,194
Vice-Chair of Overview and Scrutiny Committee	6,000
Vice-Chair of Overview and Scrutiny Committee	6,000
Vice-Chair of Overview and Scrutiny Committee	6,000
Planning Applications Committee: Chair	16,194
Planning Applications Committee: Vice-Chair	5,556
Licensing Committee and Sub-Committee: Chair	10,000
Corporate Committee: Chair	5,000
Pensions Committee: Chair	5,000
Fostering Panel: Chair	4,000
Others:	

Policy Lead	2,500
Policy Lead	2,500
Leader of the Majority Opposition Group	10,103
Leader of the Minority Opposition Group	6,103
Standards Committee: Independent Person(s) (non-Councillor)	500
Standards Committee: Independent Person(s) (non-Councillor)	500

- 1.2 SRAs are payable in monthly instalments. One SRA per member only may be paid, except in exceptional circumstances with the approval of the Monitoring Officer in consultation with the Chief Whip.

2. Discretionary Sickness Payments

- 2.1 The eligibility for flexible sickness payments is to be determined by the Council's Monitoring Officer. It would be payable where a member who is in receipt of a special responsibility allowance is unable to fulfil their duties as a councillor due to long term illness.
- 2.2 In these circumstances the member would be eligible to receive a discretionary sickness payment. Any discretionary sickness payments will be made for a period of up to six months up to the full amount of the SRA. All flexible sickness payments need to be within the overall financial budget set for Member Allowances.

Parental Leave for Councillors

Leave Periods

- 3.1 Members giving birth are entitled to up to six months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.
- 3.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the six months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial six months.
- 3.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52-week entitlement.
- 3.4 Members shall be entitled to take two weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).
- 3.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.
- 3.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.
- 3.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

- 3.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six-month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six-month period.
- 3.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.
- 3.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

Basic Allowance

- 4.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

Special Responsibility Allowances

- 5.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.
- 5.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.
- 5.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six-month period.
- 5.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.
- 5.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

Resigning from Office and Elections

- 6.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 6.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.