



**SCHEME OF COUNCILLORS'  
ALLOWANCES  
2012-2013**

**1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 9 February 2010 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2009.
- 1.3 Milton Keynes Council currently has 51 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

**2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £9,863 per annum. This is paid in 12 equal, monthly instalments and is subject to both tax and National Insurance contributions where applicable.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business.

### **3. Special Responsibility Allowance**

3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.

3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£29,332
Main Opposition Group Leader - per Group Member	£614
Smaller Opposition Group Leader - per Group Member	£614
Cabinet Member	£10,647
Chair of Overview & Scrutiny Management Committee	£7,368
Chair of Overview & Scrutiny Select Committee	£4,549
Chair of Budget Review Group	£6,368
Chair of Executive Scrutiny Panel	£4,368
Chair of Development Control Committee	£8,051
Chair of Licensing & Regulation Committees (1 person)	£8,051
Chair of Audit Committee	£5,368
Chair of Standards Committee	£2,933

3.3 Special Responsibility Allowance is paid in 12 equal, monthly instalments. Special Responsibility Allowances are liable for tax and National Insurance.

3.4 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

3.5 In the case of a member who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific Member as deputy, the council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the Member concerned, and making a retrospective payment to the deputising Member for the whole of the three month period, and continuing until the original Member is able to resume the duty concerned.

- 3.6 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.7 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £634 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Members' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £10,647 per annum, in line with that paid to Cabinet Members, paid in two equal instalments of £5323.50 in May and November.
- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, ie £5,324 per annum, payable in two equal instalments of £2,662 in May and November.
- 5.3 As part of a local agreement with HM Inspector of Taxes for Milton Keynes, the above civic allowances are not liable for tax or National Insurance contributions.
- 5.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a

calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

- 6.1 All councillors and co-opted members of council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance at the following rates:

Child care:

Current minimum wage rate applicable the age of the carer, which as 1 October 2011 were:

- £6.08 per hour (21 years and over)
- £4.98 per hour (18 – 20 year olds)
- £3.68 per hour (for workers under 18 who are above compulsory school leaving age)

Other Dependants:

£10 per hour, or the applicable rate for the hourly cost of Milton Keynes Council Home Help carer, whichever is the least

This is paid for up to a maximum of 5 hours in any 24 hour period and covers care provided for a councillor's/co-opted member's dependent(s) whilst the councillor/co-opted member is carrying out any 'Approved Duties' specified in Annex A.

This includes travel time associated with the Approved Duties.

- 6.2 Full details of the Dependent Carers' Allowance Scheme are listed in Annex A of this Scheme

## **7. Travel and Subsistence**

- 7.1 Re-imbursement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the reimbursement of Council officers.
- 7.2 In some instances mileage claims may be liable for tax and National Insurance contributions.
- 7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.

- 7.4 The above also applies to members of Education Appeals Panels who can also claim the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.
- 7.5 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

- 8.1 There is a 3 month time limit for submitting claims for the claimable allowances above ie Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Assistant Director (Democratic Services) and the Assistant Director (Audit & Risk Management).

## **9. Pensions**

- 9.1 All councillors are eligible to join the Local Government Pension Scheme. Both Basic Allowance and Special Responsibility Allowance will be taken into account when calculating pension entitlement.

## **10. Dual Authority Roles**

- 10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

- 11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Assistant Director (Democratic Services).

## **12. Suspensions and Withholding Allowances**

- 12.1 In the event of a councillor being suspended from duty following an investigation by the Council's Standards Committee or the Standards Board for England, allowances will not be paid to the councillor concerned during the period of suspension.
- 12.2 If necessary, a pro-rata calculation will be made based on the number of days in the Council year concerned to determine if an adjustment for under or overpayment needs to be made to ensure that the correct amount is withheld during the suspension period. The Council reserves the right to recover any overpayments.

### **13. Approved Duties**

13.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:

- a meeting of the Council;
- 1. a meeting of the Cabinet;
- 2. a meeting of a committee of the Cabinet;
- 3. a meeting of a committee or sub-committee of a committee of the Council;
- 4. a meeting of some other body to which the Council makes appointments or nominations (ie Outside Bodies);
- 5. a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- 6. a meeting of a local authority association of which the Council is a member (eg Local Government Association);
- 7. a meeting in the Member's Ward called by a Council Officer or Parish Council;
- 8. duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- 9. duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- 10. duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- 11. a meeting which has been:
  - ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;
- 12. a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a Member, who is not appointed to that body:
  - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;

- ❖ is required to attend to answer questions/give evidence;  
or
  - ❖ attends to present a report on behalf of another body of the Council;
13. attendance at conferences, seminars and other Member Development and training events as approved by the Council or the Head of Democratic Services;
  14. attendance at casework surgeries organised at advertised times and venues within the Member's own ward;
  15. any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

#### **14. Indexing**

- 14.1 **The Basic, Special Responsibility and Co-optees' Allowances:** indexed to the annual local government staff percentage increase as agreed each April by National Joint Councils for Local Government Staff.
- 14.2 **The Dependent Carer's Allowance:** indexed to the maximum hourly rates for minimum wage for age of carer/average hourly cost of Milton Keynes Council home help
- 14.3 **Travel and Subsistence allowances:** at the same rates and conditions applicable to Officer and HMRC rates where applicable

#### **15. Duration**

- 16.1 The above Scheme of Allowances is operative from 1 April 2012 until 31 March 2013 or such other time as agreed by the Council.

**Dependant Carer Allowance Scheme**

1. The Scheme is open to all elected Council Members and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is the current hourly rate for the National Minimum Wage, up to a maximum of 5 hours in any 24 hour period.
4. The Scheme covers care provided for a Member's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as listed below.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered childminder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Members' Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Member Services Officer, Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Members' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.



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

A scheme may provide for the payment to members of an authority of an allowance ("dependants' carers' allowance") in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in -

- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that -
  - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
  - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) the performance of any duty 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;
- (g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools) and
- (h) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

## Dependant Carers' Allowance

Data care provided: ..... Duty covered: .....

Time from: ..... Time to: .....

Total hours: .....

Cost per hour: ..... Total: .....

Name of Carer: .....

Signature of Carer: .....

Name of Claimant: .....

Signature of Claimant: .....



## **SCHEME OF COUNCILLORS' ALLOWANCES 2016-2017**

### **1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 23 March 2016 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2014, together with the additional recommendation agreed by the Panel in respect of the Council's new scrutiny structure to be implemented in May 2015.
- 1.3 Milton Keynes Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

### **2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £10,000 per annum. This is paid in 12 equal, monthly instalments and is subject to both tax and National Insurance contributions where applicable.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.

### **3. Special Responsibility Allowance**

3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.

3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£30,000
Main Opposition Group Leader - per Group Member	£620
Smaller Opposition Group Leader(s) - per Group Member	£620
Cabinet Member* <sup>1</sup>	£11,000
Chair of Scrutiny Management Committee	£7,500
Chair of Scrutiny Committee* <sup>2</sup>	£4,500
Chairs of Task and Finish Groups (pro rata depending on the length of time the Group is in place)	£4,500
Chair of Development Control Committee	£8,000
Chair of Licensing & Regulatory Committees (1 person)	£8,000
Chair of Audit Committee	£5,500
Chair of Standards Committee	£3,000
<b>Chair of RegenerationMK Committee</b>	<b>£3,000</b>

\*<sup>1</sup> Pool capped at £77,000

\*<sup>2</sup> Budget Scrutiny Committee, Children and Young People Committee, Executive Scrutiny Committee and Health and Adult Social Care Committee

3.3 Special Responsibility Allowance is paid in 12 equal, monthly instalments. Special Responsibility Allowances are liable for tax and National Insurance.

3.4 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

- 3.5 In the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.6 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.7 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £640 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £11,000 per annum, in line with that paid to Cabinet Members, paid in two equal instalments of £5,500 in May and November.

- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £5,500 per annum, payable in two equal instalments of £2,750 in May and November.
- 5.3 As part of a local agreement with HM Inspector of Taxes for Milton Keynes, the above civic allowances are not liable for tax or National Insurance contributions.
- 5.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

- 6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance at the following rates:

### **Child care:**

The Living Wage of £7.20 per hour applies for those aged 25 or over. That the current minimum wage rate apply dependent on the age of the carer, which as 1 October 2015 were:

- £6.70 per hour (21 years and over)
- £5.30 per hour (18 – 20 year olds)
- £3.87 per hour (for workers under 18 who are above compulsory school leaving age)

Other Dependants:

£10 per hour, or the applicable rate for the hourly cost of Milton Keynes Council Home Help carer, whichever is the least.

This is paid for up to a maximum of 5 hours in any 24 hour period and covers care provided for a councillor's/co-opted member's dependent(s) whilst the councillor/co-opted member is carrying out any 'Approved Duties' specified in the Appendix.

This includes travel time associated with the Approved Duties.

- 6.2 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme

## **7. Travel and Subsistence**

- 7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers.
- 7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.
- 7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.
- 7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

- 8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Service Director, (Legal and Democratic Services) and the Assistant Director, (Audit & Risk Management).

## **9. Pensions**

- 9.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **10. Dual Authority Roles**

- 10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

- 11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Service Director (Legal and Democratic Services).

## **12. Suspensions and Withholding Allowances**

- 12.1 In the event of a councillor being suspended from duty following an investigation by the Council's Standards Committee, allowances will not be paid to the councillor concerned during the period of suspension.
- 12.2 If necessary, a pro-rata calculation will be made based on the number of days in the Council year concerned to determine if an adjustment for under or overpayment needs to be made to ensure that the correct amount is withheld during the suspension period. The Council reserves the right to recover any overpayments.

### 13. Approved Duties

- 13.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:
- a meeting of the Council;
  - a meeting of the Cabinet;
  - a meeting of a committee of the Cabinet;
  - a meeting of a committee or sub-committee of a committee of the Council;
  - a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
  - a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
  - a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
  - a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
  - duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
  - duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
  - duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
  - a meeting which has been:
    - ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;
  - a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
    - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
    - ❖ is required to attend to answer questions/give evidence; or
    - ❖ attends to present a report on behalf of another body of the Council;



- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

#### **14. Indexing**

- 14.1 **The Dependent Carer's Allowance:** indexed to the maximum hourly rates for minimum wage for age of carer/average hourly cost of Milton Keynes Council home help
- 14.2 **Travel and Subsistence allowances:** at the same rates and conditions applicable to Officer and HMRC rates where applicable

#### **15. Duration**

- 15.1 The above Scheme of Allowances is operative from 1 April 2016 until 31 March 2017 or such other time as agreed by the Council.

**Dependant Carer Allowance Scheme**

1. The Scheme is open to all elected councillors of Milton Keynes Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is the current hourly rate for the National Minimum Wage, up to a maximum of 5 hours in any 24 hour period.
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as listed below.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor ' Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Councillor and Electoral Services Officer, Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.

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

A scheme may provide for the payment to councillor of an authority of an allowance ("dependants' carers' allowance") in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in -

- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that -
  - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
  - (ii) if the authority is not so divided, it is a meeting to which at least two councillors of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a councillor or councillors to be present while tender documents are opened;
- (f) the performance of any duty 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;
- (g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools) and
- (h) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour	
Total	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	

## **SCHEME OF COUNCILLORS' ALLOWANCES 2017-2018**

### **1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 22 March 2017 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2014, together with the additional recommendation agreed by the Panel in respect of the Council's new scrutiny structure to be implemented in May 2015.
- 1.3 Milton Keynes Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

### **2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £10,000 per annum. This is paid in 12 equal, monthly instalments and is subject to both tax and National Insurance contributions where applicable.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.

### **3. Special Responsibility Allowance**

- 3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.
- 3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£30,000
Main Opposition Group Leader - per Group Member	£620
Smaller Opposition Group Leader(s) - per Group Member	£620
Cabinet Member* <sup>1</sup>	£11,000
Chair of Scrutiny Management Committee	£7,500
Chair of Scrutiny Committee* <sup>2</sup>	£4,500
Chairs of Task and Finish Groups (pro rata depending on the length of time the Group is in place)	£4,500
Chair of Development Control Committee	£8,000
Chair of Licensing & Regulatory Committees (1 person)	£8,000
Chair of Audit Committee	£5,500
Chair of Standards Committee	£3,000
Chair of RegenerationMK Committee	£3,000

\*<sup>1</sup> Pool capped at £77,000

\*<sup>2</sup> Budget Scrutiny Committee, Children and Young People Committee, Executive Scrutiny Committee, Health and Adult Social Care Committee and Housing and Community Committee.

- 3.3 Special Responsibility Allowance is paid in 12 equal, monthly instalments. Special Responsibility Allowances are liable for tax and National Insurance.
- 3.4 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

- 3.5 In the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.6 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.7 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £640 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £11,000 per annum, in line with that paid to Cabinet Members, paid in two equal instalments of £5,500 in June and November.

- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £5,500 per annum, payable in two equal instalments of £2,750 in June and November.
- 5.3 As part of a local agreement with HM Inspector of Taxes for Milton Keynes, the above civic allowances are not liable for tax or National Insurance contributions.
- 5.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

- 6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance at the following rates:

Child care:

The Living Wage of £7.20 per hour applies for those aged 25 or over. That the current minimum wage rate apply dependent on the age of the carer, which as 1 October 2015 were:

- £6.70 per hour (21 years and over)
- £5.30 per hour (18 – 20 year olds)
- £3.87 per hour (for workers under 18 who are above compulsory school leaving age)

Other Dependants:

£10 per hour, or the applicable rate for the hourly cost of Milton Keynes Council Home Help carer, whichever is the least.

This is paid for up to a maximum of 5 hours in any 24 hour period and covers care provided for a councillor's/co-opted member's dependent(s) whilst the councillor/co-opted member is carrying out any 'Approved Duties' specified in the Appendix.

This includes travel time associated with the Approved Duties.

- 6.2 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme



## **7. Travel and Subsistence**

- 7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers.
- 7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.
- 7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.
- 7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

- 8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Service Director, (Legal and Democratic Services) and the Assistant Director, (Audit & Risk Management).

## **9. Pensions**

- 9.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **10. Dual Authority Roles**

- 10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

- 11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Service Director (Legal and Democratic Services).

## **12. Suspensions and Withholding Allowances**

- 12.1 In the event of a councillor being suspended from duty following an investigation by the Council's Standards Committee, allowances will not be paid to the councillor concerned during the period of suspension.
- 12.2 If necessary, a pro-rata calculation will be made based on the number of days in the Council year concerned to determine if an adjustment for under or overpayment needs to be made to ensure that the correct amount is withheld during the suspension period. The Council reserves the right to recover any overpayments.

### 13. Approved Duties

- 13.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:
- a meeting of the Council;
  - a meeting of the Cabinet;
  - a meeting of a committee of the Cabinet;
  - a meeting of a committee or sub-committee of a committee of the Council;
  - a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
  - a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
  - a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
  - a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
  - duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
  - duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
  - duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
  - a meeting which has been:
    - ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;
  - a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
    - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
    - ❖ is required to attend to answer questions/give evidence; or
    - ❖ attends to present a report on behalf of another body of the Council;

- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

#### **14. Indexing**

14.1 **The Dependent Carer's Allowance:** indexed to the maximum hourly rates for minimum wage for age of carer/average hourly cost of Milton Keynes Council home help

14.2 **Travel and Subsistence allowances:** at the same rates and conditions applicable to Officer and HMRC rates where applicable

#### **15. Duration**

15.1 The above Scheme of Allowances is operative from 1 April 2017 until 31 March 2018 or such other time as agreed by the Council.

**Dependant Carer Allowance Scheme**

1. The Scheme is open to all elected councillors of Milton Keynes Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is the current hourly rate for the National Minimum Wage, up to a maximum of 5 hours in any 24 hour period.
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as listed below.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor ' Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Councillor and Electoral Services Officer, Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.

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

A scheme may provide for the payment to councillor of an authority of an allowance ("dependants' carers' allowance") in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in -

- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that -
  - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
  - (ii) if the authority is not so divided, it is a meeting to which at least two councillors of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a councillor or councillors to be present while tender documents are opened;
- (f) the performance of any duty 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;
- (g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools) and
- (h) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour	
Total	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	

## **SCHEME OF COUNCILLORS' ALLOWANCES 2018-2019**

### **1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 17 January 2018 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in that year.
- 1.3 Milton Keynes Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

### **2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £10,500 per annum. This is paid in 12 equal, monthly instalments and is subject to both tax and National Insurance contributions where applicable.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.
- 2.4 The Basic Allowance is subject to indexation at a rate of 2% per year from 1 April 2019 until the end of the financial year beginning 1 April 2021

### **3. Special Responsibility Allowance**

- 3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.
- 3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£30,600
Deputy Leader of the Council	£15,300
Main Opposition Group Leader - per Group Member	£632
Smaller Opposition Group Leader(s) - per Group Member	£632
Cabinet Member* <sup>1</sup>	£11,220
Chair of Scrutiny Management Committee	£7,650
Chair of Scrutiny Committee* <sup>2</sup>	£4,590
Chairs of Task and Finish Groups (pro rata depending on the length of time the Group is in place)	£4,590
Chair of Development Control Committee	£8,160
Chair of Licensing & Regulatory Committees (1 person)	£8,160
Chair of Audit Committee	£5,610
Chair of Standards Committee	£3,060
Chair of RegenerationMK Committee	£3,060

\*<sup>1</sup> Pool capped at £66,000, increased by 2% for each year 2018 to 2021.

\*<sup>2</sup> Budget and Resources Scrutiny Committee, Children and Young People Scrutiny Committee, Community and Housing Scrutiny Committee, Health and Adult Social Care Scrutiny Committee and Strategic Placemaking Scrutiny Committee.

- 3.3 Special Responsibility Allowance is paid in 12 equal, monthly instalments. Special Responsibility Allowances are liable for tax and National Insurance.
- 3.4 Special Responsibility Allowances (and Civic Allowances) are subject to indexation at a rate of 2% per year from 1 April 2018 until the end of the financial year beginning 1 April 2021.
- 3.5 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special



Responsibility Allowance.

- 3.6 In the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.7 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.8 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £640 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £11,220 per annum, in line with that paid to Cabinet Members, paid in two equal instalments of £5,610 in June and November.

- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £5,610 per annum, payable in two equal instalments of £2,805 in June and November.
- 5.3 As part of a local agreement with HM Inspector of Taxes for Milton Keynes, the above civic allowances are not liable for tax or National Insurance contributions.
- 5.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

- 6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance at the following rates:

Child care:

The Living Wage of £7.83 per hour applies for those aged 25 or over. That the current minimum wage rate apply dependent on the age of the carer, which as 1 April 2018 were:

- £7.38 per hour (21 years and over)
- £5.90 per hour (18 – 20 year olds)
- £4.20 per hour (for workers under 18 who are above compulsory school leaving age)

Other Dependants:

£10 per hour, or the applicable rate for the hourly cost of Milton Keynes Council Home Help carer, whichever is the least.

This is paid for up to a maximum of 5 hours in any 24 hour period and covers care provided for a councillor's/co-opted member's dependent(s) whilst the councillor/co-opted member is carrying out any 'Approved Duties' specified in the Appendix.

This includes travel time associated with the Approved Duties.

- 6.2 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme

## **7. Travel and Subsistence**

- 7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers.
- 7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.
- 7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.
- 7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

- 8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Service Director, (Legal and Democratic Services) and the Assistant Director, (Audit & Risk Management).

## **9. Pensions**

- 9.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **10. Dual Authority Roles**

- 10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

- 11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Service Director (Legal and Democratic Services).

## **12. Approved Duties**

- 12.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:
  - a meeting of the Council;
  - a meeting of the Cabinet;
  - a meeting of a committee of the Cabinet;

- a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- a meeting of Cabinet members with the Corporate Leadership Team;
- a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
- a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- a meeting which has been:
  - ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;
- a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ❖ is required to attend to answer questions/give evidence; or

- ❖ attends to present a report on behalf of another body of the Council;
- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

### **13. Indexing**

13.1 The **Basic Allowance, Special Responsibility Allowances and Civic Allowances** are subject to indexation at a rate of 2% per year from 1 April 2019 until the end of the financial year beginning 1 April 2021

13.2 **The Dependent Carer's Allowance:** indexed to the maximum hourly rates for minimum wage for age of carer/average hourly cost of Milton Keynes Council home help.

13.3 **Travel and Subsistence allowances:** at the same rates and conditions applicable to Officer and HMRC rates where applicable.

### **14. Duration**

14.1 The above Scheme of Allowances is operative from 1 April 2018 until 31 March 2019 or such other time as agreed by the Council.

**Dependant Carer Allowance Scheme**

1. The Scheme is open to all elected councillors of Milton Keynes Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is the current hourly rate for the National Minimum Wage, up to a maximum of 5 hours in any 24 hour period.
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as listed below.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor ' Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Councillor and Electoral Services Officer, Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.

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

A scheme may provide for the payment to councillor of an authority of an allowance ("dependants' carers' allowance") in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred,

The list of "Approved Duties" for which the dependants carers' allowance is payable is follows:

- a meeting of the Council;
- a meeting of the Cabinet;
- a meeting of a committee of the Cabinet;
- a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- a meeting of Cabinet members with the Corporate Leadership Team;
- a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
- a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- a meeting which has been:
  - ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;

- a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ❖ is required to attend to answer questions/give evidence; or
  - ❖ attends to present a report on behalf of another body of the Council;
- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.



## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour	
Total	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	

## **SCHEME OF COUNCILLORS' ALLOWANCES 2019-2020**

### **1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 23 January 2019 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2017/18.
- 1.3 Milton Keynes Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

### **2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £10,710 per annum. This is paid in 12 equal, monthly instalments and is subject to both tax and National Insurance contributions where applicable.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.
- 2.4 The Basic Allowance is subject to indexation at a rate of 2% per year from 1 April 2019 until the end of the financial year beginning 1 April 2021

### **3. Special Responsibility Allowance**

- 3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.

3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£31,212
Deputy Leader of the Council	£15,606
Main Opposition Group Leader - per Group Member	£645
Smaller Opposition Group Leader(s) - per Group Member	£645
Cabinet Member* <sup>1</sup>	£11,444
Chair of Scrutiny Management Committee	£7,803
Chair of Scrutiny Committee* <sup>2</sup>	£4,682
Chairs of Task and Finish Groups (pro rata depending on the length of time the Group is in place)	£4,682
Chair of Development Control Committee	£8,323
Chair of Licensing and Regulatory Committees (1 person)	£8,323
Chair of Audit Committee	£5,722
Chair of Standards Committee	£3,121

Notes:

\*<sup>1</sup> Pool capped at £67,320, increased by 2% for each year 2019 to 2021.

\*<sup>2</sup> Budget and Resources Scrutiny Committee, Children and Young People Scrutiny Committee, Community and Housing Scrutiny Committee, Health and Adult Social Care Scrutiny Committee, Regeneration Scrutiny Committee and Strategic Placemaking Scrutiny Committee.

3.3 Special Responsibility Allowance is paid in 12 equal, monthly instalments. Special Responsibility Allowances are liable for tax and National Insurance.

3.4 Special Responsibility Allowances (and Civic Allowances) are subject to indexation at a rate of 2% per year from 1 April 2018 until the end of the financial year beginning 1 April 2021.

3.5 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

- 3.6 In the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.7 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.8 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £640 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £11,444 per annum, in line with that paid to Cabinet Members, paid in two equal instalments of £5,722 in June and November.
- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £5,722 per annum, payable in two equal instalments of £2,861 in June and November.
- 5.3 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will

be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

- 6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance at the following rates:

Child Care:

The Living Wage of £8.21 per hour applies for those aged 25 or over. That the current minimum wage rate apply dependent on the age of the carer, which as 1 April 2019 were:

- £7.70 per hour (21 years and over)
- £6.15 per hour (18 – 20 year olds)
- £4.35 per hour (for workers under 18 who are above compulsory school leaving age)

Other Dependants:

£10 per hour, or the applicable rate for the hourly cost of Milton Keynes Council Home Help carer, whichever is the least.

This is paid for up to a maximum of 5 hours in any 24 hour period and covers care provided for a councillor's/co-opted member's dependent(s) whilst the councillor/co-opted member is carrying out any 'Approved Duties' specified in the Appendix.

This includes travel time associated with the Approved Duties.

- 6.2 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme

## **7. Travel and Subsistence**

- 7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers.
- 7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.
- 7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.

- 7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

- 8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Service Director, (Legal and Democratic Services) and the Chief Internal Auditor.

## **9. Pensions**

- 9.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **10. Dual Authority Roles**

- 10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

- 11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Service Director (Legal and Democratic Services).

## **12. Approved Duties**

- 12.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:
- a meeting of the Council;
  - a meeting of the Cabinet;
  - a meeting of a committee of the Cabinet;
  - a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
  - a meeting of Cabinet members with the Corporate Leadership Team;
  - a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
  - a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);

- a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
- a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- a meeting which has been:
  - ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;
- a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ❖ is required to attend to answer questions/give evidence; or
  - ❖ attends to present a report on behalf of another body of the Council;
- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

**13. Indexing**

13.1 The **Basic Allowance, Special Responsibility Allowances and Civic Allowances** are subject to indexation at a rate of 2% per year from 1 April 2019 until the end of the financial year beginning 1 April 2021

13.2 **The Dependent Carer's Allowance:** indexed to the maximum hourly rates for minimum wage for age of carer/average hourly cost of Milton Keynes Council home help.

13.3 **Travel and Subsistence allowances:** at the same rates and conditions applicable to Officer and HMRC rates where applicable.

**14. Duration**

14.1 The above Scheme of Allowances is operative from 1 April 2019 until 31 March 2020 or such other time as agreed by the Council.



**Dependant Carer Allowance Scheme**

1. The Scheme is open to all elected councillors of Milton Keynes Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is the current hourly rate for the National Minimum Wage, up to a maximum of 5 hours in any 24 hour period.
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as listed below.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor' Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Committee Services and Scrutiny Manager, Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.

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

A scheme may provide for the payment to councillor of an authority of an allowance ("dependants' carers' allowance") in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred,

The list of "Approved Duties" for which the dependants carers' allowance is payable is follows:

- a meeting of the Council;
- a meeting of the Cabinet;
- a meeting of a committee of the Cabinet;
- a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- a meeting of Cabinet members with the Corporate Leadership Team;
- a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
- a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- a meeting which has been:
  - ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;

- a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ❖ is required to attend to answer questions/give evidence; or
  - ❖ attends to present a report on behalf of another body of the Council;
- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour	
Total	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	



## **SCHEME OF COUNCILLORS' ALLOWANCES 2020-2021**

### **1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 22 January 2020 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2017/18.
- 1.3 Milton Keynes Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

### **2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £10,924 per annum. This is paid in 12 equal, monthly instalments and is subject to both tax and National Insurance contributions where applicable.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.
- 2.4 The Basic Allowance is subject to indexation at a rate of 2% per year from 1 April 2019 until the end of the financial year beginning 1 April 2021.

### **3. Special Responsibility Allowance**

- 3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.
- 3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£31,836
Deputy Leader of the Council	£15,918
Main Opposition Group Leader - per Group Member	£658
Smaller Opposition Group Leader(s) - per Group Member	£658
Cabinet Member* <sup>1</sup>	£9,809
Chair of Scrutiny Management Committee	£7,959
Chair of Scrutiny Committee* <sup>2</sup>	£4,776
Chairs of Task and Finish Groups (pro rata depending on the length of time the Group is in place)	£4,776
Chair of Development Control Committee	£8,489
Chair of Licensing and Regulatory Committees (1 person)	£8,489
Chair of Audit Committee	£5,836
Chair of Standards Committee	£3,183

Notes:

\*<sup>1</sup> Pool capped at £68,666, increased by 2% for each year 2019 to 2021 (£9,809 based on seven Cabinet members in addition to the Leader and Deputy Leader).

\*<sup>2</sup> Budget and Resources Scrutiny Committee, Children and Young People Scrutiny Committee, Community and Housing Scrutiny Committee, Health and Adult Social Care Scrutiny Committee, Regeneration Scrutiny Committee and Strategic Placemaking Scrutiny Committee.

- 3.3 Special Responsibility Allowance is paid in 12 equal, monthly instalments. Special Responsibility Allowances are liable for tax and National Insurance.

- 3.4 Special Responsibility Allowances (and Civic Allowances) are subject to indexation at a rate of 2% per year from 1 April 2019 until the end of the financial year beginning 1 April 2021.
- 3.5 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.
- 3.6 In the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.7 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.8 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £640 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.

4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

## **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £11,672 per annum, in line with that paid to Cabinet Members, paid in two equal instalments of £5,836 in June and November.
- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £5,836 per annum, payable in two equal instalments of £2,918 in June and November.
- 5.3 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

- 6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance at the following rates:

Child Care:

The Living Wage of £8.72 per hour applies for those aged 25 or over. The current minimum wage rate which applies is dependent on the age of the carer, the rates at 1 April 2020 are:

- £8.20 per hour (21 years and over)
- £6.45 per hour (18 – 20 year olds)
- £4.55 per hour (for workers under 18 who are above compulsory school leaving age)

Other Dependants:

£10 per hour, or the applicable rate for the hourly cost of Milton Keynes Council Home Help carer, whichever is the least.

This is paid for up to a maximum of 5 hours in any 24 hour period and covers care provided for a councillor's/co-opted member's dependent(s)



whilst the councillor/co-opted member is carrying out any 'Approved Duties' specified in the Appendix.

This includes travel time associated with the Approved Duties.

- 6.2 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme

## **7. Travel and Subsistence**

- 7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers.
- 7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.
- 7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.
- 7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

- 8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Director Law and Governance and the Chief Internal Auditor.

## **9. Pensions**

- 9.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **10. Dual Authority Roles**

- 10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

- 11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Director Law and Governance.

## **12. Approved Duties**

12.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:

- a meeting of the Council;
- a meeting of the Cabinet;
- a meeting of a committee of the Cabinet;
- a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- a meeting of Cabinet members with the Corporate Leadership Team;
- a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
- a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- a meeting which has been:

- ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;
- a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ❖ is required to attend to answer questions/give evidence; or
  - ❖ attends to present a report on behalf of another body of the Council;
- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

### **13. Indexing**

- 13.1 The **Basic Allowance, Special Responsibility Allowances and Civic Allowances** are subject to indexation at a rate of 2% per year from 1 April 2019 until the end of the financial year beginning 1 April 2021
- 13.2 **The Dependent Carer's Allowance:** indexed to the maximum hourly rates for minimum wage for age of carer/average hourly cost of Milton Keynes Council home help.
- 13.3 **Travel and Subsistence allowances:** at the same rates and conditions applicable to Officer and HMRC rates where applicable.

### **14. Duration**

- 14.1 The above Scheme of Allowances is operative from 1 April 2020 until 31 March 2021 or such other time as agreed by the Council.

## **Dependant Carer Allowance Scheme**

1. The Scheme is open to all elected councillors of Milton Keynes Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is the current hourly rate for the National Minimum Wage, up to a maximum of 5 hours in any 24 hour period.
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as listed below.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor' Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Head of Democratic Services, Milton Keynes Council, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.

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

A scheme may provide for the payment to councillor of an authority of an allowance ("dependants' carers' allowance") in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred,

The list of "Approved Duties" for which the dependants carers' allowance is payable is follows:

- a meeting of the Council;
- a meeting of the Cabinet;
- a meeting of a committee of the Cabinet;
- a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- a meeting of Cabinet members with the Corporate Leadership Team;
- a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
- a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- a meeting which has been:

- ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;
- a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - ❖ attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ❖ is required to attend to answer questions/give evidence; or
  - ❖ attends to present a report on behalf of another body of the Council;
- attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour	
Total	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	



**Milton Keynes Council**

**Scheme of Councilors' Allowances 2022/23**



**SCHEME OF COUNCILLORS'  
ALLOWANCES  
2022-2023**

**1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 19 January 2022 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2021/22.
- 1.3 Milton Keynes Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

**2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £11,165 per annum. This is paid in 12 equal, monthly instalments.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.
- 2.4 The Basic Allowance is subject to indexation equal to the percentage increase for staff from the previous financial year, from 1 April 2023 until the end of the financial year beginning 1 April 2025.

### 3. Special Responsibility Allowance

3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.

3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£33,495
Deputy Leader of the Council	£16,748
Main Opposition Group Leader	£15,073
Cabinet Member* <sup>1</sup>	£11,723
Smaller Opposition Group Leader(s)	£8,374
Chair of Scrutiny Management Committee	£8,374
Chair of Scrutiny Committee* <sup>2</sup>	£5,024
Chairs of Task and Finish Groups* <sup>3</sup>	£5,024
Chair of Development Control Committee	£8,374
Chair of Licensing & Regulatory Committees (1 person)	£8,374
Chair of Audit Committee	£5,024
Chair of Corporate Parenting Panel	£5,024
Chair of Standards Committee	£3,340

Notes:

\*<sup>1</sup> A maximum of 8 Cabinet members may be appointed in addition to the Leader and Deputy Leader

\*<sup>2</sup> Budget and Resources Scrutiny Committee, Children and Young People Scrutiny Committee, Community and Housing Scrutiny Committee, Health and Adult Social Care Scrutiny Committee, Regeneration and Renewal Scrutiny Committee, and Strategic Placemaking Scrutiny Committee.

\*<sup>3</sup> Payable pro rata depending on the length of time the Group is in place.

3.3 Special Responsibility Allowances are paid in 12 equal, monthly instalments.

3.4 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

- 3.5 Notwithstanding, any agreed Parental Leave Policy for Councillors, in the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.7 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.8 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £640 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £11,723 per annum, paid in 12 equal, monthly instalments.
- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £5,862 per annum, paid in 12 equal, monthly instalments.
- 5.3 Civic Allowances are liable for tax and National Insurance.

5.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance.

6.2 Child Care:

The current Real Living Wage (as set by the Living Wage Foundation) of £9.90 per hour applies and will be up rated each November in line with the Living Wage Foundation's annual review.

6.3 Specialist Care:

Specialist care is reimbursed based on the actual costs incurred, subject to the production of receipts and medical evidence that this type of care is required. The allowance has no daily or monthly maximum claim when undertaking Approved Councillor Duties.

6.4 Claims for Child Care and Dependent Carers Allowance are inclusive of travel time associated with the Approved Duties.

6.5 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme.

## **7. Travel and Subsistence**

7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers, which are as HMRC (per mile) rates:

- Cars and vans                    45p
- Motorcycles                    24p
- Bicycles                        20p
- Electric vehicles               45p

7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.

7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.

7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Director Law and Governance and the Chief Internal Auditor.

## **9. Pensions**

9.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **10. Dual Authority Roles**

10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Director Law and Governance.

## **12. Approved Duties**

12.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:

- a) a meeting of the Council;
- b) a meeting of the Cabinet;
- c) a meeting of a committee of the Cabinet;
- d) a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- e) a meeting of Cabinet members with the Corporate Leadership Team;
- f) a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- g) a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- h) a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- i) a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);

- j) a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- k) duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- l) duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- m) duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- n) a meeting which has been:
  - i) both authorised by the Council, a committee, or a sub-committee of the Council and one or more other authorities, or a sub-committee of a joint committee, and
  - ii) to which representatives of more than one political group have been invited or to which two or more Councillors have been invited;
- o) a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - i) attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ii) is required to attend to answer questions/give evidence; or
  - iii) attends to present a report on behalf of another body of the Council;
- p) attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- q) attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- r) any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

### **13. Indexing**

13.1 The Basic Allowance, Special Responsibility Allowances, Civic Allowances and Co-Optees Allowances are subject to indexation commensurate with the percentage increase in staff salaries from the previous financial year, from April 2023 for a period of up to three years.

### **14. Duration**

14.1 The above Scheme of Allowances is operative from 1 April 2022 until 31 March 2023 or such other time as agreed by the Council.

## Dependant Carer Allowance Scheme

1. The Scheme is open to all elected councillors of Milton Keynes Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is as follows with no maximum time cap:
  - a) Childcare – Real Living Wage
  - b) Specialist Care – actual costs subject to medical evidence supporting the requirement for specialist care
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as set out in Section 12 of the Scheme of Councillors' Allowances.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor's Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Head of Democratic Services, Milton Keynes Council, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.

## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour (£)	
Total (£)	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	



**Milton Keynes City Council**

**Scheme of Councilors' Allowances 2023/24**

**SCHEME OF COUNCILLORS'  
ALLOWANCES  
2023-2024**

**1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 18 January 2023 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2021/22.
- 1.3 Milton Keynes City Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

**2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £11,689 per annum. This is paid in 12 equal, monthly instalments.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.

### 3. Special Responsibility Allowance

- 3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.
- 3.2 Milton Keynes City Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£35,066
Deputy Leader of the Council	£17,533
Main Opposition Group Leader	£15,780
Cabinet Member* <sup>1</sup>	£12,273
Smaller Opposition Group Leader(s)	£8,767
Chair of Scrutiny Management Committee	£8,767
Chair of Scrutiny Committee* <sup>2</sup>	£5,260
Chairs of Task and Finish Groups* <sup>3</sup>	£5,260
Chair of Planning Committee	£8,767
Chair of Licensing & Regulatory Committees (1 person)	£8,767
Chair of Audit Committee	£5,260
Chair of Corporate Parenting Panel	£5,260
Chair of Standards Committee	£3,497

#### Notes:

\*<sup>1</sup> A maximum of 8 Cabinet members may be appointed in addition to the Leader and Deputy Leader

\*<sup>2</sup> Budget and Resources Scrutiny Committee, Children and Young People Scrutiny Committee, Community and Housing Scrutiny Committee, Health and Adult Social Care Scrutiny Committee, Regeneration and Renewal Scrutiny Committee, and Strategic Placemaking Scrutiny Committee.

\*<sup>3</sup> Payable pro rata depending on the length of time the Group is in place.

- 3.3 Special Responsibility Allowances are paid in 12 equal, monthly instalments.
- 3.4 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

- 3.5 Notwithstanding, any agreed Parental Leave Policy for Councillors, in the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.7 Under the terms of Milton Keynes City Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.8 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £670 (£640) calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £12,273 per annum, paid in 12 equal, monthly instalments.
- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £6,137 per annum, paid in 12 equal, monthly instalments.
- 5.3 Civic Allowances are liable for tax and National Insurance.

5.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance.

6.2 Child Care:

The current Real Living Wage (as set by the Living Wage Foundation) of £10.90 per hour applies and will be up rated each November in line with the Living Wage Foundation's annual review.

6.3 Specialist Care:

Specialist care is reimbursed based on the actual costs incurred, subject to the production of receipts and medical evidence that this type of care is required. The allowance has no daily or monthly maximum claim when undertaking Approved Councillor Duties.

6.4 Claims for Child Care and Dependent Carers Allowance are inclusive of travel time associated with the Approved Duties.

6.5 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme.

## **7. Travel and Subsistence**

7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers, which are as HMRC (per mile) rates:

- Cars and vans                    45p
- Motorcycles                    24p
- Bicycles                        20p
- Electric vehicles               45p

7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.

7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.

7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Director Law and Governance and the Chief Internal Auditor.

## **9. Pensions**

9.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **10. Dual Authority Roles**

10.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **11. Forgoing Allowances**

11.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Director Law and Governance.

## **12. Approved Duties**

12.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:

- a) a meeting of the Council;
- b) a meeting of the Cabinet;
- c) a meeting of a committee of the Cabinet;
- d) a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- e) a meeting of Cabinet members with the Corporate Leadership Team;
- f) a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- g) a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- h) a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- i) a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);

- j) a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- k) duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- l) duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- m) duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- n) a meeting which has been:
  - i) both authorised by the Council, a committee, or a sub-committee of the Council and one or more other authorities, or a sub-committee of a joint committee, and
  - ii) to which representatives of more than one political group have been invited or to which two or more Councillors have been invited;
- o) a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - i) attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ii) is required to attend to answer questions/give evidence; or
  - iii) attends to present a report on behalf of another body of the Council;
- p) attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- q) attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- r) any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

### **13. Indexing**

13.1 The Basic Allowance, Special Responsibility Allowances, Civic Allowances and Co-Optees Allowances are subject to indexation commensurate with the percentage increase in staff salaries from the previous financial year, from April 2023 for a period of up to three years.

### **14. Duration**

14.1 The above Scheme of Allowances is operative from 1 April 2023 until 31 March 2024 or such other time as agreed by the Council.

## Dependant Carer Allowance Scheme

1. The Scheme is open to all elected councillors of Milton Keynes City Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is as follows with no maximum time cap:
  - a) Childcare – Real Living Wage of £10.90 per hour
  - b) Specialist Care – actual costs subject to medical evidence supporting the requirement for specialist care
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as set out in Section 12 of the Scheme of Councillors' Allowances.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor's Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Head of Democratic Services, Milton Keynes City Council, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.



## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour (£)	
Total (£)	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	

**Milton Keynes City Council**

**Scheme of Councilors' Allowances 2024/25**

**SCHEME OF COUNCILLORS'  
ALLOWANCES  
2024-2025**

**1. General**

- 1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 At the meeting of the Council on 24 January 2024 it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2021/22.
- 1.3 Milton Keynes City Council currently has 57 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

**2. Basic Allowance**

- 2.1 All councillors to receive a Basic Allowance of £12,213 per annum. This is paid in 12 equal, monthly instalments.
- 2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.
- 2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.

### 3. Special Responsibility Allowance

3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.

3.2 Milton Keynes City Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

Leader of the Council	£36,637
Deputy Leader of the Council	£18,318
Main Opposition Group Leader	£16,487
Cabinet Member* <sup>1</sup>	£12,823
Smaller Opposition Group Leader(s)	£9,160
Chair of Corporate Oversight & Scrutiny Management Committee	£9,160
Chair of Scrutiny Committee* <sup>2</sup>	£5,496
Chairs of Task and Finish Groups* <sup>3</sup>	£5,496
Chair of Planning Committee	£9,160
Chair of Licensing & Regulatory Committees (1 person)	£9,160
Chair of Audit Committee	£5,496
Chair of Corporate Parenting Panel	£5,496
Chair of Standards Committee	£3,654

#### Notes:

\*<sup>1</sup> A maximum of 8 Cabinet members may be appointed in addition to the Leader and Deputy Leader

\*<sup>2</sup> Budget and Resources Scrutiny Committee, Children and Young People Scrutiny Committee, Health and Adult Social Care Scrutiny Committee, Housing Planning and Placemaking Scrutiny Committee, and Public Realm and Environment Scrutiny Committee.

\*<sup>3</sup> Payable pro rata depending on the length of time the Group is in place.

3.3 Special Responsibility Allowances are paid in 12 equal, monthly instalments.

3.4 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

- 3.5 Notwithstanding, any agreed Parental Leave Policy for Councillors, in the case of a councillor who is in receipt of a Special Responsibility Allowance being unable to carry out the duty for which the Allowance is payable for a period of three months or more, requiring the duty to be carried out by a specific councillor as deputy, the Council will consider the circumstances, with the option of ceasing the Special Responsibility Allowance payment to the councillor concerned, and making a retrospective payment to the deputising councillor for the whole of the three month period, and continuing until the original councillor is able to resume the duty concerned.
- 3.7 Under the terms of Milton Keynes City Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.
- 3.8 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.

#### **4. Co-opted Members of Committees**

- 4.1 Persons co-opted to serve on Committees, Sub-Committees or Panels, and who have voting rights, shall receive an allowance of £700 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.
- 4.2 All co-optees are eligible for travel and subsistence allowances at the Councillors' rate when carrying out the duties for which they are co-opted.
- 4.3 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

#### **5. Civic Allowances**

- 5.1 The Mayor of Milton Keynes receives a civic allowance of £12,823 per annum, paid in 12 equal, monthly instalments.
- 5.2 The Deputy Mayor of Milton Keynes receives a civic allowance of 50% of the Mayor's allowance, i.e. £6,412 per annum, paid in 12 equal, monthly instalments.
- 5.3 Civic Allowances are liable for tax and National Insurance.

5.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.

## **6. Child Care and Dependent Carers' Allowance**

6.1 All councillors and co-opted members of Council committees can claim, on production of appropriate receipts, the Child Care and Dependent Carers' Allowance.

6.2 Child Care:

The current Real Living Wage (as set by the Living Wage Foundation) of £12 per hour applies and will be up rated each November in line with the Living Wage Foundation's annual review.

6.3 Specialist Care:

Specialist care is reimbursed based on the actual costs incurred, subject to the production of receipts and medical evidence that this type of care is required. The allowance has no daily or monthly maximum claim when undertaking Approved Councillor Duties.

6.4 Claims for Child Care and Dependent Carers Allowance are inclusive of travel time associated with the Approved Duties.

6.5 Full details of the Dependent Carers' Allowance Scheme are listed in the Appendix of this Scheme.

## **7. Travel and Subsistence**

7.1 Re-imbusement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbusement of Council officers, which are as HMRC (per mile) rates:

- Cars and vans                    45p
- Motorcycles                      24p
- Bicycles                            20p
- Electric vehicles                45p

7.2 From 1 April, 2016 mileage claims are no longer liable for tax and National Insurance contributions.

7.3 Councillors will be reimbursed the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt (bus ticket etc), is produced to substantiate the claim.

7.4 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

## **8. Claimable Allowances**

8.1 There is a 3 month time limit for submitting claims for the claimable allowances above i.e. Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Director Law and Governance and the Chief Internal Auditor.

## **9. Advance payment of expenses**

9.1 Where a Councillor would be financially disadvantaged and / or unable to undertake approved duties because of the initial cost outlay and associated delay in receipt of expense payments, consideration may be given to travel and subsistence expenses being borne directly by the Council as opposed to the Councillor bearing the expense and then submitting a claim for reimbursement.

9.2 The Director of Law and Governance will be required to authorise any advance payment of expenses.

9.3 Where the cost of travel and subsistence expenses is borne directly by the Council in the above circumstances these will be reconciled to a Councillor's expense account and published each year in accordance with legislative requirements.

## **10. Pensions**

10.1 Councillors are no longer eligible to join the Local Government Pension Scheme.

## **11. Dual Authority Roles**

11.1 Councillors cannot receive an allowance from more than one authority (e.g. Fire Authority) for the same duties.

## **12. Forgoing Allowances**

12.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Director Law and Governance.

## **13. Approved Duties**

13.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowance is payable is as follows:

- a) a meeting of the Council;
- b) a meeting of the Cabinet;
- c) a meeting of a committee of the Cabinet;

- d) a meeting of a committee or sub-committee of a committee of the Council where that councillor is a member of that committee, is substituting for a member of that committee or otherwise receives a specific invitation from the chair of that committee;
- e) a meeting of Cabinet members with the Corporate Leadership Team;
- f) a meeting with officer colleagues in relation to portfolio / corporate issues (to include Group Leaders, Cabinet members, Chairs, Vice-Chairs and opposition spokespersons) and Ward issues;
- g) a meeting of some other body to which the Council makes appointments or nominations (i.e. Outside Bodies);
- h) a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- i) a meeting of a local authority association of which the Council is a member (e.g. Local Government Association);
- j) a meeting in the Councillor's Ward called by a Council Officer or Parish Council;
- k) duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- l) duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;
- m) duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;
- n) a meeting which has been:
  - i) both authorised by the Council, a committee, or a sub-committee of the Council and one or more other authorities, or a sub-committee of a joint committee, and
  - ii) to which representatives of more than one political group have been invited or to which two or more Councillors have been invited;
- o) a meeting of the Cabinet, committee of the Cabinet, committee of the Council, or sub-committee, at which a councillor, who is not appointed to that body:
  - i) attends to present an item which he/she has requested be included on the Agenda in his/her name;
  - ii) is required to attend to answer questions/give evidence; or
  - iii) attends to present a report on behalf of another body of the Council;



- p) attendance at conferences, seminars and other Councillor Development and training events as approved by the Council or the Service Director (Legal and Democratic Services);
- q) attendance at casework surgeries organised at advertised times and venues within the Councillor's own ward;
- r) any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

#### **14. Indexing**

14.1 The Basic Allowance, Special Responsibility Allowances, Civic Allowances and Co-Optees Allowances are subject to indexation commensurate with the percentage increase in staff salaries from the previous financial year, from April 2022 for a period of up to four years.

#### **15. Duration**

15.1 The above Scheme of Allowances is operative from 1 April 2024 until 31 March 2025 or such other time as agreed by the Council.

## Dependant Carer Allowance Scheme

1. The Scheme is open to all elected councillors of Milton Keynes City Council and co-opted members of Council committees.
2. The Scheme covers the care of dependants whether children, elderly people or people with disabilities for whom those listed in 1 above have responsibility.
3. The rate payable is as follows with no maximum time cap:
  - a) Childcare – Real Living Wage of £112 per hour
  - b) Specialist Care – actual costs subject to medical evidence supporting the requirement for specialist care
4. The Scheme covers care provided for a councillor's/co-opted member's dependant(s) whilst they are carrying out any 'approved duties', including travel time, as set out in Section 12 of the Scheme of Councillors' Allowances.
5. Carers must be over the age of 16 and not be a member of the claimant's own household.
6. Where the provision is for childcare, it is recommended that a registered child-minder / nursery or an approved child carer is used. However, it is ultimately the parents' responsibility to make adequate provision for their childcare needs.
7. Claims should be made on the Councillor's Business Expense claim forms, supported by valid receipts. Co-opted members of committees should submit their receipts with a covering letter to the Head of Democratic Services, Milton Keynes City Council, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.
8. Receipts should contain the date the care was provided, length of time the care was provided, the 'approved duty' covered, the cost per hour and should be countersigned by both the carer and claimant. Claimants may wish to use the attached sample receipt as a standard format.
9. In accordance with paragraph 9 of the Council's Scheme of Councillors' Allowances claims for Dependent Carer Allowance payments should be submitted within 3 months of the event.

## Dependant Carers' Allowance

Data care provided	
Duty covered	
Time from	
Time to	
Total hours	
Cost per hour (£)	
Total (£)	
Name of Carer	
Signature of Carer	
Name of Claimant	
Signature of Claimant	