

## **MEMBERS' ALLOWANCES SCHEME**

Rushmoor Borough Council, in exercise of the powers provided within the Local Government Act, 2000, has made the following scheme in accordance with the report of an Independent Panel, which was approved by resolution of the Council on 23rd June, 2022.

1. This Scheme

- (i) will be known as the Rushmoor Borough Council Members' Allowances Scheme, and shall have effect from 24th May, 2022.
- (ii) has been prepared in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations, 2001 and the Local Authorities (Members' Allowances) (England) Regulations 2003.

2. In this Scheme

"Councillor" means an elected Member of Rushmoor Borough Council.

"Leader of the Council" means the councillor appointed by the Council to fill that office.

"Deputy Leader of the Council" means the councillor appointed by the Leader to fill that office.

"Opposition Group Leader" means the councillor notified to the Corporate Manager - Democracy as the councillor elected as leader of the political groups established under the provisions of the Local Government and Housing Act, 1989 and subsequent regulations.

"Cabinet Member" means a councillor appointed by the Leader as a Member of the Cabinet in accordance with the Council's Constitution.

"Year" means the period between Annual Meetings of Council.

### **Basic Allowance**

3. For each year a basic, flat rate allowance shall be paid to each Councillor as specified in Schedule 1 to this Scheme.

### **Special Responsibility Allowances**

4. (a) For each year, a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities as specified in Schedule 1 to this Scheme.
- (b) No Councillor shall be entitled to be paid more than one special responsibility allowance at any one time. In the event that a Councillor

undertakes more than one special responsibility at any one time, then the higher allowance will be paid.

- (c) If more than five Members of the Cabinet are appointed, in addition to the Leader and Deputy Leader, the total amount of special responsibility allowance allocated to the Cabinet shall not be increased, but shall be divided equally amongst the larger number of Cabinet Members until the Independent Remuneration Panel has reviewed the implications of the change in the size of the Cabinet.
- (d) There will be up to three Cabinet Champions in any one year and their remit will be reviewed annually by the Cabinet.
- (e) For an Opposition Group Leader to qualify for an Opposition Group Leader special responsibility allowance, the Group should have at least 10% of the seats on the Council. However, if the sole or largest opposition group has less than 10% of councillors, then the Group Leader shall still receive an Opposition Group Leaders' allowance.

### **Travel and Subsistence Allowances**

- 5. Travel and subsistence allowances are payable for approved duties outside of the Borough, as set out in Schedule 2 in accordance with the conditions and rates set out in Schedule 1. In exceptional circumstances, travel allowances may be paid for approved duties within the Borough.

### **Dependent Carer's Allowance**

- 6.
  - (a) A dependent carer's allowance shall be paid to those councillors who incur expenditure for the care of children or dependent relatives whilst undertaking approved duties. The allowance will not be payable to a member of the claimant's own household. The approved duties to which the allowance relates are set out in Schedule 2 to this Scheme.
  - (b) The amount of such allowance shall be that specified in Schedule 1 to this Scheme.

### **Co-optees**

- 7. Statutory and non-statutory co-optees, as permitted by the Council's Constitution, shall be paid a special responsibility allowance and travel and child care allowances on the same basis as a Councillor.

### **Parental Leave**

- 8. Members are entitled to continue to receive their basic allowance, and if applicable their Special Responsibility Allowance, when they are required to take maternity, paternity or adoption leave for up to a period of 12 months, subject to the legal attendance requirements.

## **Pensions**

9. No Member of the Council shall currently be eligible to join the Local Government Pension Scheme.

## **Suspension of Allowances**

10. If a Councillor is suspended from acting in that role for the Council, after being found to be in breach of Code of Conduct, the allowances payable in respect of the period for which the councillor is suspended may be withheld.

## **Renunciation**

11. A Councillor may by notice given in writing to the Corporate Manager - Democracy, elect to forgo all or any part of his entitlement to an allowance under this Scheme.

## **Part Year Entitlements**

12. The provision of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility where, in the course of a year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable. The arrangements are as follows:-

- (a) If an amendment to this Scheme changes, the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the following periods;
  - (i) beginning with the Municipal Year and ending with the day before that on which the first amendment in that year takes effect; or
  - (ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year

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

- (b) If an amendment to this Scheme changes the duties specified in Schedule 2 to this Scheme, the entitlement to such an allowance shall be to the payment of the amount of the allowance under the Scheme as it has effect when the duty is carried out.
- (c) Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a Municipal Year, the entitlement of that

Councillor to a basic allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

- (d) Where this Scheme is amended as mentioned in sub-paragraph (a), and the term of office of a Councillor does not subsist through the period mentioned in sub-paragraph (ii) (a), the entitlement of such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with the sub-paragraph) as bears to the whole the same proportion as the number of days during which his/her term of office as a Councillor subsists bears to the number of days in that period.
- (e) Where a Councillor has during part of, but not throughout a Municipal Year, such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to the payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- (f) Where this Scheme is amended as mentioned in sub-paragraph (i), and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (a)(i) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

### **Claims and Payments**

- 13. (a) Payment of the basic and special responsibility allowances shall be made in twelve equal monthly instalments on or around the 15th day of each month, subject to the arrangements for part year payment provisions set out above.
- (b) Claims for dependent carer's and travel and subsistence allowances under this Scheme will need to be submitted in writing to the Corporate Manager - Democracy within three months of the date of the duty in respect of which the expenditure was incurred.

### **Application of Scheme**

- 14. The payments identified in this Scheme will be adjusted annually in accordance with the index recommended by the Independent Remuneration Panel. This arrangement shall apply for no more than four years at which point a review will be carried out by the independent remuneration panel (i.e. by June 2026).

### **Independent Remuneration Panel**

15. (a) An independent remuneration panel shall be established in accordance with the 2003 Regulations to produce reports making recommendations in respect of this Scheme and the Council must have regard to the recommendations of the panel in respect of allowances to be paid to Councillors.
- (b) As soon as reasonably practicable after receiving a report from the Panel, the Council will ensure that copies of the report are available for inspection and publicised in accordance with the 2003 Regulations.

### **Publicity**

16. (a) The Council, as soon as reasonably practicable after determining a scheme of allowances, will ensure that copies of the scheme are available for inspection and publicised in accordance with the 2003 Regulations.
- (b) As soon as practicable after making this scheme, the Council shall publish a notice setting out information about the scheme in the form specified in the 2003 Regulations. The notice shall be published on the Council's website at the following times:-
- (i) when a new scheme is made or the existing scheme is amended; and
- (ii) as soon as possible after the expiration of twelve months after the previous publication of a notice.
- (c) As soon as reasonably practicable, in each year, the Council will publish the total sums paid to each councillor in respect of basic, special responsibility, travel and subsistence and dependent carer's allowances.

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