

Scheme of Members' allowances 2022/23 – Appendix 3

Note: The basic allowance and Special Responsibility Allowances are pending the outcome of the Local Manager Group pay award so will increase for 2021/22 and 2022/23 in line with the index agreed by the Council

1. Basic Allowance

From 1 April 2022, every elected member will be entitled to a basic allowance of £13,149 per annum.

2. Special Responsibility Allowance

Special responsibility allowances will be paid as follows per annum:

1. Leader of the Council - £36,817
2. Deputy Leader of the Council - £18,792
3. Other Cabinet Members - £16,107
4. Chairman – County Council - £13,420
5. Vice Chairman – County Council - £5,374
6. Chairs of Scrutiny Committees - £6,711
7. Chair of the Planning Committee - £6,711
8. Chair of the Pension Committee - £6,711
9. Chairs of Scrutiny and Best Value Project Boards (pro rata for the duration of the project subject to a maximum of 3 months) - £1,341
10. Leader of the largest Opposition Group - £13,420
11. Deputy Leader of the Largest Opposition Group - £3,487
12. Leader of the second Opposition Group - £5,374
13. Chair of the Audit Committee - £6,711

No one member shall receive more than one special responsibility allowance. If a member holds two positions which qualify for such an allowance the member shall receive the higher of the two allowances.

3. Travel Allowances

Travel allowances will be paid, in accordance with the rates set out in Annex 2 for:

- a) attendance at meetings of (a) the County Council; or (b) the Cabinet or any Committee, Sub-Committee or Panel constituted by the Council as a member of the Cabinet or such Committee, Sub-Committee or Panel or as the local member or because the member has a special interest in one or more of the agenda items.
- b) Attendance at meetings of the bodies, or any Committee or Sub-Committee meeting of those bodies, listed in Annex 1: provided that the appointment or nomination to those bodies was by the County Council.
- c) Attendance at any other meeting convened by the authority (including members' seminars and Committee or Sub-Committee tours of inspection),

provided that members of each of the political groups on the County Council have been invited and the meeting has been approved in advance by the appropriate Committee or Sub-Committee.

d) Attendance at training sessions organised by, or on behalf of, the County Council to which members of each of the political groups have been invited and which have been approved in advance by the Assistant Chief Executive after consultation with the Group Leaders.

e) Attendance at committees of Eastbourne and Hastings Borough Councils where such attendance is by invitation in order to participate in the debate on a delegated highway matter.

f) Attendance at a conference or seminar convened by an organisation other than the County Council, provided attendance has been authorised in advance by the Council, a Committee, Sub-Committee or Panel or by the Assistant Chief Executive under his delegated power.

g) Attendance at meetings of the Local Government Association, including Executive meetings, Forums, Panels and Task Groups, the County Councils Network and Special Interest Groups.

h) Attendances as the local County Councillor at formal meetings of Parish Councils and annual parish meetings.

i) Social Services rota inspection visits.

j) Up to 10 party group meetings summoned to discuss County Council business and held within East Sussex.

k) Visits to sites, establishments or exhibitions where a Committee, Sub-Committee or Panel resolves in advance that a visit is necessary to enable a decision to be made on a current issue.

l) Interviews or fact finding being undertaken as a member of a Project Board established by a Scrutiny Committee, as part of an agreed programme and in accordance with the Overview and Scrutiny Procedure Rules.

m) Meetings with officers, convened by the officer(s), to discuss a matter relating to a County Council service or in which the County Council has an interest as part of its community leadership role.

n) The following members may claim travel for consultations with persons or organisations outside the County Council and any other duty for or on behalf of the County Council:

- Chairman and Vice Chairman of the County Council, Chairs of a Committee, Sub-Committee or Panel or members of the Cabinet or a substitute nominated by them;

- Nominated Committee or Sub-Committee Spokespersons of minority parties.

4. Subsistence Allowances

Subsistence allowances up to the limits of the overnight subsistence rates in Annex 2 will be paid where the performance of one of the duties specified in paragraph 3 above involves an overnight stay. Otherwise a subsistence allowance shall not be payable. Members will be expected to meet any such expenses from their Basic Allowance.

In the following circumstances where the duty does not go over to a second day, the Council will meet the cost of an overnight stay:

a) following an invitation in their capacity as a postholder within the County Council, the member is undertaking an official duty or attending an official function and, because it finishes late in the evening, it is not practicable or reasonable for the member to get home on the same day, for example the member has another County Council engagement on the following morning and to go home and return for the following day's engagement would involve the member in a significant travelling claim when set against the cost of the overnight stay; or

b) a member has been appointed by the County Council to attend a conference or meeting outside of East Sussex and the start or finish time mean that it is impracticable or unreasonable for the member to travel to the venue or home on the day of the meeting or conference.

"Postholder" within this context shall cover those positions set out in paragraph 3 (n) of the Members' Allowances Scheme.

5. Dependents' Carers' Allowance

The Council will pay an allowance in respect of costs necessarily incurred by councillors in making arrangements for the care of children or other dependants living with them, to enable them to perform any of the duties listed in section 3 above. The allowance will normally be the actual cost up to £15 per hour. Councillors must sign a certificate verifying that they have incurred the costs claimed. Payment will not be made where the carer is a member of the councillor's family.

Anyone co-opted to a County Council committee, Panel or other body is entitled to claim dependent carer's allowance for the actual cost up to £15 per hour.

6. Telephones

The Council provides a mobile phone to any councillor who requests one on the basis that it is for County Council business use only.

7. Co-optees' Allowance

An allowance of £35 per hour shall be payable to the Independent Persons appointed in relation to standards issues.

8. Amendments to the Scheme

Amendments to the scheme may be made at any time in accordance with Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003.

The Assistant Chief Executive is authorised:

- after consultation with the Chief Executive, to implement revised rates for members' allowances, including payments for travelling and subsistence; and
- after consultation with the Chair of the Governance Committee, to approve additions to the list of outside bodies for which members may claim travelling expenses

and to amend the Members' Allowances Scheme accordingly.

The allowance figures shall be updated annually in line with the percentage increase in the salaries of managers who are on locally negotiated pay.

9. Payment of allowances

Basic and special responsibility allowances will be paid on the last working day of the month to which they relate. Travel expenses will be paid at the end of the following month, subject to receipt of a claim form.

Claims for travelling and subsistence allowances shall be submitted to the Democratic Services Manager within two months of the duty for which the allowance has been claimed. Claims received after the expiry of this period will only be paid in exceptional circumstances.

If a councillor becomes or ceases to be eligible for a Basic or Special Responsibility Allowance during the course of a year the entitlement will be adjusted by reference to the number of days for which entitlement existed relative to the number of days in that year.

Where a councillor is suspended or partially suspended from his or her responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of Basic Allowance and any Special Responsibility Allowance payable to him or her in respect of the period for which he or she is suspended or partially suspended shall be withheld if so decided by the Standards Committee. The Committee may also decide that travelling or subsistence allowances shall not be paid to a member during the period of any suspension or partial suspension.

10. Election not to receive payment

Members who do not wish to receive payment of allowances shall notify the Assistant Chief Executive in writing. Any entitlement up to and including the day before the election is received will be paid in accordance with the details under paragraph 9 (Payments) above.

11 Councillor Parental Leave Policy

The County Council has agreed a Councillor Parental Leave Policy that sets out the arrangements in relation to councillors taking appropriate leave at the time of birth or adoption and that reasonable and adequate arrangements should be in place to provide cover for any special responsibilities during any period of leave taken. A copy of the Policy is attached at Appendix 1.

Annex 1 Other bodies to which the Authority makes appointments or nominations (and any Committee or Sub-Committee of these bodies)

- Access Joint Governance Committee
- Ashdown Forest Conservators
- Chailey Common Local Nature Reserve Management Committee
- Chailey Heritage Foundation Governing Body
- Coombe Valley Countryside Park Community Interest Company
- County Councils Network
- County Councils Network Executive Committee
- Corporate Programme Advisory Group of the Institutional Investors Group on Climate Change
- Dungeness Local Community Liaison Council
- East Sussex Energy and Infrastructure and Development Limited (Sea Change)
- Local Government Association
- European Union Structural and Investment Funds South East Committee
- Fostering Panel
- Gatwick Airport Consultative Committee
- GOSE – Rural Forum for the South East
- Harbour of Rye Advisory Committee
- Hastings and Bexhill Renaissance Limited (Sea Space)
- Hastings and Bexhill Taskforce
- Hastings Joint Parking Board
- High Weald – Joint Advisory Committee
- Joint Waste and Recycling Committee
- Lewes Joint Parking Board
- LGA General Assembly
- Love Hastings Limited
- Orbis Joint Committee
- Parking and Traffic Regulations Outside London Adjudication Committee

- Regeneration Partnerships to which the County Council is invited to nominate a Councillor to serve
- Rye Harbour Nature Reserve Management Committee
- Safer Communities Partnerships
- Sea Change Sussex
- South Downs National Park Authority
- South Downs National Park Authority Seven Sisters Country Park Stakeholder Advisory Group
- South East Employers' Organisation
- South East 7
- South East Local Enterprise Partnership Ltd
- Southern Regional Flood and Coastal Committee
- Sussex Energy Saving Partnership
- Sussex Inshore Fisheries and Conservation Authority
- Sussex Police and Crime Panel
- Viridor in East Sussex Board
- Wealden and Rother Renewal Partnership
- Woodland Enterprises Limited

Annex 2 – Travelling and Subsistence Rates

Car mileage allowances

45p per mile

Supplement for Passengers

An additional 10p per mile for each passenger carried.

Cycle allowance

20p per mile

Overnight subsistence

Bed and breakfast

- Standard rate – actual cost up to £82.00
- Special rate for London and the annual conference of the LGA – actual cost up to £133.00

Where suitable hotels are only available at higher costs, the Assistant Chief Executive has discretion to agree appropriate reimbursement.

In addition, the Council will reimburse the cost of dinner up to £25 where it is necessary for a member to have dinner away from home as a result of an approved duty that involves an overnight stay.

Member Parental Leave Policy

The objective of this policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption and that reasonable and adequate arrangements are in place to provide cover for any special responsibilities during any period of leave taken.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any Member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

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

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of SRAs, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the Member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one SRA shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

5. Local Member responsibilities

5.1 Any Member intending to take maternity, paternity, shared parental or adoption leave should ensure that they make arrangements for an alternative Member point of contact to be available to local residents in their division for the purposes of casework and other local Member enquiries.