

DERBYSHIRE POLICE AUTHORITY

MEMBERS ALLOWANCES SCHEME

April 2012

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The Derbyshire Police Authority, in exercise of the powers conferred by the Police Act 1996 as amended by the Criminal Justice and Police Act 2001 and supplemented by Home Office Circular from time to time, hereby makes the following scheme:

This scheme may be cited as the Derbyshire Police Authority Members' Allowances Scheme, and shall have effect for the period commencing on **1st April 2012** and ending on **21st November 2012** or such time in November 2012 as the Derbyshire Police Authority so chooses or a Police and Crime Commissioner takes office.

The scheme will normally operate on an annual basis from 1st April and will be approved by the Police Authority each year.

The Chief Executive to the Police Authority will maintain a record of attendance.

Members are reminded of the importance of maintaining detailed records of duties undertaken on behalf of the Police Authority. The use of a diary for this purpose is recommended.

This scheme should be read in conjunction with any Guidance issued from time to time by the Treasurer, which details the process by which payments are made to members and other related matters. All payments will be made using the Bankers Automated Clearing System.

In this scheme,

"Member" means a member of the Derbyshire Police Authority;

"Year" means the 12 months ending with 31 March.

"The pay award" means the annual change in pay rates negotiated by the Police Staff Support Council in the year (usually September) immediately before the financial year to which the increase will be applied.

1. **Basic Allowance**

Subject to paragraph 4, for each year a flat rate basic allowance shall be paid to each Derbyshire Police Authority member. Non-Derbyshire Police Authority members (lay members) will not be paid the basic allowance but will be paid in accordance with Paragraph 9.

The allowance will normally be increased with effect from the 1st April in line with the annual change in the pay award, unless some other arrangement is made. The basic allowance is designed to cover the time commitment of all members in formal and informal meetings and with officers in order to discharge their statutory responsibilities. It is also intended to cover incidental costs such as the use of home and private telephone and internet facilities.

In 2012, the basic allowance will be £9,000.

2. Special Responsibility Allowances

Subject to paragraph 4, for each year a special responsibility allowance shall be paid in addition to the basic allowance to those members who perform the special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme. The allowance will be increased with effect from the 1st April in line with the pay award unless some other arrangement is made.

In 2012, the special responsibility allowance at the 100% level shall be £22,086.

3. Childcare and Dependant Carers Allowance

Those members who incur expenditure for the care of children or dependant relatives may claim an allowance towards these costs for undertaking particular duties. These duties are specified in Schedule Two.

In order to claim this allowance the following conditions must be met: -

- The carer cannot be a member of the claimant's household;
- The minimum rate will be the adult hourly minimum wage, and the maximum rate for 2012-13 will be the average hourly rate charged locally by Derbyshire local authorities for a home care assistant. This amount will rise by the pay award each year.
- The allowance will only be paid against evidence of expenditure provided by receipts;
- The payment is payable only in respect of children aged 16 or under and in respect of other dependants where there is medical or social work evidence that care is required.

4. Renunciation

A member may, by notice in writing given to the Treasurer, elect to forego any part of his or her entitlement to an allowance under this scheme.

5. Part-year Entitlements

- I. The provisions of this paragraph shall have effect to regulate the entitlements of a member to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that member becomes, or ceases to be, a member, or accepts or relinquishes a special responsibility in respect of which a special responsibility is payable.
- II. If an amendment to this scheme changes the amount to which a member is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods
 - a. Beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - b. 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,

- III. 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.
- IV. Where the term of office of a member begins or ends otherwise than at the beginning or end of a year, the entitlement of that member to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his or her term of office subsists bears to the number of days in that year.
- V. Where this scheme is amended as mentioned in sub-paragraph II, and the term of office of a member does not subsist throughout the period mentioned in sub-paragraph II a, the entitlement of any such member 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 that sub-paragraph) as bears to the whole the same proportion as the number of days during which his or her term of office as a member subsists bears to the number of days in that period.
- VI. Where a member has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that member's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.
- VII. Where this scheme is amended as mentioned in sub-paragraph II, and a member has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph II a of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that member'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.

6. Attendance at Police Authority Meetings

It is expected that Members will make every effort to attend all meetings to which they are entitled to participate. Where no attendance at relevant meetings takes place for a period of **three months** then basic and any special responsibility allowance will cease to be payable. The payments will re-commence upon attendance at a relevant meeting.

Where a member has been unable to attend meetings due to long-term sickness, or some other valid reason, then payments will be continued at the discretion of the Treasurer to the Police Authority. If a member disagrees with any such decision of the Treasurer then the matter will be referred to the earliest available committee/authority meeting for a final decision.

7. Suspension from the Authority

Where a member is suspended from membership of the authority, due to a breach of the authority's code of conduct, then payments under the scheme for basic and special responsibility allowance will be suspended from the date the suspension comes into force. The payment of basic and special responsibility allowance will re-commence from the date the suspension is lifted.

However, if the member is subsequently exonerated of any breach then the amounts due during the period of suspension will be repaid to the member concerned. Where a partial exoneration is determined then a proportion of the amount due should be repaid the proportion to be determined by the Authority.

8. Other Allowances Payable to Members

There is another allowance payable to Police Authority Members, which falls outside of the legal definition of what is usually required in a member's allowances scheme. This is: -

Travel and Subsistence – The Police Act 1996 allows for payments to members to reimburse travel expenses and subsistence allowances.

An approved duty for claiming travel and subsistence is:

- (a) Attendance at a meeting of the Authority;
- (b) Attendance at a meeting of any Committee or Sub-Committee of the Authority;
- (c) Attendance at a meeting of any Selection Panel, Working Party or other meeting authorised by the Authority or a Committee or Sub-Committee of the Authority;
- (d) Attendance at a meeting of an Association of Authorities of which the Authority is a member and to which the member has been appointed by the Authority to represent the Police Authority.
- (e) Attendance at a meeting of the Bodies or Authorities upon which the member has been appointed by the Authority or a Committee or Sub-Committee of the Authority to represent the Police Authority.
- (f) Attendance at induction training for new members.
- (g) Attendance on externally run training courses subject to prior approval by the Police Authority.
- (h) Attendance at visits by the HMI to Police Authority establishments.
- (i) Any other duty performed in the UK arising out of a member holding the office of Chair or acting in the capacity of Vice-Chair to the Authority including those of a civic nature.

- (j) Attendance of members by invitation at duties of a civic nature such as the official opening of Police Authority establishments, medal ceremonies, long service award and commendation presentations, annual parades and inspections.
- (k) Other duties necessarily undertaken by the member on Police Authority business and **approved in advance** by the Police Authority.

Members may be reimbursed for reasonable and necessary travelling expenses by public transport, including taxi fares/parking where appropriate, in order to undertake Police Authority business.

If travelling by rail, members are **actively encouraged** to make use of the cheapest appropriate fare available for the journey depending on the circumstances at that time. **This may include pre-booking train tickets and avoiding open return ticketing.**

Where members can obtain savings on rail fares through the use of a railcard, the authority will reimburse up to the annual value of the saving achieved or the cost of the railcard, whichever is the lower.

The maximum rates payable for subsistence or travel by own car, motorcycle or bicycle are determined in line with the Third Report of the Independent Panel and are detailed in Schedule Three.

9. Members Allowances Panel, Standards Committee, Chief Officer Appointment Panel, Members Selection Panel, Police Appeals Tribunals, Appeals Panels and Police Misconduct Panels.

The Police Authority has a requirement to maintain the above bodies which contain Authority members, and in the case of the Allowances Panel, the Selection Panel and the Standards Committee, non-members. In recognition of the infrequent periods of intensive work involved in undertaking these duties it is proposed that allowances should be payable to cover the time commitment involved.

The amounts payable in 2012 from 1st April 2012 to 21st November 2012 will be

	(Non-DPA members only) Members Allowances Panel, Standards Committee £	(All DPA & non-DPA members) Chief Officer Appointment Panel, Members Selection Panel £	(All DPA & non DPA members) Police Appeals Tribunal and Police Appeals Panel £	(All DPA & non-DPA members) Police Misconduct Panel £
Travelling to and attending meetings				
Up to and including four hours per day (half day rate)	100.00	100.00	104.50	104.50
Over four hours per day (full day rate)	200.00	200.00	211.15	211.15
Notional preparation and reading time, per hour (hours to be agreed by the Chair)	15.00	15.00	15.00	15.00

After 1st April 2012, the Members Allowances Panel, the Standards Committee, the Chief Officers Appointment Panel and the Members Selection Panel payments will increase annually in line with the pay award unless some other arrangement is made.

In determining the reading time payable, the Chair of each relevant meeting will advise the members attending and the Treasurer of the notional number of hour's preparation and reading time payable for that particular meeting.

The Appeals Tribunal and Misconduct Panel rates have been set at the same level as the rate that will be paid by the Home Office to their representative on such tribunals for consistency purposes. Therefore, this rate will be changed in line with the Home Office rate changes.

10. Association of Police Authorities (APA)

The contribution that members make to the work of the APA is included within the allowance scheme. However office holders appointed by the APA or those who are appointed by the APA to represent it on external bodies or organisations will be remunerated directly by the APA for that national work.

11. Job Profiles

Attached as Schedule Four are various profiles that reflect the work expected to be undertaken by members in relation to their duty to the Authority.

There will be a discussion with the Chairman of the Authority once a year to discuss performance against the job profile. At present the outcome of this appraisal cannot formally be reflected in the allowances paid to individual members but may do so in the future subject to legislative changes.

SCHEDULE ONE**Allowances**
1st April 2012 to 21st November 2012

Position		No.	Relative Responsibility	Allowance
Basic Allowance		17	n/a	9,000
Authority	Chair	1	100%	22,086
	Vice Chair	1	50%	11,043
Corporate Governance Committee	Chair	1	30%	6,626
	Vice Chair	1	10%	2,209
Strategic Policing Committee	Chair	1	30%	6,626
	Vice-Chair	1	10%	2,209
Finance, Administration and Resources Committee	Chair	1	30%	6,626
	Vice-Chair	1	10%	2,209
Citizen Focus & Partnership Committee	Chair	1	30%	6,626
	Vice-Chair	1	10%	2,209
Professional Standards Panel	Chair	1	30%	6,626
	Vice-Chair	1	10%	2,209
Performance Monitoring and Targeting Panel	Chair	1	30%	6,626
	Vice-Chair	1	10%	2,209

Note: - Only one SRA is payable to any one member

SCHEDULE TWO

Duties for which Childcare and Dependant Carers Allowance is Payable

1. A meeting of the Authority.
2. A meeting of a committee or sub-committee of the authority.
3. A meeting of any body to which the authority makes nominations or appointments.
4. A meeting which has both been authorised by the authority, a committee or sub-committee of the authority, or a sub-committee of a joint committee and to which at least two members have been invited.
5. A meeting of a local authority association of which the authority is a member.
6. Duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to undertake a particular activity.

SCHEDULE THREE

Travel and Subsistence Allowance Rates

The current rates are: -

Travel Allowances

Use of Motor Vehicle – (All CC)

Up to and including 10,000 miles	45.0p per mile
Over 10,000 miles	25.0p per mile

Bicycle allowance	7.0p per mile
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Accommodation Allowance

(from usual place of residence)

Both booked and paid directly by the Authority or booked by the Authority and paid by the member who is re-imbursed for actual receipted expenditure.

Subject to the cost claimed being reasonable.

Day Subsistence Allowance

(from usual place of residence)

Up to 12 hours	£10.00
More than 12 hours	£20.00
Overnight	£30.00

Where the authority pays for hotel accommodation, the cost of any meals provided should be deducted from any subsistence claim. Members should also consider the provision of any meals and refreshments that they have received when claiming subsistence allowances.

Please note that the cost of alcoholic drinks will not be reimbursed.

SCHEDULE FOUR

POLICE AUTHORITY MEMBER

Role

- To ensure that there is an effective and efficient police force for the area
- To ensure that local communities receive best value in local policing services
- To set the strategic direction for the force and exercise efficient oversight of force performance
- To represent the interests of all those who live in, work in, or visit the police authority area and to ensure that the views of local people are reflected in the nature and style of local policing
- To ensure that policing services are provided fairly and in a way which does not discriminate against any group or individual
- To participate constructively in the good governance of both the authority and the force

Responsibilities

1. To carry out collectively all statutory and locally determined requirements of a police authority member, including participation in the formulation of policy, decision-making and other activities of the full authority (such as determining the budget and precept, determining local policing priorities, agreeing the annual policing/best value plan and other strategies). A list of police authority statutory responsibilities is at Appendix A.
2. To participate effectively as a member of any committee, panel, task group or other authority forum to which the member is appointed
3. To participate in best value reviews, as nominated by the authority
4. To comply with all relevant codes of conduct and maintain the highest standards of conduct and ethics
5. To maintain an up-to-date knowledge and awareness of national and local policing issues
6. To maintain a good working knowledge of force policies and practices and to establish good working relationships with officers of both the authority and the force
7. To rigorously scrutinise, challenge and monitor all aspects of force performance
8. To participate fully in local consultative arrangements and actively engage in communication and dialogue with local people about local policing services
9. To represent the views of the police authority within local communities and the views of local communities to the authority

10. To participate actively in any outside body or forum on which the member is appointed to represent the authority
11. To be involved in the appointment, discipline or dismissal of senior officers, as appropriate
12. To monitor the way in which complaints are dealt with by the force and deal with complaints against chief officers
13. To promote equality of opportunity and work to eliminate unlawful discrimination both internally within the authority and force and in the provision of policing services
14. To attend local, regional and national conferences/seminars/briefings, if nominated by the authority
15. To ensure that an effective independent Custody Visiting Scheme is maintained
16. To participate in inspections and audits of the force and authority

CHAIR OF THE AUTHORITY

Role

- To fulfil the basic responsibilities of a police authority member and to hold the office of chairman of the authority

Additional Responsibilities

1. To provide leadership, ensuring that the authority works as a coherent and corporate body
2. To preside at authority meetings, applying standing orders and ensure that members have a fair opportunity to participate in debates
3. To represent the authority to the press and outside organisations
4. To oversee co-ordination of police authority business at member level and develop, review and monitor implementation of the policies and strategies of the police authority
5. To liaise with the Chief Executive, Treasurer and Chief Constable to facilitate authority business
6. To hold regular strategic meetings with the Chief Constable
7. To undertake performance review of the members of the chief officer team
8. To appoint the police authority's officers and staff and ensure that arrangements are in place for effective management of officers and staff
9. To ensure that authority members receive the support and training they need to carry out their functions effectively
10. To represent the authority on the Association of Police Authorities
11. To attend regional networks and national tripartite gatherings, as required
12. To answer questions at Council meetings, if nominated to do so by the authority

VICE-CHAIR OF THE AUTHORITY

Role

- To fulfil the basic responsibilities of a police authority member and to hold the office of vice-chairman of the authority

Additional Responsibilities

1. To deputise for the Chairman when necessary
2. To liaise closely with the Chairman and assist him/her in overseeing conduct of the authority's business as described in the Chairman's job profile
3. To represent the authority on the APA, if nominated to do so

CHAIRS OF MAJOR COMMITTEES

Role

- To fulfil the basic responsibilities of a police authority member and to chair a major committee panel or similar of the authority

Additional Responsibilities

1. To lead the work of a major committee of the authority
2. To act as the authority's lead member and spokesperson on the areas within the committee's remit
3. To develop and maintain up-to-date knowledge and specialist expertise in the area for which responsible
4. To liaise closely with authority and force staff in developing and managing the work of the committee
5. To contribute to national policy development, national events or APA networks or initiatives on the areas for which responsible

VICE-CHAIRS OF MAJOR COMMITTEES

Role

- To fulfil the basic responsibilities of a police authority member and to hold the office of vice-Chair of the Committee.

Additional Responsibilities

1. To deputise for the Chair when necessary
2. To liaise closely with the Chair and assist him/her in overseeing conduct of the authority's business as described in the Chair's job profile
3. To represent the authority on the APA, if nominated to do so