

## Lancashire County Council

### Members' Allowance Scheme

*(As at 1 April 2017 – NB. The Scheme has been amended to include information previously set out in guidance notes – see covering report and Appendix A to Full Council on 20 July 2017)*

#### 1.0 Background

Lancashire County Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following Scheme:

- 1.1 This Scheme shall have effect for the period 1 April 2017 to 31 March 2018 and subsequent years.
- 1.2 The County Council is required to convene a panel of independent persons, the Independent Remuneration Panel, and have regard to its recommendations on the allowances that are paid.
- 1.3 Each year the County Council has to publish details of its Scheme, and the amounts paid to each Councillor under the Scheme. The record is open to inspection by any local government elector for the County Council's area during normal working hours, and electors are entitled to make a copy of any part of the record.

#### 2.0 Scheme definitions

- 2.1 In this Scheme:

"Councillor" means an elected member of Lancashire County Council.

"Co-opted member" means a person other than a Councillor who is appointed to serve on a Council Committee, Sub-Committee or Board.

"Year" means the twelve months commencing 1st April.

"Meetings" means a meeting of the Full Council or a body of Members formally established by the Full Council, the Leader of the County Council, the Cabinet or a Council Committee.

### **3.0 Allowances General**

3.1 The main Allowances which are provided for in this Scheme are as follows:

- Basic Allowance
- Special Responsibility Allowance
- Dependants' Carers' Allowance
- Travelling and Subsistence Allowances

The Allowances shall be up rated annually in accordance with paragraph 13 of this Scheme.

3.2 For the avoidance of doubt, Attendance Allowances are not payable under this Scheme.

### **4.0 Basic Allowance**

4.1 Subject to paragraphs 9.0 and 10.0 below, a basic annual flat rate Allowance of £10,466 shall be paid to every Councillor. The amount of Basic Allowance is also shown in paragraph 1.1 of Schedule 'A' of this Scheme.

4.2 This Allowance is paid monthly and is intended to recognise the time commitment of all Councillors including such inevitable calls on their time as meetings with Council officers and constituents, and attendance at political group meetings. It is also intended to cover incidental costs such as the use of Councillors' homes.

### **5.0 Special Responsibility Allowance**

5.1 Subject to paragraphs 9.0 and 10.0 below, each Councillor or Co-opted member who holds a special responsibility as defined within the Regulations and specified within this Scheme, will receive a Special Responsibility Allowance as shown in Schedule 'B' of this Scheme.

5.2 Special Responsibility Allowances are paid monthly.

5.3 There is no statutory limit on the number of Special Responsibility Allowances which may be paid to a Councillor. However, the Council on the recommendation of its Independent Remuneration Panel has agreed that a Councillor may not receive more than one Special Responsibility Allowance.

## **6.0 Dependants' Carers' Allowance**

- 6.1 Subject to paragraphs 6.2 and 6.3, a Dependants' Carers' Allowance may be claimed in respect of named children aged 16 or under or in respect of other named dependants where there is medical or social evidence that care is required.
- 6.2 Payment of Dependants' Carers' Allowance shall:
- (a) Be based on actual receipted expenditure subject to a maximum hourly rate and a maximum annual Allowance, as specified in paragraph 3 of Schedule 'A' of this Scheme.
  - (b) Not be made where a Councillor already receives a carer's allowance from the Department for Works and Pensions.
  - (c) Not be payable where the carer is a parent or is a member of the household.
  - (d) Not be payable unless the carer has been cleared by the Disclosure and Barring Service (formerly CRB).
- 6.3 The Dependants' Carers' Allowance may be claimed where the actual expenditure has been incurred in connection with the Approved Duties that apply to claims for travel and subsistence as detailed in Schedule 'D' of this Scheme.

## **7.0 Co-optees Allowance**

- 7.1 Co-opted members shall receive an Allowance, which equates to travel and subsistence expenses they have actually and necessarily incurred in the performance of an Approved Duty as defined in Schedule 'D' of the Scheme.

For the avoidance of doubt the provisions of paragraphs 8 and 12 shall apply to the Co-opted members Allowance.

## **8.0 Travelling and Subsistence Allowances**

- 8.1 A Councillor including the Chairman and Vice-Chairman of the County Council, and or Co-opted member shall be entitled to receive Travelling and/or Subsistence Allowances at the rates specified in Schedule C.

- 8.2.1 Subsistence Allowances are payable where such expenditure has been **actually and necessarily incurred** in the performance of an Approved Duty as defined in Schedule D where a Councillor or Co-opted member is absent from their normal place of residence.
- 8.2.2 When claiming Subsistence Allowances, Councillors should identify all approved activities attended in the period of absence recorded, including any political group meetings.
- 8.3 A Councillor or Co-opted member may claim **up to** the maximum amounts set out in Schedule C where expenditure has been **actually and necessarily incurred** when absent from home for the periods stated.
- 8.4 Appropriate receipts **must** be obtained and retained in respect of any claims made by a Councillor or Co-opted member for the payment of Subsistence Allowances or reimbursement of public transport and taxi fares, car parking fees and other incidental expenses.
- 8.5 Receipts must be retained for 3 years following the financial year in which the expenses were incurred.
- 8.6 A Councillor or Co-opted member must produce his/her receipts if required by claim processing officers, as well as internal or external auditors.
- 8.7 Each Councillor or Co-opted member shall agree with the Director of Governance, Finance and Public Services a fixed mileage for journeys between his/her home address and County Hall for the purpose of verifying travel expense claims. The schedule of agreed and approved mileages will be updated following the Director of Governance, Finance and Public Services being notified of a change of address.

## **9.0 Renunciation**

- 9.1 A Councillor may, by notice in writing to the Chief Executive, elect to forego all or part of any Allowance to he/she may be entitled under the Scheme. Such a notice can subsequently be withdrawn or amended non-retrospectively.

## **10.0 Adjustments to Entitlements in Year**

- 10.1 The provisions of this paragraph apply in relation to the entitlement of a Councillor to Allowances where, in the course of a year:
- (a) The scheme is amended.
  - (b) A person becomes, or ceases to be, a Councillor.

- (c) A Councillor accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
  - (d) A Councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the County Council.
- 10.2 If, during the year, the Scheme is amended and this results in a change to a Councillor's entitlement to Special Responsibility Allowance and/or Basic Allowance, the actual entitlement shall be based on:
  - (a) A proportion of the original annual Allowance based on the number of days up to the date of amendment plus
  - (b) A proportion of the revised annual Allowance based on the number of days from the date of amendment.
- 10.3 When the term of office of a Councillor either begins and/or ends during the course of a year, the entitlement to Basic Allowance shall be based on the number of days in office during that year. Similar pro rata entitlements will apply in situations where Basic Allowance is amended under sub-paragraph 10.2 above.
- 10.4 Where, for a part of the year, a Councillor has such special responsibilities as specified in this Scheme, the entitlement to Special Responsibility Allowance shall be based on the number of days during that year that the Councillor has held such special responsibilities, such entitlement being pro rata to a full year. Similar pro rata entitlement will apply in situations where Special Responsibility Allowances have been amended under sub-paragraph 10.2 above.
- 10.5 Where a Councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the County Council in accordance with Part III of the Local Government Act 2000 (or Regulations made under that Part), the part of the Basic, Special Responsibility, Travel and Subsistence Allowances payable in respect of the period of suspension may be withheld by the County Council.

## **11. Submission of Claims**

- 11.1 Separately, individual claims for Dependants' Carers' Allowances, Travel and Subsistence shall be made on a monthly basis and shall be submitted to Democratic Services on or before the 6<sup>th</sup> day of each month. This applies especially to year end claims (i.e. claims for Allowances for duties performed up to and including 31 March each year). Claims submitted after 31 May for the preceding financial year will not be accepted.

- 11.2 Claims **must** be submitted via the electronic Members' Allowances System as soon as possible at the end of each month. Claims may be submitted by non-electronic means (by an agreed paper based method) only in exceptional circumstances approved by the Director of Governance, Finance and Public Services.
- 11.3 Claims **must** be submitted within two months of the period to which they relate or a payment will not be made unless it is approved by the Chief Executive, good cause having been shown by the member submitting the late claim.
- 11.4 Each claim shall provide details of the duties undertaken together with adequate supporting information in relation to claims for travel and subsistence. Such information must include the Place and Time for both the start and finish of each claim.
- 11.5 Each claim shall be certified by the Councillor or Co-opted member that he/she has **actually and necessarily incurred** the expenditure claimed in the performance of Approved Duties as defined in Schedule 'D' and that he/she will not make any other claim in respect of that expenditure other than under this Scheme.

## **12.0 Payment of Allowances**

- 12.1 Payments of Basic Allowance and Special Responsibility Allowance shall be made monthly on the last working day of each month.
- 12.2 Claims for Travel, Subsistence and Dependants' Carers' Allowances which are received by Democratic Services on or before the 6<sup>th</sup> day of each month shall be paid on the last working day of that month.
- 12.2 The monthly amount payable in respect of the Basic Allowance and a Special Responsibility Allowance shall be one-twelfth of the annual allowance(s) specified in this Scheme and subject to paragraphs 9 and 10.0 above.

## **13. Scheme Amendments**

- 13.1 The amounts specified in paragraphs 1.0, 2.0, 3.0 and 5.0 (Basic Allowance, Special Responsibility Allowance, Dependants' Carers' Allowance and the Council's Chairman/Vice-Chairman Allowance respectively) of Schedule A are subject to an annual uprating on 1 April. This uprating shall equate to the average annual percentage increase in employees' pay under the National Joint Council for Local Government Services pay structure.
- 13.2 Overnight Accommodation, Travel Abroad and Subsistence Allowances shall be increased annually with effect from 1<sup>st</sup> April in every year in line

with the Consumer Price Index published in November of the preceding year.

- 13.3 Motor car, Motor cycle, and Bicycle Travelling Allowances shall be revised annually with effect from 1<sup>st</sup> April in every year in accordance with the maximum allowance for Income Tax purposes as determined by HM Revenue and Customs.

#### **14. General Information**

- 14.1 Schedule 'E' contains additional background information and supporting guidance to the Scheme, including:

- Annex 1 – Contacts, Enquiries and Other General Matters
- Annex 2 - Travel and Subsistence Allowances
- Annex 3 - Taxation
- Annex 4 - National Insurance
- Annex 5 - Insurance Arrangements

**Lancashire County Council**  
**Members' Allowance Scheme**  
**Schedule 'A'**

**1.0 Basic Allowance**

1.1 An annual Basic Allowance of £10,466 is payable to each Councillor.

**2.0 Special Responsibility Allowance**

2.1 Based on an annual Special Responsibility Allowance total of £363,577 (as at 1 April 2017) the actual individual Allowances are detailed in Schedule 'B'. The amounts quoted in Schedule 'B' are in respect of a full year term of office.

**3.0 Dependants' Carers' Allowance**

3.1 Payment of a Dependants' Carers' Allowance, as provided for in Paragraphs 6.1 to 6.3 of this Scheme, shall be based on actual receipted expenditure subject to a maximum hourly rate of £7.19. Total payments in any one year shall not exceed £1,505.

**4.0 Travelling and Subsistence Allowances**

4.1 The amounts payable by way of Travelling and Subsistence Allowances including Overnight Accommodation, Day Subsistence and Travel Abroad shall be subject to the rates specified in Schedule 'C' of this Scheme.

**5.0 Chairman and Vice-Chairman of the County Council Allowances**

5.1 An annual Allowance of £15,693 is payable to the Chairman of the County Council and the Vice-Chairman shall receive an annual allowance of £7,847.

**Lancashire County Council**  
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**Schedule 'B' - Special Responsibility Allowances as at 1 April 2017**

Position		Amount £	% of Leader
Leader		29,886	100.00
Deputy Leader		20,920	70.00
Cabinet	5 @	16,437	55.00
Lead Members	6 @	8,218	27.50
Chairs	Overview & Scrutiny	4 @ 7,471	25.00
	Corporate Parenting Board	7,471	25.00
	Development Control	8,966	30.00
	Pension Fund	7,471	25.00
	Regulatory	7,471	25.00
	Audit and Governance	2,989	10.00
	Corporate Complaints	7,471	25.00
	Lancs County Dev Ltd	8,069	27.00
Champion	Older People	5,230	17.50
	Young People	5,230	17.50
	Parish Councils	5,230	17.50
	Disabled People	5,230	17.50
	Armed Forces Veterans	5,230	17.50
	Digital Inclusion**	-	-
Deputy Chairs	Overview & Scrutiny *	4 @ 3,512	47.00
Majority Group	Secretary	4,483	15.00
	Whip	4,483	15.00
Largest Opposition Group	Leader	16,437	55.00
	Deputy Leader	8,218	27.50
	Secretary	2,989	10.00
	Whip	2,989	10.00
Second Opposition Group	Leader	8,966	30.00
	Deputy Leader	4,483	15.00
	Secretary	1,495	5.00
	Whip	1,495	5.00

\* This is the % of the amount paid to the chair of O & S Committees

\*\* No SRA is paid in respect of this position

## Lancashire County Council

### Members' Allowance Scheme

#### Schedule 'C' – Travelling & Subsistence Allowances (see also Schedule 'E')

##### Travelling by Private Vehicle

The rate for travel by a Councillor or Co-opted member in his/her own private vehicle, or one belonging to a member of the family or otherwise provided for the Councillor or Co-opted member's use, shall not exceed:

Type of vehicle	First 10,000 miles	Above 10,000 miles
Cars and vans	45p	25p
Motorcycles	24p	24p
Cycles	20p	20p

In addition to the rates detailed above, the actual and receipted expenditure incurred on public transport, taxis, tolls, ferries or parking fees, including overnight garaging may be claimed.

##### Overnight Accommodation

Where the nature of the duties being undertaken result in a Councillor or Co-opted member being absent from his/her usual place of residence, overnight accommodation will be booked and paid directly by the County Council.

In exceptional circumstances where it is not possible for the County Council to make a direct booking on behalf of a Councillor or Co-opted member, the actual receipted cost of accommodation, including breakfast, will be reimbursed to the Councillor or Co-opted member. Such reimbursement will be subject to a maximum allowance per night of £147.15 for London and £128.13 elsewhere in the UK.

##### Day Subsistence

A Councillor or Co-opted member may claim **up to** the following maximum amounts when absent for the periods stated below from their normal place of residence:

- |     |                                           |   |        |
|-----|-------------------------------------------|---|--------|
| (a) | a period less than 4 hours                | - | £6.44  |
| (b) | a period between 4 and less than 8 hours  | - | £12.80 |
| (c) | a period between 8 and less than 12 hours | - | £25.63 |
| (d) | a period in excess of 12 hours            | - | £38.41 |

Actual expenditure in excess of £38.41 may be reimbursed subject to the production of receipts.

### **Travel Abroad**

For Councillors or Co-opted members travelling outside Great Britain on approved duties (including, for the purpose of this section, travelling in Northern Ireland), a flat daily rate of £71.07 will be provided. This allowance is intended to cover costs incurred on meals and transport whilst actually abroad. An unused portion of this allowance, say in respect of meals provided at no cost to the Councillor or Co-opted member, must be returned to the County Council.

## **Lancashire County Council**

### **Members' Allowance Scheme**

#### **Schedule 'D' – Travel & Subsistence – 'Approved Duties'**

Appropriate travel and subsistence allowances may be claimed in accordance with the above details where such travelling and/or subsistence has been undertaken in connection with one or more of the following 'Approved Duties':

1. The attendance in connection with the efficient conduct or discharge of duties for which a Special Responsibility Allowance is paid in accordance with this Scheme.
2. The attendance at a meeting of the Full Council or of any Council Committee, Sub-Committee, Task Group, Working Group, Steering Group or Board.
3. The attendance as the Council's appointee at meetings of Outside bodies including any Committees or Sub-Committees of such a body where allowances cannot be claimed direct from the body concerned.
4. 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, or the Authority and one or more 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.

For the purposes of paragraphs 2 to 4 above, claims for Travel and Subsistence can only be made in respect of attendance at meetings of a Committee, Sub-Committee or other body of which the Councillor claiming is a member or where the Councillor is invited to attend by that body.

5. The attendance at a meeting of the Cabinet.
6. Meetings, Official Inspections and Visits authorised by the Cabinet, a Cabinet Member (where a decision cannot await the next meeting of the Cabinet), a Council Committee, Sub-Committee, Task Group, Working Group, Steering Group or Board.
7. Conferences and Seminars authorised by the Cabinet or where a decision cannot await the next meeting of the Cabinet by the Cabinet Member with responsibility for Resources.

8. Authorised training events.
9. Attendance by Councillors appointed by the Council and who are not principal office holders on the Local Government Association (LGA) at LGA meetings.
8. Public meetings concerning a Council Service.
9. Any authorised Official or Courtesy visit on behalf the County Council.
10. Any of the following authorised County Council events in Lancashire:
  - i. Opening Ceremonies
  - ii. Open days
  - iii. Receptions
  - iv. Displays
  - v. Concerts
  - vi. Demonstrations and Presentations
  - vii. Competitions
11. Foster/Adoption Panels (subsistence cannot be claimed if hospitality is provided).
12. Meetings with other representatives of local authorities, government departments and Members of Parliament.
13. Joint Negotiating Councils.
14. Political group meetings that are held immediately prior to a Full Council meeting for the purpose of discussing council business.
15. Attendance at the Royal Garden Party.
16. The performance of any duty in pursuance of any Procurement Rule under section 135 of the Local Government Act 1972 requiring a Member or Members to be present while tender documents are opened.
17. 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.
18. 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 (approval of non-maintained special schools) of the Education Act 1996.
19. The carrying out of any duties as Chairman and Vice-Chairman of the County Council.

**Attendance at any of the following are not authorised as an 'Approved duty' and no travel and subsistence allowances will be paid.**

1. All other Political Group Meetings other than those specified in paragraph 14 of the 'Approved Duties' section shown above.
2. Meetings with officers and constituents.
3. Member Surgeries.
4. Standing Order No. 19(1) (Attendance by Members of the County Council at meetings of Committees or Sub-Committees of which they are not members).
5. Meetings of any outside body where allowances are paid by the body concerned. This shall include meetings of the Local Government Association where a Councillor is a principal office holder or has been appointed by the Association or Assembly to attend in a representative role. Such Councillors should claim direct from the Local Government Association.
6. Lancashire Combined Fire Authority and associated meetings. Members of this Authority should claim direct from the Fire Authority.
7. Meetings of any outside body where a councillor has been appointed by a political party.

## **Lancashire County Council**

### **Members' Allowance Scheme**

#### **Schedule 'E' – Supporting Guidance**

##### **Annex 1 – Contacts, Enquiries and Other General Matters**

If Councillors or Co-opted members:

- a) require help with the submission of claims for Allowances or wish to question any payment made to them, would they please contact Christine Nuttall, Democratic Services on 01772 534872.
- b) wish to raise a point of principle or require clarification of the Members' Allowance Scheme, would they please contact Chris Mather, Democratic Services on 01772 533559.

##### **Cases of Uncertainty**

Where questions arise in connection with Councillors' Allowances and are not specifically covered in the Scheme (e.g. whether a function is sufficiently closely connected with the functions of the County Council to warrant approved duty status and thus attract the payment of allowances) the matter falls for consideration by the Chief Executive in consultation with the Cabinet Member responsible for Members Allowances.

Any such matters should be raised with the Chief Executive by contacting Chris Mather, Democratic Services on 01772 533559.

##### **Attendance Record**

Councillors should ensure that they sign an official attendance record circulated at each place of meeting as this will support a claim for allowances and form part of the permanent record.

##### **Record of Payments**

The County Council is required to keep a record of all payments to Councillors, indicating the amount paid to each Councillor in respect of each type of allowance. That record is open to inspection at all reasonable hours by any local government elector resident in the area of the council. Each year the payments made in the preceding year are placed on the County Council's website.

## **Annex 2 - Travelling and Subsistence Allowances - Additional Guidance and Provision**

### **General**

Allowances should be claimed according to the actual method of travel used. When Councillors or Co-opted members travel, in the performance of approved duties, in the car, of an officer or another Councillor or Co-opted member who is claiming reimbursement, or when transport is provided, they are not entitled to any allowance for that journey.

### **Travel by public transport**

First Class travel is permitted and must be authorised by the Cabinet Member with responsibility for Members Allowances.

Councillors and Co-opted members are asked to notify Julie Trafford, Procurement team, on 01772 533406 of their travel requirements as early as possible so that the County Council can benefit from discounts for advance booking where available. Exceptionally, Councillors and Co-opted members may purchase their own tickets at short notice, but reimbursement will only be made on production of the rail tickets used or a receipt for payment.

Unused portions of rail tickets should be returned to Julie Trafford, Procurement team.

### **Travel by Private Vehicle**

Councillors and Co-opted members are encouraged to car share wherever possible and journeys should be made via the shortest practicable route.

Councillors and Co-opted members are responsible for ensuring that their motor insurance covers use of the vehicle on Council business. Please see Annex 5.

### **Subsistence Allowances**

Day Subsistence Allowances are intended to cover refreshments purchased while the Councilor or Co-opted member is away from his/her place of residence in relation to an approved duty and other incidental expenses such as parking fees and tolls.

Subsistence Allowances are not payable where hospitality e.g. breakfast, lunch, evening meal is included as part of the journey or event.

### **Overnight Accommodation**

Julie Trafford (01772 533406) will make the necessary arrangements, including payment, in respect of any overnight accommodation. In exceptional circumstances, where it is not possible for a direct booking to be made, the actual receipted cost of accommodation, including breakfast, will be reimbursed in accordance with Schedule 'C' to the Scheme.

## **Travel Abroad**

A flat daily rate will be paid to Councillors or Co-opted members traveling outside Great Britain on approved duties. This Allowance is intended to cover costs incurred on meals and transport whilst actually abroad. Any unused portion of this Allowance e.g. in respect of meals provided at no cost to the Councillor or Co-opted member must be returned to the Council. Details of the rate are set out in Schedule 'C' to the Scheme.

## **Annex 3 – Taxation**

### **PAYE**

Basic Flat Rate Allowance and Special Responsibility Allowance are taxable emoluments. As such, the allowances will be taxed, less any tax free pay notified to the Council's Payroll Service in the form of a tax code notification from HM Revenue and Customs (HMRC). It should be noted that it is up to each Councillor to contact HMRC direct in order to obtain or query such notifications. This can be done online, by phone or by in writing.

On Line: <https://www.gov.uk/personal-tax-account>

Tel: 0300 200 3300

Address:

Pay As You Earn and Self-Assessment  
HM Revenue and Customs  
BX9 1AS  
United Kingdom

Allowances paid and tax deducted are notified to HMRC monthly and a certificate (P60) will be issued to each Councillor showing the total amount of taxable allowances paid and the total tax deducted in the year by 31<sup>st</sup> May of the following year. The certificate should be retained to check any notice of assessment, which the Tax office may issue.

### **Subsistence allowances**

Subsistence allowances are taxable unless they are paid in respect of subsistence incurred as a consequence of business away from Council Offices. Claims in respect of subsistence taken at County Hall and at other Council offices are therefore taxable.

The Dependants' carers' allowance is also subject to tax.

## **Annex 4 - National Insurance**

### **General Liability for National Insurance Contributions**

The Social Security Contributions & Benefits Act 1992 and subsequent amendments provide for National Insurance contributions to be collected along with Income Tax under the PAYE procedure.

As Basic Flat Rate Allowance and Special Responsibility Allowance are taxable under Schedule 'E' (emoluments from office), they are also liable for National Insurance contributions.

The carers/dependents allowance is also subject to National Insurance contributions.

National insurance contributions are payable on the total of all monies earned by an individual that are subject to national insurance, (including allowances) in excess of the Earnings Threshold. Contributions are payable at the standard rate up to an Upper Earnings Limit after which a reduced rate applies. These limits are subject to annual adjustment and are available on request.

Councillors should notify the local office of the Department for Work & Pensions of any taxable allowances received if they are claiming or receiving benefits from the DWP.

### **Persons of Pensionable Age**

No Class 1 contribution will be payable by a person over pensionable age who is a retirement pensioner or who does not satisfy the contribution conditions for a retirement pension. In such circumstances, the Councillor should apply to HM Revenue & Customs, National Insurance Contributions Office, Longbenton, Newcastle Upon Tyne, NE98 1ZZ for a Certificate of Age Exemption (CF384) telephone 0300 200 3500. This certificate should then be forwarded to the County Council's Payroll Service.

### **Married Women and Widows**

There is now no right to "opt out" of paying full rate National Insurance contributions; however, those Councillors who currently hold a reduced rate certificate, and have paid contributions during the last two consecutive tax years, can retain the right to pay reduced rate. Any valid certificate should be forwarded to the County Council's Payroll Service.

### **Dual Employment etc.**

Each employment or office is considered separately for contribution purposes and no account is taken for the fact that a Councillor may be employed or the holder of another office under another "employer" or self-employed.

However, in situations where the taxable emoluments received, either in total or in one particular employment exceed the Upper Earnings limit, Councillors should contact HM Revenue & Customs, National Insurance Contributions Office, Longbenton, Newcastle Upon Tyne, NE98 1ZZ in order to limit contributions payable (by use of Form CA2700) or obtain an appropriate refund of contributions paid.

## Annex 5 - Insurance Arrangements

### Liability Insurance

The County Council's liability insurance arrangements provide appropriate cover in respect of the actions of Councillors whilst acting on County Council business.

### Personal Accident Insurance

The County Council has a Personal Accident Insurance Policy which provides financial benefits regardless of legal liability for Councillors who are accidentally killed or injured while attending a Council or committee meeting or any other function or engagement which forms part of their duties as members of the Council, or whilst traveling to and from such meetings, or functions, including travel abroad on County Council business.

The benefits provided by this policy are as follows:

- a) For death or permanent total disablement, a lump sum of £200,000 (£7,500 if no dependants).
- b) For other permanent partial disablement(s) (e.g. loss of a finger) a lump sum percentage of £200,000 on a scale determined according to the severity of the injury.
- c) For temporary total or partial disablement, actual loss of net earnings up to a maximum of £200 per week for a maximum period of 104 weeks.
- d) In addition to the benefits outlined in paragraphs a), b) and c) above, the following benefits are provided whilst traveling abroad on County Council business:

		Maximum per person
i)	Medical and emergency travel expenses	Unlimited
ii)	Personal baggage (subject to a single article limit of £2,000)	£10,000
iii)	Personal money (subject to the cover for cash being limited to £2,000)	£10,000

### Notes

- i) There is no upper age limit on the policy
- ii) At the age of 75, the lump sum benefits for death and permanent total disablement are limited to a maximum of £30,000, or £7,500 in the event of death leaving no dependents. Benefits for permanent partial disablement

and all temporary disablement cease to be payable at the age of 75.

- iii) Medical expenses cover for travel abroad is subject to the proviso that such journeys are not made against medical advice.

### **Motor Vehicle Insurance**

The use of motor vehicles is subject to compulsory insurance cover and where Councillors use private motor vehicles on County Council business, it is the responsibility of individual Councillors to ensure that their own motor vehicle insurance policies provide appropriate cover for such use.