

Part 6

Section 6.1 – Members’ Allowances Scheme

West Yorkshire Combined Authority Members’ Allowances Scheme

Municipal Year 2021/22

1. This scheme may be cited as the West Yorkshire Combined Authority Members' Allowances Scheme and shall have effect for the municipal year 2021/22. It shall continue in force, as amended from time to time, until revoked or amended.

2. In this scheme:

"Combined Authority Member" means a Combined Authority Member appointed in accordance with Schedule 1, paragraph 1 of the Combined Authority Order 2014.

"Co-optee" means a person who is not a Combined Authority Member but who is co-opted to any committee or sub-committee of the Combined Authority¹.

"Member" means a Combined Authority Member or a Co-optee as defined above.

"Annual Meeting" means the Combined Authority’s annual meeting held each year.

The Scheme

Mayor’s Allowance

1. The 2021 Order enables the Combined Authority to establish an Independent Remuneration Panel (“IRP”) which may make recommendations regarding allowances payable to the Mayor. The IRP must consist of at least 3 members, none of whom: (a) is also a Combined Authority Member or committee or sub-committee of the Combined Authority, or a member of a Constituent Council; or (b) is disqualified from being or becoming a Combined Authority Member.

¹ For the purposes of claiming travel and subsistence expenses and dependants carers’ allowances only, any reference to a Co-optee shall be taken to include any public representative appointed by the Combined Authority in respect of attendance at any meeting of a relevant District Consultation Sub-Committee.

2. The Combined Authority may pay an allowance to the Mayor², but only if it has considered recommendations made by the IRP for the payment of such an allowance. Where the IRP recommends the payment of an allowance to the Mayor, the Combined Authority must pay an allowance to the Mayor not exceeding the allowance recommended by the IRP.
3. The IRP has recommended an allowance for the Mayor as set out in Schedule 1 which has been approved by the Combined Authority and is index linked to the National Joint Committee for Local Government Employees (NJC) index (the percentage annual cost of living salary increase as applied each year to staff).

Other

4. With the exception of the Mayor³, any Combined Authority Member (as distinct from Co-optees) is entitled only to travel and subsistence expenses and no other allowances under this Scheme.

5. An allowance is payable to Co-optees as set out in Schedule 1.

6. **One Allowance Only Rule**

A Co-optee can only receive one allowance from the Combined Authority.

7. **Travel and Subsistence Expenses – Approved Duties**

A Member may reclaim any costs they incur provided the costs are incurred whilst engaged on Approved Duties set out in Schedule 2 and within the limits specified in Schedule 3.

8. **Dependants' Carers' Allowance**

The Combined Authority pay a dependants' carers' allowance to any Co-optee for the provision of care to enable the Co-optee to attend an approved duty. The approved duties for which the dependants' carers' allowance may be claimed are set out in Schedule 2.

The allowance is subject to the following conditions:

- The allowance is payable for the care of any dependent person within the Co-optee's household.
- The allowance is only payable when the care is provided by someone who is not a household or family member.
- In the case of childcare, a Co-optee shall, wherever possible, use a registered carer.
- The amount payable will be for the actual cost of care.

² The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 also provides for the Combined Authority to pay an allowance to the Deputy Mayor provided that the Deputy Mayor is not a Leader, or elected Mayor of a Constituent of Non-Constituent Council or the LEP Chair. No allowance is currently payable under this provision.

³ See footnote above in relation to the Deputy Mayor.

- Payment will be made to the member, not the carer.
- A Co-optee will be required to sign a declaration that they have complied with these conditions.

The maximum rates of such allowances are set out below and are subject to the Co-optee observing the protocol on the claims procedure and eligibility criteria.

Childcare Element

- maximum rate payable = £7.65 per hour;
- care must be provided by a registered child minder.

Other Dependants Element

- maximum rate payable = the hourly cost of a Home Help carer payable by Leeds City Council

For both types of care, there is a monthly cap of £100, regardless of type or number of dependants and receipts are required.

9. Implementation and Backdating of Recommendations

The allowances are implemented from the date of the Annual Meeting and paragraph 11 applies.

10. Renunciation of Entitlement to Allowances or Expenses

Any Member may by notice in writing given to the Head of Legal and Governance Services elect to forego all or any part of their entitlement to an allowance or other expenses under this scheme.

11. Part Year Entitlements

- (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Member to 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 the responsibilities of a role for which an allowance is payable.
- (2) If an amendment to this scheme changes the amount to which a Member is entitled, 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

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 days in the period bears to the number of days in the year.

- (3) 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 any allowance shall be to the payment to such part of the allowance as bears to the whole the same proportion as the number of days during which their term of office subsists bears to the number of days in that year.
- (4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Member does not subsist throughout the whole, or any period mentioned in sub-paragraph (2)(a), the entitlement of any such member to an 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 their term of office as a member subsists bears to the number of days in that period.

12. Claims and Payments

- (1) A claim for travelling and subsistence expenses under this scheme shall be made in writing **within three months** of the date of the duty in respect of which the entitlement to the allowance arises.
- (2) A claim for all expenses under this scheme or any expense under any other provisions shall include, or be accompanied by, a **statement signed by the claimant** that they have incurred the actual expenditure shown on the claim, and have not made and will not make any other claim either to this or any other organisation in respect of the matter to which their claim relates, subject to:
 - in the case of **travelling expenses**, the amount being in line with the Combined Authority's policy to reimburse the lower of standard class bus or rail fares or the appropriate car allowance rates, and
 - in the case of **subsistence expenses**, the amount not exceeding the maximum authorised by the Combined Authority in Schedule 3 of the scheme.
- (3) Subject to any external timing constraints, payments shall be made:
 - (a) in respect of **allowances**, subject to sub paragraph (2), in installments of one-twelfth of the amount specified in this scheme on the last Thursday of each month,
 - (b) in respect of **travelling and subsistence expenses**, on the last Thursday in each month for all fully completed claims received by the end of the previous week; and

- (c) in respect of a large expense claim, suitable arrangements will be made where specially requested by the Member concerned.
- (4) Where a payment of one-twelfth of the amount specified in this scheme in respect of an allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 8, they are entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which they are entitled.

13. Duplication of Allowances and Expenses Claims

No Member may receive an allowance or expenses from more than one authority in respect of the same duties⁴.

14. Information Technology Equipment

Members will not be provided with equipment (eg: laptop, tablet, mobile phone) which is available from their own Authority to loan, or for which they receive an allowance to cover, in order for them to discharge their functions as an elected member.

The Mayor will be provided with equipment to enable discharge of their functions.

⁴ The Combined Authority will withhold an allowance under this provision where an authority has confirmed that a Co-optee is carrying out duties for the Combined Authority in a capacity for which they are receiving an allowance from that authority.

Schedule 1: Allowances and Remuneration

Mayoral Remuneration	(per annum)
Mayor⁵	£105,000

Overview & Scrutiny Committee	Allowance (per annum)
Chair	£7,341 ⁶
Deputy Chair	£1,296 ⁷
Members	£648

Transport Committee	Allowance (per annum)
Lead Member, Public Transport and Deputy Chair	£29,300 ⁸
Lead Member, Active Travel	£14,420 ⁹
Chair of District Consultation Sub-Committee	£6,075 ¹⁰
Leader of main opposition group	£11,940 ¹¹
Members	£4,500

WYCA Independent Person(s)	(per annum)
Annual retainer	£800
Allowance per conduct meeting (for each day or part day)	£220.19

⁵ Index linked to the NJC index (the percentage annual cost of living salary increase as applied each year to staff).

⁶ Includes ordinary members' allowance of £648 p.a.

⁷ Includes ordinary members' allowance of £648 p.a.

⁸ Includes ordinary members' allowance of £4,500 p.a.

⁹ Includes ordinary members' allowance of £4,500 p.a.

¹⁰ Includes ordinary members' allowance of £4,500 p.a.

¹¹ Includes ordinary members' allowance of £4,500 p.a.

Schedule 2: Approved Duties

The following are specified as an approved duty for purpose of the payment of travelling and subsistence expenses and dependants' carers' allowances:

- (i)** A meeting of the Combined Authority, any committee or sub-committee of the Combined Authority or of any other body to which the Combined Authority makes appointments or nominations, or of any committee or sub-committee of such body.
- (ii)** Any other meeting the holding of which is authorised by the Combined Authority, provided that it is a meeting to which members of at least two political groups have been invited.
- (iii)** Meetings of a non-commercial, non-political and non-party political nature, (including with Ministers, Members of Parliament, European Members of Parliament, representatives of Government Departments and representatives of major companies who have an involvement in any matter relevant to functions of the Combined Authority) attended by

 - a)** a Combined Authority Member, or
 - b)** any Co-optee who is the Chair or Deputy Chair¹² of a relevant committee, or
 - c)** any Co-optee who is a nominee of (a) or (b) above

in their capacity as a representative of the Combined Authority, for the purpose of discussing matters which relate to the functions of the Combined Authority or of a constituent or non-constituent council of the Combined Authority, or any other council in which the Combined Authority has an interest in the particular function involved.
- (iv)** Conferences, seminars and study courses, only where the Head of Legal and Governance Services is satisfied that they represent value for money and are being held for the purpose of discussing non-political matters which relate to the functions of the Combined Authority or any functions of the local authorities in which the Combined Authority has an interest¹³.
- (v)** At representative functions, official functions, responding to invitations to meet and/or address voluntary and other organisations, site visits and meetings with officers subject to the prior agreement of the Head of Legal and Governance Services.

¹² Or the leader of the opposition on Transport Committee.

¹³ By law, this provision does **not** extend to payment to any Member in respect of attendance at conferences convened by any body "the objects of which are wholly or partly political" (Section 175 Local Government Act 1972).

Schedule 3: Travelling and Subsistence Expenses

Travelling Expenses

1. Bus and Rail Travel

Members are expected to travel by bus or by standard class rail. First class travel is considered acceptable only in the following circumstances and by prior agreement of the Monitoring Officer:

- Additional space and privacy are required during the journey in order to work or to enable confidential conferences to be held on the train.
- Where the cost of discounted first-class travel is less than that of the cheapest available standard class ticket.
- To avoid disadvantaging members when travelling with other organisations.

Rail travel should be booked in advance through the Combined Authority to take advantage of discounted tickets and special offers.

Claims for car expenses will therefore only be paid where there is no suitable alternative public transport available or there are special circumstances.

2. MCard/Metrocards

Members of the Transport Committee and the Mayor are entitled to a MCard/Metrocard. Other Members are permitted to apply for an MCard but would be required to contribute a reasonable proportion to the cost to the Combined Authority of the card, in relation to the element of personal usage that could be made of it. Where a Member holds a MCard/Metrocard, they should use this where reasonably practicable rather than other forms of transport.

When a Member ceases to be a member of the Transport Committee they must return their MCard/Metrocard.

3. Car Mileage Rates - the HMRC mileage rates from time to time in force

Approved Mileage Rates		
	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p

4. Passenger Rates

Where a Member carries a passenger, they can claim the HMRC approved passenger mileage rate of 5p per passenger mile, in addition to the applicable mileage rates for motor cars.

5. Motor Cycle Mileage Rates

24p per mile (indexed to HM Revenue and Customs approved rates).

6. Bicycle Mileage Rate

20p per mile (indexed to HM Revenue and Customs approved rates).

7. Taxi Travel

In rare circumstances (for example, cases of urgency or where no alternative mode of public transport is reasonably available), it may be necessary to travel by taxi. In such circumstances, the amount of the fare paid is reimbursable on production of a valid receipt. Where reasonably practicable, agreement should be sought in advance from the Monitoring Officer.

8. General Travel Expenses

To reduce costs to the Combined Authority, a Member should not travel independently where it would be possible to travel with another Member or officer.

A Member may claim specific reimbursement for expenditure incurred on tolls, ferries or parking fees as these are deemed to be additional to the basic car allowance rates.

Subsistence Expenses

- 9.** Day subsistence rates are based on 'meals' taken with eligibility based on the time of the day the meal is taken and time away from home as set out below.

In each instance only the actual cost incurred may be claimed with the following being the maximum rates claimable:¹⁴

¹⁴ These figures are reviewed annually in line with the rates applicable to, and published by, the Passenger Transport Forum for Non-Manual Employees of Passenger Transport Executives.

Day Subsistence Rates		
Breakfast allowance	£8.28	More than 4 hours away from normal place of residence before 11am.
Lunch allowance	£11.28	More than 4 hours away from normal place of residence including the period between 12 noon and 2pm.
Tea allowance	£4.54	More than 4 hours away from normal place of residence including the period between 3pm to 6pm.
Evening meal allowance	£14.09	More than 4 hours away from the normal place of residence after 7pm.

Note: The current total daily maximum subsistence claimable (£38.19) should not be disaggregated and applied to specific meals but a 24-hour maximum claimable to be spent upon subsistence as required.

10. Overnight Stays

All overnight accommodation should be booked and paid for directly through the Combined Authority taking advantage of any corporate rates and offers to seek out the most reasonably priced accommodation available, thus avoiding any claims for reimbursement. Where, exceptionally, this is not possible, actual costs will be reimbursed where they are supported by receipts.

11. Overseas Travel

Members are entitled to claim reasonable expenses in relation to their journey and stay, reimbursable upon production of receipts.

It is expected that the necessary travel and accommodation arrangements would be booked through the Combined Authority.

12. Meals Provided Free of Charge

Members are required to deduct an appropriate amount from the subsistence expenses specified in the table above in respect of any meals provided free of charge by an authority or body in respect of the meal or the period to which the expense relates. Expenses cannot be claimed where a free meal has been provided.

13. Meals Taken on Trains

Where main meals are taken on trains during the period for which there is an entitlement to day subsistence expenses, the reasonable cost of meals (including VAT) shall be reimbursable in full. This will then replace the specific meal allowances set out above.

Note: In the case of travel abroad there are sometimes difficulties in obtaining receipts. However, for the reasons given above, reimbursement will only be available where receipts are provided.

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