



Epping Forest District Council

MEMBER REMUNERATION PANEL **Monday, 6th January, 2014**

Place: Committee Room 1, Civic Offices, High Street, Epping

Time: 8.00 pm or at the conclusion of the meeting between Panel members and District Councillors which commences at 7.00pm

Committee Secretary: Graham Lunnun, The Office of the Chief Executive
Email: democraticservices@eppingforestdc.gov.uk Tel 01992 564244

Members:

D Jackman, Ms R Kelly and S A Lye

1. CHAIRMAN

To elect a Chairman for the meeting.

2. APOLOGIES FOR ABSENCE

3. NOTES OF THE LAST MEETING (Pages 3 - 28)

Attached for consideration.

4. REVIEW OF REMUNERATION SCHEME

To finalise recommendations to the Council in the light of discussions with the councillors who responded to the invitation to submit observations and discuss them with the Panel.

5. DATA PROTECTION ACT - REGISTRATION OF COUNCILLORS AS DATA CONTROLLERS

Under the Data Protection Act, individuals and organisations that process personal information need to register with the Information Commissioner's Office (ICO), unless they are exempt.

The requirement for notification relates to any personal information that members hold and process in relation to their constituency casework, which relates to living individuals. Constituency casework would include member activities such as:

- maintenance of constituents' complaints and enquiries;
- details of follow up action and outcomes; and
- case details where the councillor is acting as an agent/intermediary.

These activities fall outside of the data processing undertaken by the Council, and are not therefore covered by the authority's own notification as a data controller.

The Data Protection Act regulates the holding and processing of personal information. Organisations or individuals that obtain or process personal information covered by the Act may need to notify the Information Commissioner about such processing, whereafter a description of processing activities is placed on a public register of notifications. Data controllers must also comply with the data protection principles of the Act, which form a framework for the proper handling of personal information. Individuals whose personal data is held or processed have rights under the Act, for example, to a copy of the information held about them.

It is a matter for each member to determine whether they should notify as a data controller. Members should therefore consider what personal information they hold and process in relation to their own constituency casework and, if necessary, submit formal notification to the Information Commissioner.

The Council's Data Protection Officer has pointed out that currently only 10 District Councillors have registered with the Information Commissioner. It has been suggested therefore that the Panel consider this issue from an allowances point of view.

The registration fee is £35 per annum. Some councils reimburse their councillors' annual fees upon submission of a claim supported by relevant documentation. The approach at EFDC has always been that the fees should be met from the Basic Allowance.

In an attempt to secure more registrations it has been suggested that £35 of Basic Allowance being withheld each year until a member produces evidence of registration as a data controller. The difficulty with this approach is that some councillors may decide that they do not need to register as data controllers.

The Panel are asked to consider this issue.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Member Remuneration Panel **Date:** Monday, 11 November 2013

Place: Group Room, Room 1.19, First Floor, Civic Offices, High Street, Epping **Time:** 5.30 - 6.10 pm

Members Present: D Jackman, Ms R Kelly and S A Lye

Other Councillors:

Apologies:

Officers Present: I Willett (Assistant to the Chief Executive) and G Lunnun (Assistant Director (Democratic Services))

1. CHAIRMAN

RESOLVED:

That Mr D Jackman be elected Chairman for the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made by members of the Panel in relation to any item on the agenda.

3. MINUTES OF THE LAST MEETING

RESOLVED:

That the minutes of the meeting held on 31 January 2013 be taken as read and signed by the Chairman as a correct record.

4. REVIEW OF REMUNERATION SCHEME

The Panel considered a report dealing with:

- (a) a review of the Remuneration Scheme following an inspection by Her Majesty's Revenue and Customs (HMRC) of the Council's payroll arrangements; and
- (b) the future of the Remuneration Scheme in relation to pensionable status.

The Panel was advised that in March 2013, the Council had hosted one of its regular inspections by HMRC of its payroll arrangements. The inspection had reflected

HMRC's particular interest in taxation arrangements and had covered payroll arrangements for both Council employees and elected members.

The Assistant to the Chief Executive reported that following the inspection HMRC had issued directions to the Council on how travelling and subsistence allowances were to be treated for tax and national insurance purposes. The directions were:

- (a) all future taxable and non-taxable travel expenses should be reimbursed through the payroll system;
- (b) the Council should differentiate between taxable and non-taxable travel expenses;
- (c) deductions for tax and national insurance should apply to councillors' home to work journeys;
- (d) deductions for tax/NI would not apply to business mileage incurred by councillors if the rate claimed did not exceed 45p per mile;
- (e) for the purposes of (c), councillors' workplace was deemed to be the Civic Offices; and
- (f) for the purposes of (d), business mileage applied to journeys undertaken from home to other venues and return in connection with Council business.

The Panel considered suggested amendments to the Remuneration Scheme and the supplementary guidance to reflect the requirements of HMRC in relation to the treatment of mileage and subsistence for taxation and national insurance purposes.

The Panel also considered proposed wording amendments to the scheme to reflect the current entitlement of councillors to join the Local Government Pension Scheme and the Government's intention to discontinue the entitlement of councillors to join the Scheme from 1 April 2014 with existing subscribers' accrued rights protected.

The Panel noted that at their last meeting they had resolved to give further consideration at this meeting to the Special Responsibility Allowance for the Chairman of the Standards Committee and for the allowances paid to the Independent Persons on the Standards Committee.

The Panel was advised that since the new standards regime had commenced the role of the Chairman of the Standards Committee had in the main been chairing meetings of that Committee. In relation to the Independent Persons, their role had been attendance at meetings of the Committee and being consulted by the Monitoring Officer about complaints which had been made regarding District and Town and Parish Councillors.

The Panel concluded that, having regard to the limited number of hearings held about complaints regarding member conduct since the introduction of the new standards regime, the extent of the roles to date of both the Chairman of the Standards Committee and the Independent Persons had not differed significantly from the position when the matter had last been considered.

RESOLVED:

That an item be placed in the Council Bulletin inviting District Councillors to raise issues regarding the Remuneration Scheme, and that in the event of

any issues being raised these be discussed between members of the Panel and officers and, if necessary, a further meeting of the Panel be held to consider possible further amendments to the Scheme before the Panel reports to the Council; and

RECOMMENDED:

(1) That the Members' Allowances Scheme and the Guidance Note be amended as indicated in the bold type underlined in the Appendix to these minutes;

(2) That no changes be made to the Special Responsibility Allowance for the Chairman of the Standards Committee or to the allowances for the Independent Persons on that Committee;

(3) That the Panel gives further consideration to the allowances for the Chairman of the Standards Committee and the Independent Persons if their workload increases or, if and when, the Council changes the number of Independent Persons; and

(4) That, subject to no District Councillor expressing any other suggestions or concerns in relation to the Scheme, no further changes be made to the Remuneration Scheme at this time.

5. DATE OF NEXT MEETING

RESOLVED:

That the next meeting be held on a date to be agreed.

CHAIRMAN

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PART 6

MEMBERS' ALLOWANCES SCHEME

SCHEME OF MEMBERS' ALLOWANCES - STATEMENT CONCERNING IMPLEMENTATION 2012/13

**The following scheme has been agreed for the period
21 May 2013 to 19 May 2014**

The Council decided at its meeting on 28 June 2011 to implement the amount of Basic, Special Responsibility and Co-optees Allowances provided in the scheme as set out below:

Basic Allowance: £3,150 per annum per Councillor plus a supplementary basic allowance of £250 for Member Connectivity (see Appendix 1).

The amounts set out below show the amounts of Special Responsibility Allowance (SRA) payable during the year:

DUTY	ANNUAL AMOUNT OF SRA
Leader	£7,875
Cabinet members (9)	£6,300 each
Chairman of District Development Control Committee	£2,362
Chairmen of Area Plans Sub-Committees	£2,362 each
Chairman of Overview and Scrutiny Committee	£3,150
Chairmen of Complaints, Staff Appeals Panels and Housing Appeals and Review Panel	£ 110 each (per meeting held)
Chairmen of Licensing Sub Committee (6)	£2,362 divided between the 6 Chairmen
Chairman of Audit and Governance Committee	£2,150
Chairmen of Standing Scrutiny Panels	£2,150 each

The amounts payable during the year for independent members are:

Chairman of the Standards Committee	£ 500
Independent Persons affiliated to the Standards Committee	£ 250
Independent Members of the Remuneration and Parish Remuneration Panels	£ 250
Co-opted Members of the Audit & Governance committee	£ 500

A copy of the full scheme is available on request from Democratic Services, Civic Offices, Epping.

EPPING FOREST DISTRICT COUNCIL - REMUNERATION AND EXPENSES SCHEME

The Epping Forest District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1990 and the Local Authorities (Members' Allowances) (England) Regulations 2001, hereby makes the following scheme:

1. This scheme may be cited as the Epping Forest District Council Members' Allowance Scheme and shall have effect for the period **23 June 2014 to 26 May 2015**.

2. In this scheme:

"business mileage" means mileage incurred for journeys by Councillors between their homes and business venues or between the Civic Offices, Epping and business venues;

"Councillor" means a member of the Epping Forest District Council who is a Councillor;

"home to office mileage" means mileage incurred for journey by Councillors between their homes and the Civic Offices, Epping;

"independent member" means (a) a member of the Standards Committee who is not an elected councillor or (b) a co-opted member of an Overview and Scrutiny Committee, or the Audit and Governance Committee who is not an elected councillor;

"year" means the 12 months ending with **26 May 2015**.

3. **Basic Allowance**

Subject to paragraph 7, £4,300 shall be paid to each Councillor. An annual supplementary basic allowance of £250 per Councillor (for each year of office) shall be payable in accordance with Appendix 1 to this scheme. **Payments are subject to deductions for tax and national insurance dependant on the circumstances of individual councillors.**

4. **Special Responsibility Allowances**

(1) For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the allowances specified in Schedule 1 to this scheme. Special responsibility allowances shall be calculated as multipliers of the Basic Allowance. There is no restriction on the number of separate SRA's which are payable to an individual member.

(2) Subject to paragraph 7, the amount of each allowance shall be the amount specified against that special responsibility in Schedule 1 for the year.

5. **Travelling and Subsistence (including Cycle Allowance)**

(1) These expenses may be claimed by members of the Council in connection with the carrying out of approved duties specified in Schedules 2, 3 and 4 of this scheme.

(2) Payments may be claimed up to the maximum casual user rate set for officers of the Council as adjusted annually by the National Joint Council for Local

Government Services (travel expenses) and the East of England Regional Assembly (subsistence expenses).

(3) Payment of home to office car mileage will be subject to deduction of tax and national insurance contributions, dependant on the circumstances of individual councillors. Business mileage incurred by councillors will not be subject to such deductions if the mileage rate claimed does not exceed 45 pence per mile.

6. Child Care and Dependant Carers' Allowances

(1) The maximum rate for this allowance shall be set at a rate equivalent to the Adult National Minimum Wage (currently £6.31 per hour).

(2) A member of the Council shall be eligible to claim up to four hours of the allowance for the performance of approved duties under this scheme and for the purpose of contributing to the cost of providing personal care to immediate dependants who are in need of care and supervision.

(3) The rate applicable shall be subject to automatic increases on an annual basis in line with uprating of the Adult National Minimum Wage.

(4) The allowance is not payable in respect of carers who are members of the member's immediate and close family i.e. parents, children, spouses, co-habitees or members of the same household as the member.

(5) All claims shall be subject to Audit checks and no claim in excess of the maximum level will be payable, whatever the circumstances.

7. Renunciation

A councillor or independent member may by notice in writing given to the Assistant to the Chief Executive elect to forego any part of his entitlement to an allowance under this scheme.

8. Part-year Entitlements

(1) The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable:

(2) If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the 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 end of the year;

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period

as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

(3) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor 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 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 councillor does not subsist throughout the period mentioned in such-paragraph (2)(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole of the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.

(5) Where a councillor has during part of, but not throughout a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole of the same proportion as the number of days during which he/she has such special responsibilities, bears to the number of days in that year.

(6) Where this scheme is amended as mentioned in sub-paragraph (2), and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

9. Claims and Payments

(1) Payments shall be made in respect of basic and special responsibility allowances, subject to subparagraph (2), in instalments of one quarter of the amount specified in this scheme on the last Wednesday of each third month;

(2) Where a payment of one-quarter of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which by virtue of paragraph 8(1), he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

(3) Claims must be made within a period of one year of the duty being carried out. Payments after that period will only be made in exceptional circumstances.

10. Uprating for Inflation

There will be no inflationary adjustment to the allowances set out in this scheme except those relating to travel, subsistence and child and dependant carers.

11. Co-optees' Allowance

Co-optees' allowance will be payable to independent members as set out in Schedule 5 to this scheme.

12. Withholding/Recovery of Payments

~~12.1 If any councillor or independent member is wholly suspended or partially suspended under Part III of the Local Government Act 2000, or regulations made under that part, the Council shall be entitled to withhold any payments of Basic and Special Responsibility or Travelling and Subsistence Allowances in respect of that period of suspension or partial suspension.~~

12.1 Where any councillor or independent member has already received a payment in respect of any period during which they have been:

~~(a) suspended or partially suspended from their responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or~~

(a) ceased to be a member of the Authority; or

(b) not entitled in any other way to receive the allowance in respect of that period, the Council may require that such part of the allowance as relates to the period in question shall be repaid to the Authority.

13. Pensionable Status

13.1 Remuneration payable to councillors of the Epping Forest District Council under this scheme shall be entitled to pensionable status in accordance with a scheme made under Section 7 of the Superannuation Act 1972, if they opt in to the Essex Superannuation Scheme.

13.2 For the purposes of a Paragraph 13.1 above basic allowance and special responsibility allowance will be treated as amounts in respect of which such pensions are payable in accordance with a scheme under that Act.

14. Further Guidance

Further guidance on this scheme can be found in Appendix 2.

SCHEDULE 1

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

DUTY	ANNUAL AMOUNT OF SRA
Leader of Council	£10,750
Cabinet members	£6,450 (each)
Chairman, District Development Control Committee	£3,225
Chairmen of Area Plans Sub-Committees	£3,225 (each)
Chairman of Overview and Scrutiny Committee	£4,300
Chairmen of Licensing Sub Committee (6)	£3,225 (divided equally between the six)

	Chairmen).
Chairmen of Complaints, Staff Appeals and Housing Appeals and Review Panels	£110 each (per meeting held)
Chairman of Audit and Governance Committee	£2,150
Chairmen of Standing Scrutiny Panels	£2,150 (each)

SCHEDULE 2 APPROVED DUTIES

1. The following are specified as an approved duty for the purpose of the payment of travelling and subsistence expenses, attendance at any of the following:
- (a) a meeting of the authority, the Cabinet, a Cabinet Committee, the Overview and Scrutiny Committee and its Panels, the Standards Committee and its Sub-Committees, or as a member of any other Committee or sub-committee, panel, working group, special committee or board of the authority;
 - (b) any other meeting held by the Authority 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;
 - (c) duties relating to the supervision of tender opening as required by the Council's Standing Orders;
 - (d) attendance as representative of the Council at any approved conference or meeting of the outside organisations set out in Schedules 3 and 4;
 - (e) attendance at any meeting or other official function at the request of the Chief Executive, Deputy Chief Executive or a Service Director including meetings between group representatives for a particular Committee and officers;
 - (f) any other duty approved by the Council or the Cabinet or any other committee, sub-committee, special committee or Board or Panel or any duty of a class so approved, for the purpose of, or in connection with, the discharge of functions or the body, or of any of its committees or sub-committees;
 - (g) attendance by a councillor at a meeting of which he or she is not a member for the purpose of explaining a motion referred from the Council;
 - (h) attendance as a councillor at the invitation of the Local Government Commissioner for Administration for the purpose of investigating a complaint against this Council of maladministration;
 - (i) attendance as an appointed representative of Epping Forest District Council at any meeting of Essex County Council or any of its committees or sub-committees for the purpose of formal consultations on any matter affecting the powers or duties of this Council or the district or any part thereof;

- (j) attendance on behalf of the Council or the Cabinet or as a Chairman on behalf of a Committee at an official function;
- (k) attendance at seminars and training courses arranged by the authority;
- (l) consultation meetings arranged by the authority where the member's attendance is required or where the business directly affects the member's ward;
- (m) site visits arranged by Area Plans Sub-Committees or the District Development Control Committee;
- (n) informal site visits by individual councillors in respect of their duties as members of an Area Plans Sub-Committee;
- (o) attendance at a meeting concerning joint working or partnership arrangements to represent the Council's interests.

2. There is specified as an approved duty for the purpose of paying travelling and subsistence expenses attendance at any of the outside organisations shown in Schedule 4.

3. Attendance by members of the Council at meetings of outside organisations not shown in Schedule 4 shall NOT qualify for payment of travelling and subsistence expenses.

SCHEDULE 3 CONFERENCE AND MEETINGS

<p>Conference and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which does not involve an absence overnight from the councillors normal place of residence.</p>	<p>Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rate whichever is the less if travel outside the Epping Forest District is required).</p>
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<p>Conferences and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which involves an absence from the councillor's normal place of residence of one or more nights.</p>	<p>Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rate whichever is the less if travelling outside the Epping Forest District is required).</p>
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SCHEDULE 4 OUTSIDE ORGANISATIONS

Attendance as appointed representative of the Council on any outside organisations, such attendances being deemed approved duty for the purpose of paying subsistence and travelling expenses.

**SCHEDULE 5
CO-OPTEE'S ALLOWANCE**

Chairman of the EFD Standards Committee:	£500 per annum
Independent Persons affiliated to the EFD Standards Committee:	£250 per annum
Co-opted independent members of an Overview and Scrutiny Committee	£500 per annum
Co-opted members of the Audit and Governance Committee	£500 per annum

Member Remuneration Scheme

Members Connectivity Scheme – Agreement between Epping Forest District Council and Members of the Council

Basic Allowances paid to Councillor by Epping Forest District Council (“the Council”) are made in accordance with Section 18 of the Local Government and Housing Act 1989 as amended by Section 99 of the Local Government Act 2000.

Relevant regulations applied in formulating this agreement are The Local Authorities (Members Allowances)(England) Regulations 2003.

Grants in respect of the Member Connectivity Scheme have been considered and agreed by the Council’s Independent Remuneration Panel on 12 October 2005, as being a supplement to the Basic Allowance.

Terms and Conditions of Agreement

1. In signing this agreement the Councillor undertakes to:
 - (i) provide IT equipment to enable them to view agenda and minutes documents, forward plan and such other documents that may be put on the Council’s extranet or internet site;
 - (ii) abide by the Connectivity Scheme (Annex 1) and Standards Committee Guidance on the use of ICT (Annex 2); the Council’s other adopted ICT related policies including the security of any data and remote working policies; and the provisions of the Local Government Act 1972 regarding the transmission of Exempt Business as defined in Schedule 12A (or other exemption categories that may be enacted) outside of the Council and any internal meeting, all of which should be considered confidential until published for public consumption;
 - (iii) treat any contact information relating to officers and members that does not appear on the Council’s public website as confidential;
 - (iv) cease to receive paper copies of minutes and agenda for those Committees, Sub-committees and Panels of which he/she is not a member.
2. The Council undertakes to provide:
 - (i) An ‘extranet’ (a private intranet) connection to the Council’s IT network using a ‘token’ scheme to control access and a user name and password for each member;
 - (ii) Training on the use of the system;
 - (iii) ICT support relating to 2(i) above and advice from Democratic Services (DS) on 2(ii) above;
 - (iv) A paper copy of the agenda to members of Council, each Committee, Sub-committee or Panel (unless the member indicates in writing otherwise);
 - (v) Email notification of publication of agenda and minutes to all members;

(vi) Headed paper and envelopes for use by members for Councillor correspondence.

Payment of Allowances

3. The addition to the Basic Allowance will be paid to each Councillor entering into this agreement quarterly in arrears (currently £250 per annum).

4. The Council may review the payment of such allowances from time to time as necessary and may change or cease payment upon resolution at Full Council.

Acceptance

I confirm that I have read and accepted the terms and conditions of this agreement.

Signed by Councillor:	Dated:
Name (Please print):	
Signed on behalf of the Council:	Dated:
Ian Willett Assistant to the Chief Executive	

Member Connectivity Scheme

This document provides information on the Member Connectivity Scheme.

Introduction

The Connectivity Scheme has been introduced to enable members to receive electronic notification of and Internet access to papers for Council meetings and associated information. The scheme has been made possible following the introduction of the Committee Management System (CoMS) which publishes our publicly available agenda to the Internet via the Council's website. The Connectivity Scheme will, however, provide members with access to a wider range of information including agenda planning, up-to-date notification of publication, call-in and portfolio holder decision-making.

The Agreed Scheme

The Connectivity Scheme provides members with an additional allowance (payable as part of the existing Scheme of Members Allowances) towards acquiring computer equipment and to use this equipment to access information on the Council's Agendas and Minutes via the Internet.

Members would be expected to use this system to access all agenda and minutes information and cease to receive hard copy agenda (except for those of which they are a member or required to attend by virtue of a position).

Under the scheme you will receive £250 per annum (payable normally quarterly in arrears) from which members will be expected to assist with the cost of a Personal Computer (PC) (if necessary); Internet connection and any consumables. This sum will be subject to tax and National Insurance.

Equipment Specification

The minimum specification required for PC equipment is:

- (i) A PC that can access the Internet;
- (ii) A broadband connection to your home;
- (iii) A valid email account;
- (iv) Internet Browser software; and
- (v) A printer capable of printing A4 pages.

Data and Equipment Security and Use Guidance

The equipment is the individual member's property and can be used for non-council activities. Members must adhere to:

- (i) The User Policy Statement for the CoMS system;
- (ii) Issued Standards Committee Guidance on the Use of IT by Members;
- (iii) The Council's other adopted ICT related policies including the security of any data and remote working policies;
- (iv) The provisions of the Local Government Act 1972 regarding the transmission of Exempt Business as defined in Schedule 12A outside of the Council.

What the Council will provide:

The Council will:

- (i) Provide an 'extranet' (a private intranet) connection using a 'token' scheme to control access and a user name and password for each member;
- (ii) Training on the use of the system;
- (iii) ICT support relating to (i) above and advice from DS on (ii) above;
- (iv) A paper copy of the agenda to members of each Committee (unless the member indicates in writing otherwise);
- (v) Email notification of publication of agenda and minutes to all members;
- (vi) Headed paper and envelopes for use by members for Councillor correspondence.

What the Council will not provide:

The Council will **not**:

- (i) Provide ICT support for PC's or any peripherals purchased by members under the scheme;
- (ii) Advise on purchase of equipment or choice of ISP.
- (iii) Provide a paper copy of agenda for other Committees if you are not a member. Paper copies of Agenda will be available at the meeting in small quantities.
- (iv) Plain paper and print cartridge consumables.

Glossary of Terms used in this document

Broadband – a system of connecting to the Internet that allows voice, data, and video to be broadcast over the same medium at the same time. They may also allow multiple data channels to be broadcast simultaneously. It is much faster than traditional dial-up methods of connection.

Browser – Software that allows a computer user to find and view information on the Internet.

Committee Management System – A computer system used by EFDC to publish and archive all Agenda and Minutes of Council meetings and publish these to the Internet and Intranet.

Email account – An account provided by your ISP by which you can receive email. Your current or chosen ISP will be able to provide details of how you can set an account up.

Extranet - An extension of the Council's Intranet giving authorised people controlled access to the Intranet from outside of the Council's network.

Exempt Business – Items of business on an agenda that are confidential to the Council and should not be disclosed to third parties.

Internet – A network that links computer networks all over the world by satellite and telephone, connecting users with service networks such as e-mail and the World Wide Web.

Internet Browser – See Browser.

ISP - Internet service provider. A company that provides Internet connection services

IT helpdesk – The Council provides a helpdesk to support its applications. Its contact number is 01992 564321

Password – In this case means a word that when entered on the password screen allows access to the extranet

Peripherals – A piece of computer hardware such as a printer or a disk drive that is external to but controlled by a computer's central processing unit.

Personal Computer (PC) – A computer with its own operating system and a wide selection of software, intended to be used by one person.

Portfolio holder decision-making – Means an executive decision made by a member of the Cabinet

DS – Democratic Services at EFDC.

Remote working – Is another way of describing someone accessing the Council's network from outside of the building i.e. remotely.

Token – A piece of equipment that provides a secondary form of identification when accessing the Council's extranet.

User name – In this instance means your name on the system. Normally a combination of your initials and your surname.

Extract from the protocol on use of Council Facilities by members:

Guidance on the Use of IT by Councillors

1. Purpose of Guidance

- 1.1 The Council provides Councillors with an allowance towards the costs of providing and maintaining equipment, software or other consumables necessary to allow them to access the Committee Management System. This protocol gives advice on use of computer equipment in order to minimise risks to both the Council and to individual Councillors.

2. Security

- 2.1 Under the terms of the Connectivity Scheme, Councillors are responsible for:

- (i) ensuring that their password and secondary authentication equipment remain accessible only by themselves;
- (ii) abiding by the Council's published ICT policies and standards relating to security of systems and data and remote working;
- (iii) meeting the requirements of the Local Government Act 1972 and any subsequent Act in relation to exempt and confidential information; and
- (iv) adhering to specific user policies for systems they are given access to.

3. Use of Equipment

- 3.1 Councillors should be mindful of the onus placed upon them under 2 above. They should ensure that any material down-loaded via the Intranet is kept securely at any remote location. Councillors should ensure that if the computer is shared, proper arrangements are made to limit access to materials stored by the member, that fall into exempt and confidential categories. Such material will be routinely endorsed "Restricted".

- 3.2 Councillors should not store or download any material which:

- (i) causes the Council to be brought in to disrepute;
- (ii) contravenes the Access to Information or Data Protection Acts or similar legislation;
- (iii) is illegal or inconsistent with the high standards expected of those in public office;
- (iv) is defamatory; or
- (v) breaches the Council's Code of Conduct (including confidentiality).

- 3.3 If a Councillor uses their computer for the preparation of any material of a personal or political nature, he/she must make it clear that such material is published in a private capacity and not by or on behalf of the Council, and that no costs have been incurred by the Council as a consequence of its publication. Similarly, a Councillor should not express views on any matter relating to the Council without expressly indicating that the views are personal and not those of the Authority.
- 3.4 Councillors should be aware that the internet is a completely unregulated medium and they are not protected in any way from viruses etc.
- 3.5 The Council accepts no responsibility for Councillors' use of IT equipment.

For more information see the Member Connectivity Scheme and related ICT Policies.

MEMBER REMUNERATION SCHEME

**EPPING FOREST DISTRICT COUNCIL
GUIDANCE NOTE ON ALLOWANCES AND EXPENSES FOR MEMBERS**

1. INTRODUCTION

- 1.1 A Councillor is eligible for the payment of attendance allowances and for reimbursement of travel and subsistence expenses in respect of approved duties carried out on behalf of the Council. An approved duty is one which has been authorised by or on behalf of the Council in advance.
- 1.2 The Council has a formal scheme for allowances which is updated from time to time. A copy of the scheme is set out elsewhere in the Constitution binder. This note is of a more informal nature and is designed to assist members in dealing with their claims and explaining the arrangements to the public.

2. BASIC ALLOWANCE (INCLUDING SUPPLEMENTARY BASIC ALLOWANCE)

- 2.1 This is a flat rate allowance payable to all members of the Council. This annual amount is paid in quarterly instalments. Members do not have to claim this amount.
- 2.2 A grant of £250 per annum as a supplement to the basic allowance will be payable to assist members in receiving electronic notification of and Internet access to papers for Council meetings and associated information subject to the member signing an agreement to undertake to meet the terms and conditions set out in the Members' Connectivity Scheme (set out in Appendix 1 attached).

3. SPECIAL RESPONSIBILITY ALLOWANCE

- 3.1 This is a special allowance payable to the Leader, Cabinet members and certain Chairmen. It is designed to reflect the additional responsibilities of these office holders. This amount is paid in quarterly instalments during the year and does not have to be claimed.

4. TRAVEL EXPENSES

- 4.1 Members may re-claim reasonable travel expenses (including public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties as defined in the scheme (Schedule 2).

4.2 Car Travel

The normal rates for car travel are the same as the higher rates paid to officers classed as casual users. Claims must be fixed on the rates applicable at the time of the journey. These rates are set out on the reverse of the claim form and are reviewed annually.

4.3 Shortest Distance

Claims for car travel should be by reference to the shortest distance from home to the Council offices or other venue for the approved duty concerned. No claim for additional expenses will be entertained unless there is a valid reason for incurring the additional mileage.

4.4 Travel Direct from **Place of Employment** etc

For claims involving direct travel from a Councillor's place of **employment** (or other departure point) for an approved duty, the distance claims shall be limited to the home to meeting venue element of the journey. All such claims must be endorsed "CLAIM LIMITED" on the form.

4.5 Travel Outside the District – Limit on Amount Claimable

For journeys to approved meetings outside the District or by members resident outside the district, claims irrespective of mode of travel must not exceed the lower of:

- (a) second class return rail fare plus underground and other fares from station to destination at each end of the journey; or
- (b) the appropriate car mileage.

This is subject to consideration of any special circumstances as set out in 4.6 below.

4.6 Travel over Long Distances – Special Circumstances

If, for any reason, a councillor undertakes travel over long distances or from outside the District, members are advised to contact the Assistant to the Chief Executive in advance for advice on what would constitute a reasonable claim in the circumstances.

4.7 Use of Public Transport within Epping Forest District

The rate for travel by public transport must not exceed the ordinary fare (or any available cheap fare). A member may not claim travelling expenses in respect of a single duty from more than one body. In all such claims evidence of expenditure (i.e. tickets or other receipts) **MUST** be provided. No claim will be allowed without such evidence.

4.8 Cycle Allowance

This allowance is payable at the highest of the higher casual rates paid to officers classed as casual users.

4.9 Child and Dependant Carer's Allowance

This allowance may be claimed at a rate equivalent to the current rate for the Adult National Minimum Wage. Certain conditions are set out in the Scheme.

5. **SUBSISTENCE EXPENSES**

- 5.1 Subsistence expenses (covering refreshments and meals etc paid for by a member) are claimable by councillor in respect of making attendances connected with approved duties on behalf of the Council. The rates for such expenses are set out (by reference to meal time and periods of absence) on the reverse of the form which is supplied to members on a quarterly basis. These rates may not be exceeded. Periods of absence will be calculated on the basis of departure from home or place of work if it is not possible to return home in the time available.

- 5.2 All claims for subsistence must be accompanied by receipts in respect of meals etc as evidence of expenditure actually having been incurred. No claims will be allowed in the absence of such evidence.
- 5.3 Special arrangements exist in respect of subsistence expenses in respect of duties involving an absence overnight from a councillor's normal place of residence. These are outlined under Section 7 relating to conferences.
- 5.4 A Councillor may not claim subsistence expenses in respect of a single duty from more than one body.

6. CONFERENCES

- 6.1 Attendance at Conferences and payment of allowances and expenses are subject to prior approval by the Council, Cabinet, appropriate committee, Leader or Deputy Leader in all cases.
- 6.2 All conferences deemed to be approved duties shall, in accordance with statutory requirements, be relevant to the District and not wholly or partly commercial or political in their objectives.

Allowances for Attendance at Conferences (Involving an Absence from Home)

Subsistence - Nights Away from Home

- 6.3 For conferences involving one or more night's absence, claims can be made for reasonable day or overnight expenses that are necessarily and exclusively incurred in the attendance as an authorised representative of the Council at a meeting, conference or seminar that it held outside of the Epping Forest District.

Claims for Subsistence

- 6.4 These claims should cover such items as hotel bills, refreshments, meals (other than free meals which should be discounted) and similar items. No claims will be allowed unless evidence is provided of all expenditure being claimed. All relevant bills and receipts should be forwarded to the Assistant to the Chief Executive with claims.

Travel Claims

- 6.5 The guidance outlined under paragraph 4.5 will apply to all conferences.

7. TAXATION AND NATIONAL INSURANCE IMPLICATIONS

- 7.1 Details of the tax and national insurance implications of allowance payments and expenses claimed are available **through Democratic Services. In such matters, members are advised to seek advice from their tax office in the event of any concerns**.

7.2 Supplementary Note Regarding Treatment of Claims for Travel Expenses by Car for Tax and National Insurance Purposes

(a) Travel by Car – Councillors' Homes to Civic Offices Expenses ("Home to Office Mileage")

Her Majesty's Revenue & Customs (HMRC) deems a councillor's workplace for the purposes of their role as an elected representative to be the Civic Offices,

Epping and therefore that such expenses are subject to tax and national insurance deductions.

(b) Travel by Car – Councillors’ Homes to Other Venues or Civic Offices to Other Venues for the Purposes of Council Business (“Business Mileage”)

HMRC has determined that such travel shall not be subject to tax or national insurance deductions except where the rate of reimbursement exceeds 45 pence per mile. Travel to any meetings of the Council or its subordinate bodies which are held at a location other than the Civic Offices is deemed to be business mileage.

(c) Second Journeys

Second journeys, , will be subject to taxation and National Insurance deductions depending on whether the journey constitutes home to office or business mileage.

8. ALTERATION OF CLAIMS

8.1 All claim forms submitted by members are checked by Democratic Services. The Assistant to the Chief Executive (or the Assistant Director - Democratic Services acting on his behalf) is authorised to reduce incorrect claims in the following circumstances:

- (a) where a member does not attend at a claimed meeting;
- (b) where a claimed meeting is not approved;
- (c) where an incorrect amount of allowance is claimed; and
- (d) where a correct date has not been claimed.

8.2 Any changes under paragraph 8.1 will be notified to members after the claim form has been processed. Any other problems with members' claims will be referred back for the claimant and processing of the claim will not take place until the query has been clarified.

9. INTERPRETATION

9.1 These guidelines are subject to the overall interpretation of the Chief Executive as to what constitutes a reasonable claim in any individual circumstances.

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