

Members' Allowances Scheme

1. **INTRODUCTION**

- 1.1 This Scheme is based on the independent report and recommendations of Sir Rodney Brooke CBE DL, Chair of London Councils Independent Remuneration Panel. The London Borough of Hackney is part of the arrangements provided by London Councils Independent Remuneration Panel that is responsible for reviewing members' allowances and developing a report and recommendations for councils to consider.
- 1.2 This Scheme has been approved by Full Council of the London Borough of Hackney in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.3 This Scheme may be cited as the London Borough of Hackney Members' Allowances Scheme for 2020/21.
- 1.4 Before the start of each municipal year, Full Council shall adopt a Scheme for the payment of Basic Allowances, as required by the Regulations.
- 1.5 In addition, provision for the following allowances shall be made in accordance with the Regulations for payments of:
 - Special Responsibility Allowance;
 - Independent and Co-opted Members Allowance;
 - Independent Person Allowance;
 - Carers Allowance;
 - Parental Leave and Sickness Pay;
 - Travel and Subsistence Allowance;
- 1.6 The London Borough of Hackney also has arrangements for its Scheme to be independently reviewed on a routine basis with reference to London Councils Independent Remuneration Panel.

2. **BASIC ALLOWANCE**

- 2.1 A Basic Allowance is paid to all Councillors in recognition of their commitment to attend formal meetings of the Council as well as meetings with officers and constituents. The Basic Allowance is intended to cover any incidental costs which may arise, such as the use of private telephones.
- 2.2 Each Councillor is entitled to claim a Basic Allowance of £10,892.14 per annum, which is payable monthly via the Council's payroll.

3. **SPECIAL RESPONSIBILITY ALLOWANCE**

3.1 A Special Responsibility Allowance (SRA) is payable in addition to the Basic Allowance to those Councillors that are given significant additional Council duties.

4. **THE ALLOWANCES**

4.1 The Basic Allowances and SRAs are as follows:-

BASIC ALLOWANCE

| | |
|---|------------|
| Basic Allowance All Councillors (except the Mayor) | £10,892.14 |
|---|------------|

SPECIAL RESPONSIBILITY ALLOWANCES

Political Roles – Majority Group

| | |
|--------------------------|-----------|
| Majority Group Chair | £2,435.06 |
| Majority Group Secretary | £2,435.06 |
| Majority Group Whip | £5,306.56 |

Political Roles – Opposition Group

(When the Council is formed with one opposition group)

| | |
|-------------------------|------------|
| Opposition Group Leader | £21,606.45 |
| Opposition Group Whip | £2,435.06 |

Political Roles – Opposition Groups

(When the Council is formed of two opposition groups and where there is a majority and minority group)

| | |
|--------------------------------|------------|
| First Opposition Group Leader | £12,963.86 |
| First Opposition Group Whip | £2,435.06 |
| Second Opposition Group Leader | £8,642.58 |

Panel Members

| | |
|------------------------|-----------|
| Adoption Panel Member | £2,435.06 |
| Fostering Panel Member | £2,435.06 |

Committee Chairs

| | |
|---------------------------------|------------|
| Chair of Audit Sub Committee | £7,861.62 |
| Chair of Corporate Committee | £7,861.62 |
| Chair of Licensing Committee | £17,458.59 |
| Chair of Pensions Board | £2,435.06 |
| Chair of Pensions Committee | £15,723.24 |
| Chair of Planning Sub Committee | £17,458.59 |
| Chair of Standards Committee | £2,435.06 |

Scrutiny

| | |
|------------------------------|------------|
| Scrutiny Commission Chairs | £14,241.60 |
| Chair of Scrutiny Panel | £8,642.58 |
| Vice Chair of Scrutiny Panel | £5,761.71 |

Speaker and Deputy Speaker

| | |
|--------------------------------|------------|
| Speaker (see 4.3 below) | £19,171.38 |
| Deputy Speaker (see 4.3 below) | £5,306.56 |

Mayoral Advisers

| | |
|------------------|------------|
| Mayoral Advisers | £15,723.24 |
|------------------|------------|

Cabinet Members

| | |
|-----------------|------------|
| Cabinet Members | £35,664.73 |
|-----------------|------------|

Deputy Mayor

| | |
|--------------|------------|
| Deputy Mayor | £42,311.53 |
|--------------|------------|

Directly Elected Mayor

| | |
|--|------------|
| Directly Elected Mayor (see 4.4 below) | £83,090.44 |
|--|------------|

- 4.2 Only one SRA may be claimed. It will be for individual Members who would otherwise qualify for more than one SRA to inform the Head of Business Intelligence & Member Services which allowance they wish to claim, otherwise the highest allowance will be paid.
- 4.3 The roles of Speaker and Deputy Speaker do not attract a SRA but are covered by a separate legal regime. Schedule 2 of the Local Government Act 1972 provides that a London Borough may pay the Chair of the Council (known as the Speaker in the London Borough of Hackney) such allowances and full Council thinks reasonable for the purpose of enabling

the Chair to meet the expense of the office. There is a similar power in respect of the Vice Chair (Deputy Speaker).

- 4.4 The role of the directly elected Mayor does not attract a Basic Allowance or SRA. The Mayor receives one single allowance which covers all of the responsibilities included in the role.

5. **MEMBER ALLOWANCE UPLIFT**

- 5.1 The Basic and Special Responsibility Allowances are normally uplifted each year in line with the Local Government Pay Settlement Pay Rate when this becomes known, and will be reviewed and approved by Full Council at the start of each Municipal Year.

6. **PENSIONS**

- 6.1 In accordance with legislation, since the start of the 2014-18 electoral term, Members of the Council are not entitled to participate in the Local Government Pension Scheme.

7. **PARENTAL LEAVE AND SICKNESS PAY**

- 7.1 The Member Parental Leave Scheme is defined as Members' entitlement to maternity, paternity, adoption, surrogacy and shared parental leave.
- 7.2 All Members shall continue to receive their Basic Allowance in full in the case of parental and sickness leave.
- 7.3 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in the case of parental and sickness leave in a similar way that Council officers do. A replacement to cover the period of absence can be appointed by Full Council, and the replacement will be entitled to claim a SRA. Where the SRA in question relates to the Cabinet, the appointment will be made by the Mayor.
- 7.4 Full details of the Member Parental Leave Scheme are attached at Appendix A

8. **DEPENDANT CARERS' ALLOWANCE**

- 8.1 The Council will make reasonable payments for the reimbursement of the care of dependant relatives living with the Elected Member. Full details of the Dependant Carers' Allowance Scheme are attached at Appendix B.

9. **TRAVEL AND SUBSISTENCE ALLOWANCE**

- 9.1 The Council will provide an allowance to Members for any travel or subsistence costs incurred as a result of attending a Council Approved Duty or event outside of the Borough. Independent Members, Co-opted Members and the Independent Person can claim for any travel or subsistence costs associated with their Council duty. Full details of the Travel and Subsistence Allowance are attached at Appendix C.

10. **APPROVED COUNCIL DUTIES**

- 10.1 The schedule of approved Council duties can be found at Appendix D of this Scheme. Members of the Council may claim a Travel and Subsistence Allowance and/or Carers' Allowances when attending these duties.

11. **COUNCIL CYCLE SCHEME**

- 11.1 Members are entitled to join the Council's employee Cycle Scheme whereby they can choose a bicycle and equipment from an approved supplier (up to £1,000 in value) and the Council purchases it and loans it to the Member. The Member will then repay the loan from their Basic Allowance in return for the loan of the VAT free bicycle across an agreed period. At the end of the loan period the Council may sell the bicycle to the Member at a fair market value.

12. **PART PAYMENTS**

- 12.1 In the case of Basic Allowances, Special Responsibility Allowances, Travel and Subsistence Allowance, or Dependent Carers' Allowances, payment will only be made for the period during which a person performs the duties for which these allowances are payable. Where a Member, Independent Member, Co-opted Member or Independent Person resigns or ceases to be a Member, the part of the allowance payable for the period for which they cease to be a Member, may be withheld by the Council.

13. **REPAYMENTS**

- 13.1 Where payment of any allowance has already been made in respect of any period during which the Member, Independent Member, Co-opted or Independent Person concerned ceases to be a Member, or is in any other way not entitled to receive the allowance in respect of that period, the Member, shall repay to the Council on demand such part of the allowance as relates to any such period.

14. **OPTING TO FORGO AN ALLOWANCE**

- 14.1 Basic Allowance and SRAs will be paid automatically unless notice is received in writing from the Member concerned forgoing the entitlement in whole or in part. All such notices should be sent to the Head of Business Intelligence & Member Services.

15. **CLAIMS AND PAYMENT**

- 15.1 Payments in relation to Basic Allowances, SRAs, Independent Member, Co-opted Member and Independent Person allowances shall be paid in monthly instalments in accordance with this Scheme.
- 15.2 Basic, SRA, Independent Member, Co-opted Member and Independent Person allowance payments are made net of income tax and National Insurance through the PAYE system used for salaried employees. Bank details are therefore required for each Member. If a Member changes their bank details, the revised details should be provided to Member Services.
- 15.3 Claims for Travel and Subsistence allowances, and Dependent Carers' allowance should be submitted no later than three months from the date that expenses are incurred. Claims must be made on the agreed claim form available from Member Services.
- 15.4 Claims will be checked on receipt by Member Services. Claims received before the 20th day of the month will be paid on or before the 15th day of the following month.

16. **ALLOWANCES FOR INDEPENDENT MEMBERS AND CO-OPTED MEMBERS**

- 16.1 The standard rate for Independent Members and Co-opted Members allowances is £117.67 per meeting. This is translated into an annual allowance by multiplying this by the anticipated number of meetings. This amount is payable to Co-opted Members on the Children and Young People Scrutiny Commission, Pensions Board, Pensions Committee and Standards Committee.

17. **THE INDEPENDENT PERSON**

- 17.1 The Council's Independent Person for ethical governance matters shall be entitled to an allowance of £474.32 per annum.

18. **CHAIR AND MEMBERS OF THE DESIGN REVIEW PANEL**

- 18.1 The Chair of the Design Review Panel shall be entitled to an allowance of £450.00 per meeting.
- 18.2 Members of the Design Review Panel shall be entitled to an allowance of £50.00 per hour, capped at £200.00 per meeting.

19. **PUBLICATION**

- 19.1 The Council is required to publish details of the Members' Allowances Scheme and the total amount received by each Member. The records must also be available for inspection by any local government elector for

the authority, or by any local government elector of any principal Council in whose area the authority operates.

20. **REVIEW OF THE SCHEME**

20.1 The Council has also introduced specific arrangements for its Scheme to be independently reviewed on an annual basis with reference to London Councils Independent Remuneration Panel.

20.2 Minor revisions are the responsibility of the Head of Business Intelligence & Member Services in consultation with the Chair of the Council's Independent Remuneration Panel.

21. **QUERIES**

21.1 Any specific queries regarding the entitlement to the Scheme should, in the first instance, be addressed to the Head of Business Intelligence & Member Services (020 8356 3418). Queries regarding the processing of claims and payments should be addressed to the Member Services (020 8356 3373).

Member Parental Leave Scheme

The Member Parental Leave Scheme (and the term Parental Leave) is defined as Members' entitlement to maternity, paternity, adoption, surrogacy, and shared parental leave.

The objective of the scheme is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth, adoption or surrogacy; that both parents are able to take leave and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

1. Introduction

In accordance with the Council's Members' Allowances Scheme, Members shall continue to receive their Basic Allowance in full during Parental Leave.

Members entitled to a Special Responsibility Allowance will also continue to receive this allowance during Parental Leave up to the same benefit levels as officers in their equivalent policies.

Six-month rule

Any Member who takes Parental Leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month consecutive period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month consecutive period.

Resigning from Office

If the Member decides to not return to office following their Parental Leave, Member Services must be notified. The Payroll Team must then be informed within two working days of receiving notification. Member allowance(s) will cease from the effective resignation date, however any outstanding Maternity Pay entitlement will continue to be paid by the Council.

Elections

If an election is held during the Parental Leave and Members are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date.

Cover arrangements and returning to post

If a Member holds a position attracting a SRA, a temporary replacement would normally be appointed for periods of extended Parental Leave. The temporary appointment would also be entitled to receive a SRA.

Unless the Member taking Parental Leave is removed from their post at an Annual General Meeting of the Council whilst on Parental Leave, or unless the Party to which they belong loses control of the Council during their Parental Leave period, they will return at the end of their Parental Leave period to the same post which they held before the Parental Leave began.

The Mayor however can change their Cabinet members and portfolios at any time, though this would normally be in exceptional circumstances. In such circumstances, it is expected that any Cabinet member on Parental Leave would normally return from their Parental Leave to a similar portfolio size.

If there is a Mayoral election during a period of Parental Leave, any new Mayor can form a new Cabinet and if this does not include the Member on Parental leave, then their SRA will cease from the date the new Cabinet is formed.

2. Maternity Leave

Entitlement

All pregnant Members are entitled to Maternity Leave totalling 52 weeks, regardless of their length of term in office (unless their term of office ends earlier than this).

Compulsory Maternity Leave

Members must take a minimum of two weeks Maternity Leave from the date the baby is born.

Maternity Leave Start Date

Maternity Leave will start:

- ***On a date chosen by the Member***, which can be at any time after the beginning of the 11th week before the Member's expected week of childbirth and up to the date the baby is born

Maternity Leave may be triggered before the chosen date where:

- ***The baby is born early***. Maternity leave commences the day after the Member gives birth; or
- ***The Member has sickness absence for a pregnancy-related reason in the four weeks before the expected week of childbirth***. Maternity Leave commences the date after the sickness absence

In summary, Maternity Leave is triggered by the date notified by the pregnant person, the actual birth of the baby, or pregnancy related sickness immediately prior to the due date - whichever occurs first.

Notification of Maternity Leave

The Member must notify Member Services in writing no later than the end of the 15th week, or as soon as reasonably practicable, before the expected week of childbirth.

Information must include:

- Confirmation of the expected date of childbirth.
- A copy of the MATB1 (a certificate available from a doctor or midwife). The original must be provided if the Member wishes to claim Maternity Pay (MP) from the Council.
- The Parental Leave Confirmation Form, which will confirm the date Maternity Leave will start. It should be noted that Maternity Leave can start any day of the week.

On receipt of the information, within two weeks, Member Services will acknowledge that the period of absence has been noted and forward the information to the Council's Payroll Team.

The Council's Payroll Team will write to the Member to confirm the Maternity Leave period, including the end date, i.e. a maximum of 52 weeks and entitlement to allowance(s).

Member Maternity Allowance Entitlement

Basic Allowance

A Member on Maternity Leave will continue to receive this allowance throughout the Maternity Leave period. If, however, an election is held during the Member's Maternity Leave and they are not re-elected, or they decide not to stand for re-election, the basic allowance will cease from the Monday after the election date, when their office officially ends.

Special Responsibility Allowance (SRA)

If a Member receives a SRA during their Maternity Leave it will be paid as follows:

For Members not claiming Maternity Pay (MP) through the Council:

| | |
|-----------------|---------------------------------|
| First six weeks | 90% of SRA plus basic allowance |
| 7 to 24 weeks | 50% of SRA plus basic allowance |
| 25 to 52 week | Basic allowance only |

For Members claiming MP:

| | |
|-----------------|---|
| First six weeks | 90% of SRA, including MP plus basic allowance |
| 7 to 24 weeks | 50% of SRA plus MP and basic allowance |
| 25 to 39 weeks | MP and basic allowance |
| 40 to 52 weeks | Basic allowance only |

Special Circumstances

Premature Baby Leave

Parents of babies born before 37 weeks will be entitled to receive one extra day of Premature Baby Leave receiving full SRA for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the end of the Members Maternity Leave period after this leave entitlement has been exhausted.

Illness due to pregnancy

If a Member has not started Maternity Leave, and cannot discharge their duties as a Councillor due to a pregnancy related illness at anytime after the beginning of the fourth week before the expected week of childbirth, Maternity Leave will have to start the day after the first day of their illness.

The Member is responsible for informing Member Services if this situation occurs.

Members Services will ensure that the Council's Payroll Team is informed within two working days of receipt of the details.

The Council's Payroll Team will provide confirmation of Maternity Leave and allowance entitlement to the Member, with a copy to Members Services, within ten working days.

Early Delivery

If the baby is born earlier than expected and the Member has not yet started their maternity leave, the Maternity Leave will automatically start the day after the baby is born.

As soon as is practically possible, the Member must inform Member Services with a MATB1 form produced to confirm the baby's date of birth and the original expected date of delivery.

Members Services will ensure that the Council's Payroll Team is informed within two working days of receipt of the details.

The Council's Payroll Team will provide confirmation of Maternity Leave and pay entitlement to the Member, with a copy to Members Services, within ten working days.

Maternity Pay (MP)

For Members in receipt of a SRA who want to claim a Statutory Maternity Pay equivalent (members are not entitled to SMP), an original copy of their MATB1 form must be provided.

Multiple Births

Maternity Leave arrangements are unaffected by the number of babies born from a single pregnancy.

Returning from Maternity Leave early

If a Member wishes to return from Maternity Leave earlier than originally planned they should inform Member Services in writing.

Member Services will ensure that the Council's Payroll Team is informed within two working days of receipt of the details.

The Council's Payroll Team will provide confirmation that the information has been received and relevant reinstatement or adjustment of the SRA has been actioned, with a copy to Member Services, within ten working days.

Still Birth

If a baby is delivered after 24 weeks of pregnancy the Member is entitled to Maternity Leave and allowance(s).

3. Paternity Leave

Entitlement

Members are entitled to a maximum of two weeks Paternity Leave (Six working days at full allowance and four at the statutory rate).

Qualifying Criteria

Birth

To qualify the Member must

- Be the biological father and have or expect to have responsibility for the child's upbringing
- OR:
- Be the spouse (husband or wife), civil partner or partner of the person giving birth and have or expect to have the main responsibility for the child's upbringing, along with the person who gave birth

Adoption

The Member must

- Be the spouse (husband or wife), civil partner or partner of the adopter and have or expect to have the main responsibility for the child's upbringing, along with the other parent

Surrogacy

To qualify the Member must (with their partner) meet the criteria for 'Adoption Leave'.

The Member must

- Be the intended parent and be responsible for the child (with their partner)
- Be in a couple
- Not be the parent who will take 'Adoption Leave'

Note: Partners, couples and spouses can be of the same or a different sex.

Member Paternity Allowance Entitlement

Basic Allowance + Special Responsibility Allowance

A Member on Paternity Leave will continue to receive their basic allowance and SRA throughout the Paternity Leave period.

Starting and ending Paternity Leave

Birth

A Member can choose to start their leave:

- From the date of the child's birth (whether this is earlier or later than expected)
- From a chosen number of days after the date of the child's birth (whether this is earlier or later than expected) e.g. ten days after the child is born
- From a chosen date after the baby is expected to be born
- From the date of the child's birth if the baby is 'stillborn' at 24 weeks

Normally Paternity Leave must be taken within eight weeks of the birth of the child. However, if the baby is premature, then the eight weeks starts from the expected date of childbirth. If the baby is born late, the eight weeks starts from the actual birth of the baby.

If a Member chooses to start their Paternity Leave from the date the baby is born and they are at work on that date, then the Paternity Leave will begin the next day.

Adoption

Where the child is adopted within the UK, a Member can choose to start their leave:

- On the date the child is placed; or
- from a chosen number of days after the date the child is placed (e.g. ten days after the child is placed); *or*
- from a chosen date after the child is expected to be placed

Paternity Leave must be taken after the child is placed.

Where the child is adopted from overseas, a Member can choose to start their leave:

- The date the child enters Great Britain; *or*
- From a chosen date after the child enters Great Britain

Surrogacy

Paternity Leave can commence the day the child is born or the day after if the Member is working that day. Normally Paternity Leave must be taken within eight weeks of the birth of the child. However, if the baby is premature, then the eight weeks starts from the expected date of childbirth. If the baby is born late, the eight weeks starts from the actual birth of the baby.

Notification of Paternity Leave

The Member must notify Member Services in writing no later than the end of the 15th week before the baby is expected, unless this is not reasonably practicable.

Information must include:

- The week the child is due (included in the Parental Leave Confirmation Form)
- When they want to start their leave (included in the Parental Leave Confirmation Form)
- SC3 form for Birth Parents ([Link to Gov.uk website](#))
- SC4 form for an Adopting or Parental order parent ([Link to Gov.uk website](#))
- SC5 form for a parent adopting from overseas ([Link to Gov.uk website](#))

The Member must notify Member Services when their child was actually born or adopted as soon as is reasonably practicable after the birth or placement.

Where the baby is adopted within the UK, the Member must notify Member Services no later than seven days after the date they are notified of being matched with a child.

Where the child is adopted from abroad, the Member must notify Member Services no later than 28 days after receipt of the official notification.

The Member must give at least 28 days notice of the date they want the Paternity Leave to begin.

Special Circumstances

Multiple Births

Only one period of Paternity Leave is available, even if more than one child is born as the result of the same pregnancy or if more than one child is placed with the individual or couple for adoption under the same arrangement.

Premature Baby Leave

Parents of babies born before 37 weeks will be entitled to receive one extra day of Premature Baby Leave on full SRA allowance for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the end of the Members Parental Leave period after this leave entitlement has been exhausted.

4. Adoption and Surrogacy Leave (referred to as Adoption Leave)

Entitlement

Members are entitled to Adoption Leave totalling 52 weeks (unless their office officially ends before this).

Qualifying Criteria

For Adoption and 'Fostering to Adopt' - The Member must be newly matched with the child by an adoption agency, which must be recognised in the UK.

For Surrogacy – The Member must have applied, or be intending to apply for a Parental Order in relation to the child.

Exclusions

Private adoptions do not qualify e.g. a foster parent adopting a foster child, or a step-parent adopting their partner's child.

Notification of Adoption Leave

Adoption and 'Foster to Adopt'

Members must notify Member Services in writing of their intention to take adoption leave within seven days of being notified of the match by the adoption agency; advising:

- The date the child is being placed with them
- The date the leave will start
- Whether or not they intend to return to work following the Adoption Leave.

The notification must be accompanied by the following evidence:

- Name and address of the adoption agency
- The date the employee was notified they would be matched with the child
- The date the agency expects to place the child
- Matching certificate completed by the adoption agency.

Surrogacy

Members must notify Member Services in writing of their intention to take leave advising:

- The date that the leave is expected to start (which is the date the baby is expected to be born)
- The period of time they intend to take.

This notification must be made either during or before the 15th week before the date the child is expected to be born.

If requested, the Member must provide (within 14 days of receiving the request) a declaration confirming that:

- The leave is being requested for the intended purpose
- That they meet the qualifying conditions

- That they will be applying for a parental order, with an appropriate other person, who may be another person of the same sex.

Member Adoption Leave Allowance Entitlement

Basic Allowance

A Member on Adoption Leave will continue to receive this allowance throughout the leave period.

Special Responsibility Allowance (SRA)

If a Member receives a SRA during their Adoption Leave it will be paid as follows:

| | |
|-----------------|---------------------------------|
| First six weeks | 90% of SRA plus basic allowance |
| 7 to 24 weeks | 50% of SRA plus basic allowance |
| 25 to 52 weeks | Basic allowance only |

Commencement of Adoption Leave

The Adoption Leave period may begin:

For Adoption and 'Foster to Adopt':

- From the date of the child's placement – whether earlier or later than expected; or
- From a pre-determined date which can be up to 14 days before the expected date of placement

Or, where adopting a child from overseas:

- The date the child enters Great Britain
- A pre-determined date which is no later than 28 days after this date.

For **surrogacy** the leave period begins from the date the baby is born. If the baby is born while the Member is at work, then the leave can start from the next day.

Special Circumstances

Premature Baby Leave

Parents of babies born before 37 weeks will be entitled to receive 1 extra day of Premature Baby Leave on full SRA allowance for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the end of the Members Adoption Leave period after this leave entitlement has been exhausted.

For Adoption and 'Fostering to Adopt' eligibility will depend on the circumstances. However, normally where a premature baby is placed with the adopting parents before 37 weeks, premature baby leave will apply.

For surrogacy these provisions will normally apply from the birth of the premature baby i.e. the date the new parents receive the baby.

Adopting more than one child

Adoption leave entitlements are the same regardless of the number of children adopted at any one time.

This also applies to surrogacy in the event of a multiple birth.

5. Shared Parental Leave

Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how best to care for, and bond with, their child.

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

Requests will be looked at on a case-by-case basis.

DEPENDANT CARERS' ALLOWANCE

1. LEGALITY

1.1 The Scheme is established by the Council under the Local Authorities (Members Allowances) (England) Regulations 2003. The Dependent Carers' Allowance is payable in respect of the approved duties set out in Appendix D. The Scheme requires Members claiming the allowance to demonstrate and certify that carer expenses are actually and necessarily incurred in the conduct of their official duties.

2. ENTITLEMENT

2.1 The Scheme provides for payments to be made to Members in respect of care for "dependent relatives" living with the Member. For the purposes of the scheme, "dependent relatives" are defined as:

- I. children aged 15 or under;
- II. relatives requiring full time care as a result of disability or infirmity.

2.2 Under no circumstances will the allowance be payable to an immediate relative of the Member.

2.3 For meetings or duties within the Council's boundaries, the allowance will be paid for the duration of the meeting or approved duty plus an allowance for up to one hour's travelling time before and after the meeting. For duties outside the Council's boundaries, the allowance will be paid for the duration of the duty plus the actual travelling time to and from the venue. In all instances, total time claimed should be rounded to the nearest half-hour.

3. RATES OF ALLOWANCE

3.1 The Dependent Carers' Allowance is set at the same level as the London Living Wage and is paid at this rate irrespective of the number of dependants.

3.2 Where a dependent relative requires specialist professional care, the full cost of care will be allowed, with the prior written approval of the Director of Legal Services.

4. CLAIMS PROCEDURES

4.1 Members wishing to apply for Dependant Carers' Allowance must submit an application form to the Head of Governance & business Intelligence, declaring that:

- (i) claims made shall only be made in respect of a named dependent relative (or relatives) as defined in the Scheme;
- (ii) claims shall only be made in respect of the entitlements set out in paragraph 2 above;
- (iii) receipts shall be provided in support of all claims; and
- (iv) where a specialist professional carer is to be engaged, that this is a necessary expense for which full reimbursement will be claimed.

4.2 Members are required to notify Member Services in the event of their entitlement to Dependant Carers' Allowance ending.

4.3 All claims will be processed through the Council's Payroll system.

5. **AUDIT**

5.1 Internal Audit will review the systems for payment of Members' Allowances on a routine basis and include sample testing of Members' Allowances transactions in annual probity programmes.

TRAVEL AND SUBSISTENCE ALLOWANCE

1. PUBLIC TRANSPORT

- 1.1 Elected Members may claim expenses for journeys associated with an approved duty or event (see Appendix D) outside of the Borough. The Council will not provide an allowance for any travel within the Borough.
- 1.2 Independent Members and Co-opted Members of the Council and the Independent Person may claim for travel both inside and outside the Borough for journeys associated with an approved duty.
- 1.3 The rate must not exceed the ordinary standard class fare or any available saver fare.
- 1.4 Booking arrangements for travel outside of London must be made by Member Services to seek the most cost-effective deal within current parameters.
- 1.5 A receipt must be produced for any claim.
- 1.6 For travel within London, Members may claim for travel on an Oyster Card. To claim for travel paid for on an Oyster Card, Members must provide Member Services with a printed record of the journey travelled, which can be obtained from the TfL website.

2. PRIVATE VEHICLE

- 2.1 Elected Members, Independent Members, Co-opted Members and the Independent Person may claim expenses for journeys by private vehicle associated with an approved duty outside of the Borough. The Council will not provide an allowance for any travel within the Borough.
- 2.2 An allowance of 24p per mile can be claimed for travel by motorcycle.
- 2.3 An allowance of 46.9p per mile can be claimed for travel by motor vehicle up to the first 8,500 miles annually. After the first 8,500 miles, an allowance of 13.7p per mile.
- 2.4 Members, if using a private motor vehicle, should note that the Council does not provide any insurance cover. Members should have Business Use cover as part of their policy.

3. TAXI

3.1 Members can claim an allowance for the amount of a taxi fare, and any reasonable gratuity, to enable them to attend an approved duty if the following exceptional circumstances and criteria apply:

- in cases of a genuine emergency;
- when no public transport is reasonably available to travel to the approved duty;
- for safety reasons;
- or if there is insufficient time to travel from one approved duty to another by public transport.

3.2 The cost of travel by taxi must have been incurred wholly and exclusively for a Member's attendance at an approved Council duty. Taxi fares can only be claimed by Members once approved by the Head of Business Intelligence & Member Services.

3.3 A receipt must be produced for any claim.

4. **HIRED VEHICLE**

4.1 Other than for a taxi, Members will only be able to claim an allowance per mile as per the rates detailed in paragraph 2 above. As such, Members will be reimbursed as if they had owned the vehicle, and will not be reimbursed for the cost of hiring the vehicle.

4.2 A receipt must be produced for any claim by the Member who hired the vehicle.

5. **AEROPLANE**

5.1 Subject to prior approval by the Head of Business Intelligence & Member Services, the cost of travel at the ordinary fare or any available cheap fare by regular air service or where no such service is available or in case of urgency the actual fare paid by the Member where the saving in time against other available means of transport is so substantial as to justify payment of the fare by that means.

5.2 A receipt must be produced for any claim.

6. **BICYCLE**

6.1 Members may claim an allowance in respect of travel by bicycle or by any other non motorised form of transport undertaken, of 20p per mile, in connection with or relating to an approved Council duty outside of the Borough.

6.2 Independent Members, Co-opted Members and the Independent Person may claim a cycling allowance for journeys inside and outside of the Borough.

7. **SUBSISTENCE**

- 7.1 The payment of subsistence allowance will only be payable to Members for approved Council duties and conferences subject to the approval of the Head of Business Intelligence & Member Services.
- 7.2 When more than 4 hours away from normal place of residence, the repayment of subsistence allowances will be made to cover the actual cost incurred up to the following rates –
- (i) Breakfast - £5.50
 - (ii) Lunch - £7.50
 - (iii) Evening Meal - £10.50
 - (iv) Out of pocket expenses (per night) - £4.50
- 7.3 Members are also entitled to overnight accommodation, if required, when attending an approved duty outside of London, subject to the approval of the Head of Business Intelligence and Member Services. Member Services shall be responsible for making any bookings and will pay for the accommodation directly.
- 7.4 Receipts must be produced for any claim in order to be valid.

APPROVED COUNCIL DUTIES

For the purposes of the payment of Travel, Subsistence and Carers' Allowances, Approved Council duties are defined as the following official meetings set out below. For information, some outside bodies may pay an allowance to Members for their role and work on that specific outside body.

1. Appointments Committee or Sub Committees
2. Cabinet or Cabinet Sub Committees
3. Corporate Committee or Sub Committees
4. Corporate Parenting Board
5. Council
6. Council Joint Committee
7. Health and Wellbeing Board
8. Joint Committee of the Six Growth Boroughs
9. Licensing Committee or Sub Committees
10. Overview and Scrutiny Commissions
11. Pensions Board
12. Pensions Committee
13. Planning Committee or Sub Committees
14. Standards Committee or Sub Committees
15. Ward Forums
16. Duties for the office of Speaker or Deputy Speaker
17. Education related meetings such as:
 - the Schools Admissions Forum
 - School Governing Bodies
18. Independent Statutory Panels
 - Adoption Panel
 - Fostering Panel
19. A meeting of outside bodies:
 - Abney Park Cemetery Trust
 - Agudas Israel Housing Association
 - Bangla Housing Association
 - Chats Palace Arts Centre
 - Clapton Park TMO
 - CREATE London Ltd
 - East London NHS Foundation Trust
 - Finsbury Park Trust
 - Groundwork London
 - Hackney CAB
 - Hackney Community Law Centre
 - Hackney Empire Ltd Board
 - Hackney Parish Almshouse Charity
 - Hackney Parochial Charity
 - Homerton NHS Foundation Trust
 - Hornsey Parochial Charity
 - Lee Valley Regional Park Authority

- LGA General Assembly
- Local Government Information Unit (LGIU)
- London Councils Executive
- London Councils Grants Committee
- London Councils Greater London Employment Forum (GLEF)
- London Councils Leaders' Committee
- London Councils Transport and Environment Committee (TEC)
- London Housing Consortium
- London Pensions Collective Investment Vehicle (CIV)
- London Legacy Development Corporation Planning Decisions Committee (LLDC)
- London Road Safety Council
- London Youth Games Foundation
- Manor House Trust
- Newable Ltd
- North London Waste Authority
- Reserve Forces and Cadets Association (GL RFCA)
- Shoreditch Town Hall Trust
- Shoreditch Trust
- South Hackney Parochial Charity
- Standing Advisory Council on Religious Education (SACRE)
- Sun Babies Trust
- West Hackney Parochial Charity

20. Attendance at Conference meetings:

- London Councils
- Local Government Association

21. Attendance at any meeting which is an induction training session, seminar, presentation, or briefing arranged by Chief Officers of the Council for all Members of a Committee, Sub Committee or Panel to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one party Group have been invited.

22. Attendance at visits and inspection of sites and premises arranged by officers (e.g. opening of new facilities).

23. Attendance by Members who have the relevant special responsibility on matters concerning the discharge of the Council's functions.

24. Attendance before parliamentary Committees, official bodies and inquiries to give evidence or make representations on the Council's behalf.

25. Attendance at events by Members where they are invited to showcase or represent the work of Hackney.