



## **Members' Allowance Scheme**

Bedfordshire Police Authority, in exercise of the powers conferred by the Police Act 1996 and the Criminal Justice and Police Act 2001 hereby makes the following scheme:

### **(1) The Scheme**

This scheme may be cited as the Bedfordshire Police Authority Members' Allowance Scheme, and shall have effect from 1<sup>st</sup> January 2010 (and amends any previous Scheme).

### **(2) Definitions**

"Member" means a member of the Bedfordshire Police Authority.

"Year" means the 12 months ending with 31<sup>st</sup> March.

### **(3) Basic Allowance**

Subject to paragraphs 9 (Claims and Payments) and 13 (Minimum Commitment and Attendance Requirements), for each year a basic allowance shall be paid to each member in accordance with the amount specified in Schedule 1 to this scheme.

### **(4) Special Responsibility Allowance**

- (i) For each year a special responsibility allowance shall be paid to those members who hold special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme.
- (ii) Subject to paragraph 8 (Part Year Entitlement), the amount of each such allowance shall be the amount specified against that special responsibility in that Schedule.

- (iii) Members are entitled to claim a Special Responsibility Allowance for each special responsibility undertaken.

## **(5) Suspension**

- (i) Where a member is suspended by the Adjudication Panel that member shall not be entitled to receive any allowances during the period of suspension.
- (ii) However, if a member is subsequently exonerated, they will be paid the allowances that they would have received during the period of suspension.

## **(6) Travel and Subsistence and Other Allowances**

### **(i) Travel and Subsistence Allowances**

- (a) members may be reimbursed for reasonable and necessary travelling expenses by public transport, including the cost of taxi fares where appropriate, in order to undertake Police Authority business. If travelling by rail, members are entitled to travel first class.
- (b) the rates for travel and subsistence are as specified in Schedule 2.
- (c) the event is an “approved duty” for travelling and subsistence allowances (as per Schedule 3).

### **(ii) Carers’/Dependants’ Allowances**

Allowances are payable to members towards childcare costs and the costs of caring for dependants on the following basis:

- (a) the event is an “approved duty” for travelling and subsistence allowances (as per Schedule 3).
- (b) payment should be claimable only in respect of each child aged 16 or under and in respect of other dependants where there is medical or social work evidence that care is required.
- (c) the allowance should be paid against actual expenditure evidenced by receipts.
- (d) the allowance should not be payable to a member of the claimant’s household.

- (e) the sums claimed, per child, do not exceed the actual sums paid or the hourly rate set out in Schedule 1 to this scheme.
- (iii) Independent Standards Committee Members Allowances
  - (a) paragraph 25B of Schedule 2 and paragraph 20B of Schedule 2A to the Police Act 1996 makes provision for authorities to make payments to Independent Standards Committee Members.
  - (b) members will be remunerated at a daily rate in accordance with the amount specified in Schedule 1 to this scheme.
- (iv) Selection Panel Members
  - (a) paragraph 7 of Schedule 3 to the Police Act 1996 makes provision for authorities to make payments to Selection Panel Members.
  - (b) the rates payable to Police Authority members of the Selection Panel should not be regarded as part of their basic or special responsibility allowance payments.
  - (c) selection Panel Members will be remunerated at a daily rate in accordance with the amount specified in Schedule 1 to this scheme.
- (v) Police Appeals Tribunal Members
  - (a) the rates payable to Police Authority members required to sit on Appeals Tribunals should be the same daily rates as other Tribunal Panel members.
  - (b) Police Appeals Tribunal Members will be remunerated at the daily or half-day rates in accordance with the amount specified in Schedule 1 to this scheme.
- (vi) Specific Tasks Over And Above Normal Responsibilities

From time to time, members may be called upon to carry out other duties beyond those contained within the job profiles (Schedule 5). On such occasions, those duties will be designated at a full meeting of the authority and a decision taken as to the level and type of allowance payable.

## **(7) Renunciation**

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

## **(8) Part Year Entitlements**

- (i) The provisions of this paragraph shall have effect to regulate the entitlements of a member to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that member becomes, or ceases to be, a member, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (ii) If an amendment to this scheme changes the amount to which a member is entitled by way of basic allowance or a special responsibility allowance, then in relation to each of the periods:
  - (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year 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.
- (iii) If an amendment to this scheme changes the duties specified in Schedule 2 to this scheme or the amount payable by way of travelling and subsistence allowances the entitlement to an allowance shall be to the payment of the amount of the allowance under the scheme as it has effect when the duty is carried out.
- (iv) Where the term of office of a member begins or ends otherwise than at the beginning or end of a year, the entitlement of that member to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office lasts bears to the number of days in that year.

- (v) Where this scheme is amended as mentioned in (ii) and the term of office of a member does not continue throughout the period mentioned in (ii) (a), the entitlement of any such member to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his or her other term of office as a member last bears to the number of days in that period.
- (vi) Where a member has during part of, but not throughout, a year such special responsibilities as entitle him or her to special responsibility allowance, that member's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.
- (vii) Where this scheme is amended as mentioned in (ii) and a member has during part, but does not have throughout the whole, of any period mentioned in (ii) (a) of that paragraph any such special responsibilities as entitle him/her to a special responsibility allowance, that member's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he/she has such special responsibilities bears to the number of days in that period.

## **(9) Claims and Payments**

- (i) Payments in respect of basic and special responsibility allowances, subject to (ii) below, will be made automatically in the current month.
- (ii) A claim for:
- travelling and subsistence allowances
  - carers'/dependents' allowances
  - independent standards committee allowances
  - selection panel allowances
  - police appeals tribunal allowances

under this scheme shall be made within two months of the date on which the duty for which entitlement to the allowance arises is carried out.

- (iii) Any claim in (ii) above shall include, or be accompanied by, a statement by the member claiming the allowance(s) that he/she has

not made and will not make any other claim in respect of the matter to which the claim relates.

- (iv) The normal method of payment for any claim in (ii) shall be the BACS (Bankers Automated Clearing System) method. Tax and National Insurance deductions will be made in accordance with legal requirements on all allowances.
- (v) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the member receiving more than the amount to which, by virtue of paragraph 7 (Part Year Entitlements) he/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/she is entitled.

#### **(10) Record of Payments**

The Chief Executive/Treasurer will keep a record of payments, which will be available, at all reasonable times, for inspection (free of charge).

#### **(11) Publicity**

- (i) Details of this scheme or any amended scheme will be publicised within this authority's area.
- (ii) At the end of each financial year details of allowances paid to members will be publicised within this authority's area.
- (iii) Details of this scheme or any amended scheme will be publicised within this authority's area before any payments are made under it.

#### **(12) Annual Review of Allowances**

- (i) Allowances will be reviewed automatically on an annual basis.
- (ii) The increase for allowances in Schedule 1 (with the exception of Police Appeals Tribunal members, which will be increased in-line with Home Office guidance) will be index-linked to Police Support Staff Council cost of living increases.
- (iii) The increase for Police Appeals Tribunal payments will be in line with increases determined by the Home Office.
- (iv) The increase for subsistence allowances will be in agreement with the Treasurer.

- (v) The increase for Travel Expenses will be in line with the Inland Revenue Approval Rates for the tax year in question.
- (vi) The Chief Executive/Treasurer in liaison with the Clerk/Monitoring Officer will carry out an annual review of the allowances. This will be reported to the Standards Committee and Finance Committee.

### **(13) Minimum Commitment and Attendance Requirements**

#### **(i) Non Attendance Without Consent**

The Authority may remove a member from office by notice in writing if he/she has been absent from meetings of the Authority for a period longer than three consecutive months without the consent of the Authority (Police Act 1996 19 (1))

#### **(ii) Failure to Meet the Minimum Commitment**

If a member fails to meet the minimum commitment outlined in the job profile (Schedule 5), including attendance at specified training sessions, the Authority may reduce that member's basic allowance.

Members are required to attend training sessions on at least three of the six strands of diversity (gender, disability, race, sexual orientation, religion or belief and age).

In the case of new members, attendance at these courses must be within 12 months of their appointment.

#### **(iii) Sickness/Maternity/Paternity Arrangements**

Where a member is unable to fulfil their role due to ill-health, long term sickness, or the arrival of a child (including an adopted child), that member is entitled to receive payment of the full basic or special responsibility allowance for a period of three months.

Should the circumstances require a more lengthy absence, the Chairman has discretion to extend the payment of the allowance up to a further 3 months (making a total of 6 months). Any further extension is a matter to be determined by the Police Authority.

# Schedule 1

## Schedule to Scheme of Members' Allowances

### (1) General

Basic Allowance for all Members £9,053pa

#### Notes:

- (i) If any member is unable to commit the time required to fulfil the responsibilities contained within the job profile (Schedule 5), he/she is able to opt for a lower figure in accordance with paragraph 7 (Renunciation) to the scheme.
- (ii) Allowance based on an estimated time commitment of 40 days per annum.

### (2) Special Responsibility Allowance (in addition to the Basic Allowance)

Chairman	£20,790 pa
Vice-Chairman	£10,637 pa
Committee Chairs	£ 5,442 pa
Advisory Panel Chairs	£ 3,266 pa

#### Notes:

- (i) Members are entitled to claim a Special Responsibility Allowance for each Special Responsibility undertaken
- (ii) Allowances based on an estimated time commitment of between 110 to 130 days per annum for Chairman, 80 to 90 days per annum for Vice-Chairman, 60 to 70 days per annum for Committee Chairs, and 50 to 60 days per annum for Advisory Panel
- (iii) 'Committee Chair' is defined as the Chair of Finance, Audit and Business Assurance, Community Engagement Committee, Complaints & Professional Standards, Performance and Human Resources.
- (iv) 'Advisory Panel' allowances are paid from the date of appointment to when the advisory panel is disbanded by the Authority.

### **(3) Carers'/Dependants' Allowance**

Hourly rate not exceeding the actual sums paid up to a maximum of £7.00 per hour, per child. Reasonable hourly rate for caring for dependants will be paid, not exceeding the actual sums paid.

### **(4) Independent Standards Committee Members**

Daily rate of £206 or £103 per half-day.

**Note:**

Half-day is up to 4 hours.

### **(5) Selection Panel Members**

Daily rate of £206 or £103 per half-day.

**Notes:**

- (i) This payment is also payable to the Police Authority member of a Selection Panel and not regarded as part of their basic or special allowance payments.
- (ii) Half-day is up to 4 hours.

### **(6) Police Appeals Tribunal Members**

Daily rate of £212 or £106 per half-day.

**Notes:**

- (i) This payment is also payable to the Police Authority member of an Appeals Tribunal and not regarded as part of their basic or special allowance payments. The rates are set by the Home Office and will be increased in line with increases determined by the Home Office.
- (ii) Half-day is up to 4 hours.

## Schedule 2

### Travel and Subsistence Expenses

#### Travel Expenses

Members may be reimbursed for reasonable and necessary travelling expenses by public transport, including the cost of taxi fares where appropriate, in order to undertake Police Authority business. If travelling by rail, members are entitled to travel first class.

The rates for travel by a member's own private motor vehicle or one belonging to a member of his/her family or otherwise provided for his/her use, are at the current Inland Revenue Approved Rates:

- (i) For the use of a motor vehicle of any cylinder capacity:

Up to 10,000 miles	40p per mile
Over 10,000 miles	25p per mile

- (ii) For the use of a bicycle a rate of 7.0p per mile.

#### Subsistence Allowances

- (i) The rate of subsistence allowance shall not exceed:

Day (between 5 and 12 hours)	£10.00
Day (over 12 hours/less than 24 hours)	£20.00
Overnight (24 hours)	£30.00

- (a) Meals on Trains

- (i) When meals are taken on trains the actual cost (including VAT) may be reimbursed in full upon production of receipts.

## Schedule 3

### Payment of full allowances

The duties in this section have been approved for the payment of travel and subsistence expenses.

- (a) Attendance at meetings of the Police Authority, its committees and sub-committees
- (b) Attendance at long-service, Attestations and Bravery Awards and other Ceremonial duties when representing the Police Authority
- (c) Attendance at meetings of bodies where the Police Authority makes appointments, where the Police Authority has a major influence at national, regional, or county level and/or where the Police Authority provides substantial grants to the body concerned
- (d) Other work necessarily undertaken by the member on Police Authority business.

## Schedule 4

### No allowances payable

The duties in this section are those where the Authority has decided that no travel or subsistence allowance will be paid. The duties are generally those for which either no allowance may be paid by law or that have activities too remote from the functions of the authority.

#### Law Prevents Payment

- (i) Members' surgeries
- (ii) Political activities

#### Outside the Scope of Approved Duties

Social functions

#### Activities Too Remote

Attendance at meetings of an outside body to which the member is appointed where the activities are too remote from the functions of the Authority.

#### Subsistence Allowance

Subsistence Allowances are not payable for meetings where the Authority has provided lunch, reimbursed the actual cost of meals on trains, or met an inclusive overnight accommodation cost.

# Schedule 5

## Job Profiles

### Police Authority Member

#### Role

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

#### Responsibilities

- To carry out collectively all statutory and locally determined requirements of a police authority member, including participation in the formulation of policy, decision-making and other activities of the full authority (such as determining the budget and precept, determining local policing priorities, agreeing the annual policing/best value plan and other strategies). A list of police authority statutory responsibilities is contained within Schedule 6.
- To participate effectively as a member of at least three committees and one advisory panels, or other authority forum to which the member is appointed.
- To attend at least 14 meetings each year, including meetings of the Authority, its committees and advisory panels.
- To attend at least one seminar organised by the Authority and at least one further training event each year.

- To provide active commitment to agreed community engagement on behalf of the Authority.
- To comply with all relevant codes of conduct and maintain the highest standards of conduct and ethics.
- To maintain an up-to-date knowledge and awareness of national and local policing issues.
- To maintain a good working knowledge of Bedfordshire Police policies and practices, and to establish good working relationships with officers of both the police authority and the force.
- To rigorously scrutinise, challenge and monitor all aspects of force performance.
- To participate fully in local consultative arrangements and actively engage in communication and dialogue with local people about local policing services.
- To represent the views of the police authority within local communities and the views of local communities to the police authority.
- To participate actively in any outside body or forum on which the member is appointed to represent the police authority.
- To be involved in the appointment, discipline or dismissal of senior officers, as appropriate.
- To monitor the way in which complaints are dealt with by the force and deal with complaints against chief officers.
- To promote equality of opportunity and work to eliminate unlawful discrimination both internally within the police authority and force and in the provision of policing services.
- To attend local, regional and national seminars/conferences/briefings, if nominated by the police authority.
- To answer questions at council meetings, if nominated to do so by the police authority.
- To ensure that an effective independent custody visiting scheme is maintained.
- To participate in inspections and audits of the force and police authority.

## **Committee Chairs**

### **Role**

- To fulfil the basic responsibilities of a police authority member and to chair a major committee (Finance, Audit & Business Assurance, Complaints & Professional Standards, Community Engagement, Performance and Human Resources) of the authority.

### **Additional Responsibilities**

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

## **Advisory Panel Chairs**

### **Role**

- To fulfil the basic responsibilities of a police authority member and to chair an advisory panel (as defined by the Police Authority).

### **Additional Responsibilities**

- To lead the work of the panel of the police authority.
- To act as the police authority's lead member and spokesperson on the areas within the panel's remit.
- To develop and maintain up-to-date knowledge and specialist expertise in the area of work of the panel.
- To liaise closely with the Policy & Project Officer in developing and managing the work of the panel.

## **Vice-Chair**

### **Role**

- To fulfil the basic responsibilities of a police authority member and to hold the office of Vice Chair of Bedfordshire Police Authority.

### **Additional Responsibilities**

- To deputise for the Chair when necessary.
- To liaise closely with the Chair and assist him/her in overseeing conduct of the police authority's business as described in the Chair's job profile (see below).
- To overview partnership working on behalf of Bedfordshire Police Authority, including acting as lead member, providing the strategic direction to the Authority's work in relation to CDRPs etc and ensuring appropriate governance arrangements are in place.
- To act as the link between the police authority and GO-East.
- To chair the Independent Custody Visitors Panel.
- To serve as a member of the police authority's Appointments Committee.
- To represent the police authority on the APA (Association of Police Authorities), if nominated to do so.
- At the request of the police authority or the Chair to act as lead member on issues of importance as and when they arise.

## **Chair of the Authority**

### **Role**

- To fulfil the basic responsibilities of a police authority member and hold the office of chair of Bedfordshire Police Authority.

### **Additional Responsibilities**

- To provide leadership, ensuring that the police authority works as a coherent and corporate body.

- To preside at police authority meetings, applying standing orders and ensuring that members have a fair opportunity to participate in debates.
- To represent the police authority to the press, via the appropriate means and outside organisations.
- To oversee co-ordination of police authority business at member level and develop, review and monitor implementation of the policies and strategies of the police authority.
- To liaise with the Chief Executive/Treasurer, Monitoring Officer and Chief Constable to facilitate police authority business.
- To hold regular strategic meetings with the Chief Constable.
- To undertake the performance review of the members of the chief officer team.
- To appoint the police authority's officers and staff and ensure that arrangements are in place for the effective management of officers and staff.
- To ensure that police authority members receive the support and training they need to carry out their functions effectively.
- To represent the police authority on the APA (Association of Police Authorities).
- To attend regional networks and national tripartite gatherings, as required.

## Schedule 6

### Summary of Police Authority Statutory Duties/Responsibilities

#### Police Authorities' three key functions are:

- To secure an efficient and effective Police Service (Section 6, Police Act 1996).
- To secure best value, i.e. continuous improvement in the way (their functions) are exercised having regard to economy, efficiency and effectiveness (Section 3, Local Government Act 1999).
- To make arrangements for obtaining:
  - the views of (local people (about) the policing of their area
  - and
  - the co-operation (of local people) in preventing crime.

(Section 96, Police Act 1996)

Authorities have a whole range of statutory duties which underpin these functions. The following is not an exhaustive list – in particular, it does not detail procedural matters under local government legislation or those relating to the appointment or responsibilities of Police Authority Officers/Staff under Police/local government legislation. Instead, it focuses on key responsibilities that Police Authorities are required to fulfil as part of their functions. These are:

- To determine the local priorities for policing – after consulting local people and the Chief Constable (section 7, Police Act 1996).
- To publish an annual policing plan including Ministerial Priorities, local policing objectives and any performance targets set by the Authority and including best value performance plan (Section 8, Police Act 1996 & Section 6, LGA 1999 and associated regulations).
- To report back to the community at the end of the year on the extent to which the policing/best value performance plan has been met (Section 9, Police Act 1996).
- To appoint and dismiss the Chief Constable, subject to the approval of the Secretary of State (Section 11, Police Act 1996).

- To appoint and dismiss Deputy Chief Constables and Assistant Chief Constables (Section 11A, Police Act 1996 and Police Regulations).
- To hold the Police Fund and maintain accounts (Section 14, Police Act 1996).
- To agree the Police Budget and set the precept (Section 19, Police Act 1996 and Section 40, Local Government Finance Act 1992).
- To nominate one or more Members of the Authority to answer questions on the discharge of the Authority's functions at a meeting of a relevant Council when given reasonable notice of this by the Council (Section 20, Police Act 1996).
- To collaborate with other Police Authorities to jointly provide equipment, premises, to other material facilities, where appropriate (Section 23, Police Act 1996).
- To decide the charges for the provision of special Police Services (Section 25, Police Act 1996).
- To provide advice and assistance to an international organisation, institution or a Police body outside the UK (includes secondment of Police Officers), subject to the consent of the Home Secretary (Section 26, Police Act 1996). The Authority can charge for such advice/assistance.
- To comply with any direction given by the Secretary of State on performance targets for Ministerial Priorities (Section 38, Police Act 1996).
- To comply with any Codes of Practice issued by the Secretary of State relating to the discharge of Police Authority functions (Section 39, Police Act 1996).