

Part 7 – Scheme of allowances and expenditure for the Police and Crime Commissioner, Independent Advisors to the Police and Crime Commissioner, and panel, committee or community members

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Part 1 – General provisions

1. Introduction

The general provisions within this Scheme of Allowances and Expenditure apply to the Police and Crime Commissioner, Independent Advisors to the Police and Crime Commissioner, and panel, committee or community members who have been appointed or selected to assist with the work of the Police and Crime Commissioner. Allowances and expenditure relevant to specific roles are detailed in Part 2.

2 Purpose

This remuneration scheme aims to enable people from all walks of life to serve the Office of the Police and Crime Commissioner including those with jobs, young people, those from minority ethnic communities and those with caring responsibilities.

Where available, allowances are intended to recognise the time commitment expected of those covered by the policy to enable them to carry out their duties effectively and take account of the public service element of the role in which they have been acting. It is also designed to ensure all those covered by the policy do not sustain as far as possible financial loss in either time commitment or expenditure incurred.

3 Election not to receive payment

Any person covered by this policy may notify the Chief Executive in writing that they elect to forego all or part of any allowance or reimbursement.

4 Up-rating of Allowances

Up-rating of exceptional allowances paid to the Police and Crime Commissioner (where applicable) will be reviewed annually by the Chief Executive.

Where an allowance is payable to any Independent Advisor, panel, committee, or community member who has been appointed or selected to assist with the work of the Police and Crime Commissioner, up-rating of allowances will be undertaken as specified within the scheme of allowances or terms of reference applicable to Independent Advisors, the panel, committee or project / initiative to which a community member has been selected or appointed as detailed in the appendices. Where up-rating is not specified in the scheme of allowances or terms of references, an annual review will be undertaken by the Chief Executive.

5 Up-rating of Reimbursements

Car Travel.

The rates of reimbursement for car and other forms of travel will be those notified from time to time by the HMRC and will be subject to up-rating in accordance with any changes made by the HMRC.

Carers Allowance

The carers allowance will be up-dated annually in line with any pay award agreed for Police Staff (this is usually effective from 1 September)

6 Payment of allowance and expenses

Reimbursement of allowance (where payable) and expenditure is made by the submission of an official claim form. Payments are made direct to the recipient's bank account.

7 Repayment of allowances

Where a payment of any allowance has been made in respect of any period during which the recipient was not entitled to receive the allowance the Office of the Police and Crime Commissioner may require repayment of that allowance for the period concerned.

8 Taxation

Payments made under this scheme may be subject to tax and National Insurance contributions. Each person receiving an allowance should satisfy themselves that their tax and insurance arrangements are in order.

9 Publication of amounts paid

In accordance with the Elected Local Policing Bodies (Specified Information) Order 2011, the Office of the Police and Crime Commissioner will publish on its website the amounts of allowances and reimbursements paid to relevant individuals.

10. Travel

Claimants are encouraged to use the most practical, economic and sustainable method of travel available for the journey to be undertaken. Use of rail and bus passes is strongly encouraged. The cost of a taxi will be reimbursed but only when public transport is not available. The Office of The Police and Crime Commissioner will prearrange public transport where possible.

10.1 Reimbursement for car travel

Mileage will be reimbursed in accordance with the rates set by HMRC when an individual's own car is used for travel on official business.

An additional 5p per passenger per business mile will be paid for carrying other people in a car or van on journeys which are also relevant work related journeys for them. Relevant work means an official duty in support of the Office of the Police and Crime Commissioner.

Anyone using their own vehicle for Office of The Police and Crime Commissioner business is responsible for ensuring that they have appropriate insurance cover, tax and MOT, and that they and their vehicle are fit to drive.

10.2 Reimbursement for rail travel

The cost of rail travel will be reimbursed at the standard class rate, provided that evidence is available to show that this was the most economic option for the date and time of travel.

10.3 Reimbursement for foreign travel

Reimbursement will be at economy class rates, and only for business related travel that has been authorised in advance by the Chief Executive.

10.4 Other travel expenses

Reimbursement can be claimed for road / bridge tolls and parking.

11. Subsistence and accommodation

Accommodation and subsistence will be prearranged by the Office of The Police and Crime Commissioner where possible. Reasonable out of pocket expenses will be reimbursed provided a receipt is submitted, however:

- where a meal is provided without charge by the Office of The Police and Crime Commissioner, or any other body, as part of an approved duty, no subsequent claim for subsistence can be made.
- the maximum rate of reimbursement for breakfast and lunch is £10 and for dinner is £30.

12. Carers/Dependants Allowance

A person who needs to engage the services of a carer for a dependant relative or child to enable him or her to attend Office of The Police and Crime Commissioner business shall be entitled to claim the actual evidenced cost incurred subject to a maximum of £60 per day per carer, except in circumstances where childcare vouchers have been purchased as part of a salary sacrifice scheme, and / or you are claiming approved, free, or tax free childcare through Government child care schemes, in which case the amount reimbursed against the claim will be reduced accordingly.

For an allowance to be payable the dependent being cared for must be in one of the following groups:

- Under 16 years of age
- A person with a mental or physical disability who lives with the claimant as part of his / her family and must not be able to be left unsupervised.

A carer (ie the person being paid to act as carer while the claimant is carrying out his / her duties) is defined as someone who does not normally live with the claimant as part of their family, and is not part of the extended family.

The Inland Revenue view the payment of carer's costs as a taxable benefit and any payments will be subject to tax and national insurance deductions.

Claimants of this allowance are expected to take advantage of salary sacrifice schemes where applicable and available,

13. Exceptional expenses

Any claims for exceptional expenses incurred in the exercise of business related functions will require the approval of the Chief Executive. In considering whether to grant this approval, the Chief Executive shall take into account the following factors:

- Whether there are exceptional circumstances warranting additional support;
- Whether the claimant could reasonably have been expected to take any action to avoid the circumstances which gave rise to the expenditure or liability; and

- Whether the claimant’s performance of the business related function will be significantly impaired by a refusal of the claim.

14. Variation to this scheme of allowances and expenditure

The Chief Executive has the authority to vary these arrangements in exceptional circumstances.

Part 2 Allowances and expenses for specific roles

15. Authorised allowances and expenses for the Police and Crime Commissioner

Paragraph 3 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 (‘the 2011 Act’) provides that a police and crime commissioner (PCC) is to be paid authorised allowances. ‘Authorised allowances’ means allowances, in respect of expenses incurred by the commissioner in the exercise of the commissioner’s functions, which are of the kinds and amounts determined by the Secretary of State. A determination under paragraph 3 may make different provision for different cases.

The purpose of authorised allowances is to reimburse expenses incurred by PCCs in carrying out their duties, not to provide a general gratuity for undertaking the role. Commissioners are paid a salary determined by the Secretary of State on the advice of the senior salaries review board.

The kinds of allowances determined by the Secretary of State for the purposes of paragraph 3 of Schedule 1 to the 2011 Act are allowances in respect of:

- travel expenses
- subsistence expenses
- exceptional expenses

reasonably incurred by a PCC in the exercise of the commissioner’s functions.

The amounts of such allowances determined by the Secretary of State are set out below.

| Type of expense | Key restriction | Rates |
|----------------------------|---|--|
| Train | In course of business | Reimbursed up to standard class rates |
| Mileage allowances | Only if necessary | As per HMRC rates |
| Taxis | Only where public transport not available | Cost of taxi fare |
| Foreign travel | Prior authority from chief executive and for business purposes | Economy class for flights |
| Hotel accommodation | Business purposes and agreed in advance. Value for money and best use of public funds - lower priced suitable accommodation | No explicit limitation on star standard of hotel accommodation |

| | | |
|---|--|------------------------------------|
| Subsistence (UK and foreign) | Only paid for evening meals and, where applicable, breakfast (not lunch) | Breakfast £10, Dinner £30 |
| Exceptional expenses not falling within any of the other types | Reasonable incurred in carrying out business of the authority | As approved by the chief executive |

The PCC's Chief Executive will subject all of the Commissioner's claims for expenses to rigorous verification and auditing.

Any claims for exceptional expenses incurred by the commissioner in the exercise of the commissioner's functions requires the approval of the commissioner's chief executive. In considering whether to grant this approval the chief executive shall take into account the following factors:

- whether there are exceptional circumstances warranting additional support
- whether the Commissioner could reasonably have been expected to take any action to avoid the circumstances which gave rise to the expenditure or liability
- whether the Commissioner's performance of their Commissioner functions will be significantly impaired by a refusal of the claim

Under paragraph 1(d) of the Schedule to the Elected Local Policing Bodies (Specified Information) Order 2011, PCCs are required to publish the allowances paid to them and to their deputies in respect of expenses incurred by the Commissioner or Deputy in the exercise of the commissioner's functions.

A breakdown of expenses incurred by PCCs and their deputies (where appointed) will be published on the Office of the PCCs website. This will include:

- the name, force area, financial year, month, date, claim reference numbers, expense type (e.g. travel, accommodation), short description, details, amount claimed, amount reimbursed, amount not reimbursed, and the reason why a claim was not reimbursed
- for travel and subsistence claims: the date, place of origin, place of destination, category of journey, class of travel, mileage, length of hotel stay, category of hotel stay.

In circumstances where the Chief Executive has approved the payment of an exceptional expense or allowance, the record of the Chief Executive's decision and the details of the expense and / or allowance paid will be published on the Office of the PCCs website.

16. Independent Advisors to the Police and Crime Commissioners

People appointed as an Independent Advisor to the Police and Crime Commissioner will be paid an allowance in line with the applicable rate set by the Home Office for Police Appeals Tribunal members. The scheme of allowances applicable to this role is detailed at Appendix A.

17. Ad hoc panels and groups, and exceptionally onerous tasks and initiatives

From time to time ad hoc panels or groups may be set up, for example if there is an exceptionally onerous task or initiative to be undertaken. In these circumstances the Chief Executive may decide

a) that an ad hoc payment should be made to members of the panel / group and

b) the amount of the payment,

the details of which will be recorded in the Terms of Reference of the relevant panel / group. The schemes of allowances applicable to these roles are detailed at Appendix B.

18. Independent and / or qualified people appointed under Statute

Independent and / or qualified people who are selected to fulfil a statutory function of the Police and Crime Commissioner will be paid an allowance in line with the applicable rate set by the Home Office for Police Appeals Tribunals. The schemes of allowances applicable to these roles are detailed at Appendix C and include:

- Independent people who sit on Police Misconduct Panels
- Police Appeals Tribunals Members
- Legally qualified Chairs of Police Misconduct Panels

19. Independent Committee members appointed to fulfil audit functions

Independent people who are selected as members of the Audit Committee will be paid at the fees rate set by the Home Office for Police Appeals Tribunal Members. The schemes of allowances applicable to these roles are detailed at Appendix D and include:

- Independent Audit Committee members

20. Community members who assist with the work of the PCC

Individuals, other than employees of the Office of the Police and Crime Commissioner, invited or selected to assist in the work of the PCC will be entitled to an allowance of £30 per session. The scheme of allowances applicable to these roles are detailed at Appendix E.

Appendix A - Independent Advisors to the Police and Crime Commissioners

| Role | Scheme of allowances |
|---|---|
| Independent Advisors to the Police and Crime Commissioner |  IA_SCH_Scheme of Allowances for Inde |

Appendix B - Ad hoc panels and groups, and exceptionally onerous tasks and initiatives

| Role | Scheme of allowances |
|------|----------------------|
| None | N/A |

Appendix C - Independent and / or qualified people appointed under Statute

| Role | Scheme of allowances |
|--|--|
| Independent people who sit on Police Misconduct Panels |  MCON_SCH_Scheme of Allowances for |
| Police Appeals Tribunals Members |  PAT_GUI_HO-Fees-and-expenses_170728 |
| Legally qualified Chairs of Police Misconduct Panels |  MCON_SCH_Scheme of allowances for LQC |

Appendix D - Independent Committee members appointed to fulfil audit functions

| Role | Scheme of allowances |
|---|---|
| Independent Audit Committee members (this scheme of allowances is administered by Dorset OPCC). |  Independent Audit Committee Operatin |

Appendix E - Community members who assist with the work of the PCC

| Role | Scheme of allowances |
|------|----------------------|
| None | N/A |