Cumbria Office of the Police and Crime Commissioner

Allowances and Remuneration Scheme

2015/17

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Introduction

1. Paragraph 3 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 ("the 2011 Act") provides that a Police and Crime Commissioner 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.

2. The purpose of authorised allowances is to reimburse expenses incurred by Police and Crime Commissioners 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.

3. This Scheme may be cited as the Cumbria Police and Crime Commissioner Allowances and Remuneration Scheme, and shall have effect for the part of the year commencing 01 September ***2012*** and subsequent years, until amended or revoked.

4. In this Scheme "Commissioner" means the Police and Crime Commissioner for Cumbria, "Deputy Commissioner" means the Deputy Police and Crime Commissioner for Cumbria and "year" means the 12 months ending on 31 March.

5. The Secretary of State has, on 21 November 2012, determined for the purposes of paragraph 3 of Schedule 1 to the 2011 Act allowances in respect of:

   - Travel expenses;
   - Subsistence expenses;
   - Exceptional expenses.

   reasonably incurred by a Police and Crime Commissioner in the exercise of the Commissioner's functions. Details are set out in the section of this Scheme entitled "Allowances and Expenses".

6. The staff working within the Cumbria Office of the Police and Crime Commissioner, are covered by the Police Staff Terms and Conditions.

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

Remuneration

Salary

1. The Police and Crime Commissioner for Cumbria is paid a salary of £65,000 per annum. This was determined by the Secretary of State on the advice of the Senior Salaries Review Board.

2. The Commissioner may, by notice in writing given to the Chief Finance Officer, elect to forego any part of his or her entitlement to a salary.

3. (1) The provisions of this paragraph shall have effect to regulate the entitlements of the Commissioner to salary where, in the course of a year, this Scheme is amended or the Commissioner becomes, or ceases to be, the Commissioner.

(2) If an amendment to this Scheme changes the amount to which the Commissioner is entitled by way of salary, 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 salary shall be to the payment of such part of the amount of the salary under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

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

(5) Where the Commissioner is suspended they shall not be entitled to receive salary, as specified in the Police Reform and Social Responsibility Act 2011, Part 1, Chapter 4 Section 30(3).

(6) The provisions of the OPCC/Constabulary Maternity Policy will apply to the Commissioner.

4. (1) Payments shall be made on the last working day of each month, on the basis of 1/12 of salary.

(2) Where a payment of 1/12 of the amount specified in this Scheme in respect of a salary would result in the Commissioner receiving more than the amount to which, by virtue of paragraph 3 (4) above, 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.

Joint Audit and Standards Committee; Ethics and Integrity Panel and Misconduct Panel Members

5. (1) The Members appointed to the Joint Audit and Standards Committee, Ethics and Integrity Panel and to the Misconduct Panels shall be entitled to a daily allowance of the amounts detailed in the "Other Allowances" section.

(2) The Chair of the Audit and Standards Committee shall be entitled to receive a Chair's allowance of the amount set out in the "Other Allowances" section; as will the Chair of the Ethics and Integrity Panel.

(3) The daily allowance remuneration amount is payable in respect of formal meetings of the Joint Audit and Standards Committee and Ethics and Integrity Panel. Day and half day amounts are determined on the basis of the recorded sitting time of the Committee or Panel, excluding meal breaks. In respect of every formal Joint Audit and Standards Committee meeting attended an allowance of half a day will be awarded for the time taken to review papers/preparatory work. This is irrespective of the amount of time actually taken to undertake preparation. For some meetings this may be more than 4 hours.

(4) The Joint Audit and Standards Committee Chair's allowance provides remuneration in respect of the wider responsibilities of the Chair and their role as a PCC representative on the joint Committee for the shared internal audit service. The chair will in addition be entitled to the daily allowance rate of remuneration for formal meetings of the Audit and Standards Committee and the allowance of half day for time taken in preparatory work.

(5) The Ethics and Integrity Panel Chair's allowance provides remuneration in respect of the wider responsibilities of the Chair and the additional work they will be required to undertake. The chair will in addition be entitled to the daily allowance rate of remuneration for formal meetings of the Ethics and Integrity Panel.

(6) Formal meetings of the Joint Audit and Standards Committee are those scheduled five times during the year. For the Ethics and Integrity Panel these are usually scheduled on a quarterly basis. Any further meetings that would incur additional expenses under this scheme will only be reimbursed with prior approval.

Allowances

1. 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 Police and Crime Commissioner in the exercise of the Commissioner's functions.

2. The amounts of such allowances determined by the Secretary of State are set out in the below table:

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
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

3. Any claims for exceptional expenses incurred by the Commissioner in the exercise of the Commissioner's 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:
   a. whether there are exceptional circumstances warranting additional support;
   b. whether the Commissioner could reasonably have been expected to take any action to avoid the circumstances which gave rise to the expenditure or liability; and

c. whether the Commissioner's performance of their Commissioner functions will be significantly impaired by a refusal of the claim.

Carer's Allowance

4. The Commissioner may be reimbursed for actual and reasonable expenditure paid to an independent carer of a dependent child or an adult dependent on him or her up to the amount detailed in the "Other Allowances" section, in order to undertake the business of the Police and Crime Commissioner.

Joint Audit and Standards Committee and Misconduct Panel Members

5. Joint Audit and Standards Committee and Misconduct Panel Members shall be entitled to receive travel expenses within the county at the rates specified in the *Travel Expenses* Section of the Scheme. Any travel expenses to be claimed outside the county should receive prior approval from the Chief Executive of the Office of the Police & Crime Commissioner.

6. They are entitled to carer's allowance at the rate specified in the *Other Allowances* section.

Ethics and Integrity Panel Members

7. Ethics and Integrity Panel members shall be entitled to receive reasonable travel expenses within the county at the rates specified in the *Travel Expenses* Section of the Scheme. Any travel expenses to be claimed outside the county should receive prior approval from the Chief Executive of the Office of the Police & Crime Commissioner.

8. The Panel Members are entitled to carer's allowance at the rate specified in the Other Allowances section.

Independent Custody Visitors

9. Independent Custody Visitors shall be entitled to receive travel expenses at the rates specified in the *Travel Expenses* section of this Scheme.

Indexation

14 (1) The Allowances and Scales approved under this Scheme shall be amended from 01 September each year and shall be presented to the Commissioner for approval on the following basis.

(2) The Joint Audit and Standards Committee, Ethics and Integrity Panel and Misconduct Panel Members Allowances shall be amended in line with the annual pay award for Police Staff at spinal column point 45 as at 01 September.

(3) The Subsistence Allowances and the Bicycle Allowance and the Carer's Allowance shall be amended in line with the increase in the Retail Price Index for the twelve-month period to 31 August.

(4) The Motor Vehicle rates shall be amended to the rates approved by the Inland Revenue in the tax year as not giving rise to a liability for taxation purposes.

Transparency

1. Under paragraph 1(d) of the Schedule to the Elected Local Policing Bodies (Specified Information) Order 2011, Police and Crime Commissioners 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.

2. The Cumbria Office of the Police and Crime Commissioner will publish a breakdown of the Commissioner's and their Deputies expenses including:
   - Their name, financial year, month, date, 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: date, category of journey, mileage, length of hotel stay.

Travel Expenses

Rail	Standard class
Taxi	Actual receipted expenditure
Motor vehicle	Inland Revenue Approved Rates from 06 April 2011 *Currently for all car sizes* ▪ *Up to 10,000 miles* **45 pence** a mile ▪ *Over 10,000 miles* **25 pence** a mile
Bicycle rates	***8.9* pence** a mile

Other Allowances

Carer's Allowance

The maximum rate per hour payable under the Scheme shall be **£7.65**

Joint Audit and Standards Committee, Ethics and Integrity Panel and Misconduct Appeal Member Allowances
(Based on Home Office Police Tribunal Rates)

Full Day	**£217.80**	(sitting of more than 4 hours excluding meal breaks)
Half Day	**£107.87**	(sitting of less than 4 hours excluding meal breaks)
JASC Chair's Allowance	**£2,663.13 pa**	
E&IP Chair's Allowance	**£1,533.00 pa**	