

CYNGOR SIR POWYS COUNTY COUNCIL

Standards Committee
Date: 30th November, 2011

REPORT AUTHOR: Geoff Petty, Chief Financial Officer
Clarence Meredith, Monitoring Officer

SUBJECT: Members Expenses

REPORT FOR: Decision

1. Summary

- 1.1 In response to a request, the Chief Financial Officer has had reason to examine the expense claims of a number of Councillors.
- 1.2 Following this examination and after consultation with the Council's Monitoring Officer, it was considered appropriate to seek guidance from the Standards Committee on 2 matters.

2. Frequency of Claims

- 2.1 Paragraph 3.5.4 of the Council's Scheme for Members' Allowances states:

"Claims must be made up to the end of the calendar month only. Claims should be made monthly and will not be paid if more than two months old, except with the approval of the Standards Committee".
- 2.2 On examination of a number of claims, it was apparent that, on 2 occasions, claims were paid in breach of the foregoing. Copies of the relevant claims will be available at the meeting.
- 2.3 There is no suggestion of inappropriate motives on behalf of the Members and the breach should have been spotted by officers, although this is not always possible given the number of claims processed monthly.
- 2.4 Standards Committee is requested to consider the foregoing and decide whether it wishes to approve payment of these claims. If the Committee does not so approve, the Chief Financial Officer will seek repayment of the sums from the Members.
- 2.5 The Standards Committee may also reflect that it may be appropriate to reiterate to Members the need to make claims promptly and comply with paragraph 3.5.4 of the Scheme for Members Allowances.

3. Monthly or Annualised Care Allowances

- 3.1 It has also been noted that there are some discrepancies in the payment of Care Allowances. Paragraph 2.4.3 of the Scheme for Members' Allowances states:

"For the Scheme period the Council has set the CA at a maximum of £403.00 per calendar month (£4,836.00 per annum) subject to reimbursement being payable on

actual and receipted costs whilst the dependant circumstances continue. Receipts must be submitted to the Employment Services Section prior to reimbursement”.

3.2 It has been noted that on 2 occasions a Members claim has exceeded £403 for a month (copies of the relevant claims will be made available at the meeting). This has been paid.

3.3 The Chief Financial Officer and Monitoring Officer have undertaken considerable research into whether the limit on Care Allowances is monthly (£403) or annual (£4,836). A summary of this research is given below:

i) The Independent Remuneration Panel’s report for 2011-12 includes a table entitled “Summary of Allowances – These are the maximum amounts payable”. Within this table, under Care Allowances, it states:

“Reimbursement up to £403 per month (with receipts provided for both informal and formal care arrangements)”.

ii) Regulations 11, 12 and 35 of The Local Authorities (Allowances for Members) (Wales) Regulations 2007 all suggest that allowances (including Care Allowance) are to be regarded as annual. This rather contradicts i) above.

3.4 To clarify this matter, the Monitoring Officer asked the question directly of the Independent Remuneration Panel. The following response was received on 20th September, 2011:

“Dear Mr Meredith,
As I mentioned in my earlier email to you responding to query 001, the Panel met last Thursday. They agreed that the cost of care allowances may vary across the months of the year and it was not their intention to penalise those with variable monthly costs. They will consider annualising the allowance in the final version of the report”.

3.5 Given the foregoing, the Chief Financial Officer and Monitoring Officer do not propose to take further action in respect of the 2 payments that exceeded £403 provided the annual threshold of £4,836 is not breached. They would be grateful for the Standards Committee’s endorsement of this action or any alternate proposal that the Committee should suggest.

Recommendation:	Reason for Recommendation:
<p>That Standards Committee considers this report and determines whether</p> <p>(i) to approve payment of the claims referred to in Para 2.4; and</p> <p>(ii) to endorse the suggestion in Para 3.5 regarding the annualisation of Care Allowances.</p>	<p>To clarify issues around the Care Allowances systems.</p>

Relevant Policy (ies):	Council's Scheme for Members' Allowances		
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	Geoff Petty/Clarence Meredith
Date By When Decision To Be Implemented:	31 st December, 2011

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Background Papers used to prepare Report:

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