

GOV006 Commissioners Payments and Reimbursement of Expenses Scheme

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1 Introduction

- 1.1 The SLCC has taken into regard the Scottish Government’s Public Sector Pay Policy for Senior Appointments in revising this scheme. In particular, reference is made in this context to the following:

“The main objective in remunerating such posts is to increase diversity. Remuneration may be proposed where it is particularly important for bodies to have boards drawn from as wide and diverse a range of candidates as possible or where there is a specific need for members drawn from otherwise under-represented groups.”

- 1.2 The Scottish Government, in making appointments to SLCC, recognises the value of such diversity, both in terms of personal background, skills, and geographical spread.

2 Daily Rate

- 2.1 The Legal Profession and Legal Aid (Scotland) Act 2007, Schedule 1 (7), allows SLCC to pay such remunerations and allowances as Ministers may determine.

- 2.2 In line with [Public Sector Pay Policy for Senior Appointments](#), the Chair and Board Members are remunerated on the basis of a daily fee for all work carried out for or on behalf of SLCC. For the purposes of calculating such payments the following shall apply:

- 2.3 A working day shall be a period of seven hours excluding lunch break.

- 2.4 Time spent should be recorded accurately in hours and minutes.

- 2.5 Payment should reflect the time commitment involved. Reasonable activities include the following:

- (i) attendance at Board meetings, committees, training, seminars and functions on behalf of SLCC
- (ii) time spent preparing for meetings and other events as above
- (iii) time spent travelling to and from meetings and other events as above

- 2.6 The Chair and Board Members should submit a monthly record of time spent on SLCC business. All Members should use the appropriate form and the codes attached in Appendix 2. Time recorded and expenses claimed must be coded using the drop-down list of codes in the Member Expense Form spreadsheet. If travel is for more than one purpose, it should be coded for the primary purpose of the journey.

- 2.7 It is recognised that preparation time for meetings and other events may vary. Time recorded in preparing for meetings and for participating in them should reflect actual time spent.

- 2.8 In recognition of the principles outlined above in respect of the geographically diverse locations from which Members are drawn, time spent travelling to and from meetings shall be recorded as actual hours/half hours, but reimbursed at 50% of the hourly rate, except in those instances where Members are able to utilise travel time to prepare for meetings. In these circumstances claims should be made using the guidance at 2.7 above. Members should only claim if travel time is above 30 minutes.

- 2.9 The current rates, as of July 2023, are £31.86 per hour or £223 per day for members and £46.71 per hour or £327 per day for the chair.

3 Travel

- 3.1 Travel to and from meetings and other events should be undertaken by the most cost effective method, having regard to the guidance above in respect of payment for travelling time. Travel starts from the individual’s normal place of residence or from the prior appointment address, whichever is closest.

- 3.2 If public transport is used for any part of the journey only standard class travel shall be reimbursed unless an alternative class of travel has been approved in advance by SLCC.
- 3.3 Receipts must be provided for journeys made by public transport, taxi journeys, toll fees and car parking expenditure.
- 3.4 Journeys by private car should only be undertaken where there is no reasonable alternative and where possible should be shared. Mileage rates shall be reviewed and updated periodically to reflect HMRC guidance and Scottish Government travel and subsistence rates. Current rates are shown in appendix 1. Fines and penalties will not be paid by SLCC.

4 Subsistence

- 4.1 Subsistence claims for overnight stays must reflect best value principles. Wherever possible, bookings shall be made directly by SLCC to take advantage of corporate rates where available.
- 4.2 Day subsistence should only be claimed when attending an external event, on behalf of SLCC, where catering is not provided.
- 4.3 Current rates for subsistence are detailed in Appendix 1 and reflect those applicable to SLCC staff.

5 Incidental Expenses

- 5.1 SLCC will supply the Chair and Board Members with necessary equipment and consumables to carry out their roles. These shall include stationery and laptops.
- 5.2 If required, access to a wireless or wired network shall be provided by SLCC to allow for work out with the office.
- 5.3 In addition to the above, all reasonable business related incidental expenses and childcare costs incurred in carrying out duties on behalf of SLCC shall be reimbursed.

6 General Guidance

- 6.1 The basic principle underlying expenses payments is that the Chair and Board members should not be out of pocket as a result of their appointment. Compliance with the procedures shown below will ensure that this principle is met and that HMRC requirements are met by SLCC.
- 6.2 Claims for any payment as set out above should be made within 7 days of the end of the calendar month of the cost being incurred or work done and in an approved form, in order to ensure payment in the following month.
- 6.3 All relevant receipts **must** be submitted with the claim. Receipts can be provided in a hard or electronic format.
- 6.4 Any claim submitted without the relevant receipt(s) shall not ordinarily be paid, and only at the discretion of Chief Executive.
- 6.5 Where substantial costs are likely to be incurred payment in advance may be made.
- 6.6 All claims should be delivered from a known email account for the member, and countersigned by the Accountable Officer or Designated Signatory appointed by the Accountable Officer.
- 6.7 The total remuneration of each members is published in our annual accounts each year, with detail of our of pocket expenses placed on our [website](#).

Appendix 1 - SLCC Travel and Subsistence Rates

1 Travel Rates

These SLCC Rates and Allowances are:

Standard Mileage Rates

1.1 Private Car

45p per mile for first 10,000 miles
25p per mile thereafter

1.2 Private Motor cycle, Scooter or Moped

24p per mile

1.3 Passenger Supplement

5 per mile for each official passenger

1.4 Bicycle Mileage Rate

20p per mile

2 Subsistence Rates

2.1 Day Subsistence

Up to a maximum of £15

2.2 Night Subsistence and allowances

Allowance	Breakfast <i>(if not included in overnight rate)</i>	Evening Meal <i>(including 1 non- alcoholic drink)</i>	Staying with Friends or Family
Amount	Up to £5	Up to £15	Fixed rate of £25

3 Accommodation cost and standards

- 3.1 Single rooms with en-suite facilities; TV, and tea/coffee making facilities in the room; a telephone in the room is desirable;
- 3.2 Adequate space and, where it is necessary to work in the room, facilities (writing surface and telephone) for doing so;
- 3.3 The hotel should have satisfactory personal security arrangements and adequate emergency procedures. The surrounding area should be safe;
- 3.4 Restaurant facilities should be available either in the hotel or locally, offering a table d'hote menu at reasonable prices for 2 courses with coffee but excluding other drinks.
- 3.5 The upper limit for a single night of accommodation will be £150. In exceptional circumstances the CEO can approve expense above this (for example, a short notice booking in the middle of the Edinburgh Festival).

Appendix 2 – Sample Codes

Code	Claim Type	Guidance
01	Travel Time	This category should be used for any travel time for any SLCC Activity
02	Board Meetings	This category should be used for any preparation for Board Meetings and the meetings themselves
03	Development & Training	This category should be used for any Board Development sessions or personal training & development carried out
04	Board Sub Committees	This category should be used for any preparation for Board Sub Committee Meetings and the meetings themselves (for example Audit/Rem Co/H&S)
05	Admin & Emails	This category should be used for checking and responding to emails and any other Admin work that is not linked to the categories
06	Eligibility	This category should be used for any cases passed to you for an Eligibility Decision
07	Remote Determination	This category should be used for preparation and meetings for cases which are on a RDC
08	Full Determination	This category should be used for preparation and meetings for cases which are on a DCM
09	External Events	This category should be used if you attend an external event for SLCC, for example a conference or Scottish Government meeting
10	Governance	This category should be used for one to one meetings with the chair, preparing for these meetings and any appraisal meetings
11	Projects	This category should be used for any projects that members are involved in
12	Chair Duties	This category is for the Chair of the Board and the additional duties that come with that, for example Member recruitment or Scottish Government meetings

Appendix 3 – Compulsory Guidance on submitting claims

Attendance

1. Board meetings

Claims should be from the start of the meeting to the end of the meeting and include any private sessions the Chair announces pre or post the formal meeting.

2. Determination Committee Meeting (Both DCM and RDC)

Claims should be from the start of the committee to the end of the committee.

3. Board Sub Committees (Audit/Remuneration/H&S)

Claims should be from the start of the meeting to the end of the meeting and include any private sessions the Chair announces pre or post the formal meeting.

4. Other meetings

Claims should be from the start of the meeting to the end of the meeting.

5. Travel time

This should usually be claimed from leaving home, to the start of the meeting (i.e, including waiting time) so long as no personal or other work activity is undertaken in between travel and the meeting.

Members must **not** claim for travel time if they use it for preparation and are claiming that.

Members must **not** use travel time if undertaking any other remunerated work for another body (i.e. travel or preparation time) which could lead to a double payment for the same period of time.

Preparation (*Note: claims exceeding the recommended maximum preparation time should include a comment on the expense form*)

6. Most work should be recorded on the day you do it.

Do not add up all the work of one type and record it once in the month, please see the example in appendix 4 for more information.

7. Board Meeting (Up to 4 hours)

Generally it is estimated members will have spent 4.0 hours on preparation for a Board – this includes reading papers, making travel plans, checking information with the executive staff, and considering questions to be asked to ensure effective governance.

8. Eligibility cases (Up to 1 hour)

Generally it is estimated members will have spent 1 hour on an eligibility case, however, these do vary so it is anticipated that in this area there may be more variation

9. Determination Committee (Up to 3.0 hours per case for lay members and up to 4.0 hours per case for legal chairs for both DCM and RDC)

Generally it is estimated that lay members will have spent 3 hours on determination cases and legal chairs 4 hours, however, these do vary so it is anticipated that in this area there may be more variation. This includes reading papers, making travel plans, checking information with the executive staff, and considering questions to be asked to ensure effective and consistent decisions.

10. Board Sub Committees – (chair up to 4 hours per meeting, member up to 3 hour per meeting)

Generally it is estimated members will have spent 3 hours per meeting, with the chair spending 4.0 hours (including approving agenda and minute). This includes reading papers, making travel plans, checking information with the executive staff, and considering questions to be asked to ensure effective governance.

11. General admin and email time should be added at the end of the month in a single code (Up to 2 hours)

Generally it is estimated members will have spent 2 hours on general email, calls, expenses claims, etc. 2 hours can and should be inserted without the need for extra detail, or if it exceeds this please provide an indication why.

If any claims are over the recommended times above, please insert a comment on the expense claim.

If members are unsure of what to claim or how to record then please speak to the Secretariat to the Board, Director of Business Performance or CEO.

Appendix 4 – Example Claim

On the following pages are a mocked up expenses claim form, which applies the above principles.

- On 3rd May the member read over board papers, prepared for a remote determination by reading over 3 cases and these have all been recorded this against the remote determination reference (RDC 5).
- On 8th May there was a Board Meeting and a meeting about Consistent Decision Making Meeting were attended at SLCC office in Edinburgh.
 - a. The Board meeting lasted 3 hours, this covered the 2.5 hour formal meeting and 0.5 hour private session and was recorded under Board Meetings.
 - b. The journey they make usually takes about 1 hours 15 minutes – walking to the station, waiting for the train, the train journey itself, the walk up from Waverley. However, they claimed 1.5 hours because the train timetable meant they had a necessary wait in the office before business got started. This was recorded under travel time.
 - c. They also recorded, separately the two hours they spent in a meeting about Consistent Decision Making. They recorded this against “Projects” noting in column D Additional Info to outline what the project was.
 - d. Note that when they claimed their travel costs, they added “rtn” to the Destination box to indicate a return and not one way journey.
- On 22nd May, when they came to the office for a meeting with the Chair.
 - a. They claimed travel time and expenses in the same way as the Board Meeting on 8th May.
 - b. They recorded the meeting as “10 Governance” but indicated in column D the purpose of the time.
- At the end of the month they recorded 30 minutes spent throughout the month on dealing with telephone calls and emails, completing the expenses form, and so on. This is the only time they recorded work done on different days in the one entry.

scottish legal **slcc** complaints commission **Members Claim for Remuneration, Travel and Incidental Expenses**

Name	A Smith	Month Ending	May-21
Declaration			
I declare that the remuneration and expenses claimed are actual and necessary and incurred by me solely in the performance of my duties as a Commissioner and that the travel and subsistence allowance claimed are in accordance with SLCC Policy			
Signed	A Smith	Date	31/05/2021
Authorised	CEO	Date	02/06/2021
Hourly Rate	31.14	Processed by	
Travel Rate	15.57	Date	

Time Sheet								Expenses					
Date	Type of Claim	Reference	Additional information relating to claim (DC/Eli over 3/4 hours require comment)	Hours	Minutes	Rate	Total Due	Date	Claim Type	Details of Claim	Amount	Mileage	Total Due
03/05/2021	02 Board Meetings		Prep for Meeting	2	15	31.14	70.07	08/05/2021	Mileage	Home to Train Station Rtn		16	7.20
03/05/2021	07 Remote Determination	RDC 5	3 Cases	2	45	31.14	85.64	08/05/2021	Car Parking	Parking at Train Station	3.50		3.50
08/05/2021	01 Travel Time		Travel for Board	1	30	15.57	23.36	08/05/2021	Travel Tickets	Stirling to Edinburgh Rtn	17.40		17.40
08/05/2021	02 Board Meetings			3	0	31.14	93.42	22/05/2021	Mileage	Home to Train Station Rtn		16	7.20
08/05/2021	11 Projects		Consistent Decision Making	2	0	31.14	62.28	22/05/2021	Car Parking	Parking at Train Station	3.50		3.50
22/05/2021	01 Travel Time		Travel for Meeting	1	30	15.57	23.36	22/05/2021	Travel Tickets	Stirling to Edinburgh Rtn	17.40		17.40
22/05/2021	10 Governance		Meeting with Chair	1	15	31.14	38.93						0.00
30/05/2021	05 Admin & Emails		For the Month		30	31.14	15.57						0.00

