



Northern Ireland  
Assembly

**FINANCIAL SUPPORT**

**FOR MEMBERS**

**HANDBOOK**

**March 2011**

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# Foreword

In May 2009 the Northern Ireland Assembly Commission agreed to undertake a review of the existing financial support framework for Members. This review included a critical look at the guidance available to Members for the administration of the framework. As a result of the review, the Commission presented a comprehensive report to the Assembly on 13 December 2010 and the Northern Ireland Assembly (Members' Expenditure) Determination 2010 was agreed by the Assembly.

The review of the financial framework is now complete and, in consultation with Party Leaders, a set of Ten Principles to guide the framework of financial support were agreed. These principles underpin the financial support framework and this handbook has been prepared to clearly set out the rules which govern the financial support available for Members. It also seeks to provide detailed guidance on the governance of the expenditure and expenses regime (excluding Members' and Office Holders' salaries).

Assembly Secretariat staff will be able to assist you with any questions or issues that may arise from the implementation of this new handbook. The handbook has the full support of the Assembly Commission and I trust that this guidance will be of assistance to you throughout your time as a Member of the Legislative Assembly.

Mr William Hay MLA

Chairperson

Northern Ireland Assembly Commission

# SECTION 1

## PRINCIPLES FOR CLAIMING FINANCIAL SUPPORT

# SECTION 1

## **1.0 PROVISION AND PURPOSE**

- 1.0.1 Financial support for Members is provided under the Northern Ireland Assembly (Members' Expenditure) Determination 2010. This is effective from 10 February 2011 and replaces the Northern Ireland Assembly (Members' Allowances) Determination 2000 and the Allowances to Members of the Assembly Act (Northern Ireland) 2000.
- 1.0.2 The purpose of this document is to set out the principles and rules which govern the financial support available for Members. It also provides detailed guidance on the governance of the allowances and expenses regime, excluding Members' and Office Holders' salaries.
- 1.0.3 Financial support is provided to assist Members in performing the duties associated with undertaking the role of being a Member. The primary purpose of providing financial support is to reimburse Members for expenditure wholly, exclusively and necessarily incurred in carrying out Assembly duties. The amount allocated to each category of financial support represents an upper threshold; it is not an invitation to spend the maximum amount available. To reflect this, some categories of financial support have been renamed. References to "Allowance" in the title of each category have been replaced by the terms "Expenditure", "Payments" or "Grants".

## **1.1 PRINCIPLES**

The following ten principles underpin the arrangements for claiming financial support:

- Principle 1) Members of the Legislative Assembly (MLAs) have a duty to observe the seven Nolan principles of public life in all aspects of incurring and claiming expenditure. (Nolan Principles are set out in Annex A on page 60).
- Principle 2) MLAs have a right to be properly supported in carrying out their Assembly duties.
- Principle 3) Any amount claimed **must** be in respect of expenditure that has been wholly, exclusively and necessarily incurred in respect of a Member's Assembly duties.
- Principle 4) The system for claiming expenditure incurred by MLAs in performing their Assembly duties should be based on the recovery of actual expenditure, not on an entitlement to allowances.

- Principle 5) Openness and transparency about expenditure incurred by MLAs will predominate, subject only to data protection, security considerations and inordinate or disproportionate costs.
- Principle 6) Resources provided to enable MLAs to undertake their Assembly duties must not, directly or indirectly, benefit party political funding or be used for party political activities.
- Principle 7) Arrangements should be avoided which may give rise to an accusation that an MLA – or someone close to an MLA – is obtaining an element of profit from public funds, or that public money is being diverted for the benefit of a political organisation.
- Principle 8) MLAs will seek to ensure that any expenditure incurred provides value for money for the tax-payer.
- Principle 9) MLAs will take personal responsibility for ensuring that any claims made in their name for expenditure incurred in respect of their Assembly duties are correct and proper.
- Principle 10) For all expenditure claimed, MLAs must act within the spirit of the rules as well as within the letter of the rules. The Assembly Commission (the “Commission”) will publish the rules and detailed guidance on the system for claiming expenses, and Assembly officials will provide any further guidance that may be required by MLAs.

## **1.2 PRINCIPLES IN PRACTICE**

- 1.2.1 In the majority of cases, the application of the Ten Principles will be straightforward. However the role of a Member is evolving and each Member will have individual requirements, different ways of serving his/her constituents and performing his/her Assembly duties. There may be areas of uncertainty, where a Member may need to exercise his/her individual judgement.
- 1.2.2 The following list of questions, which should not be considered as exhaustive, has been designed to assist and guide each Member in ascertaining whether an item of expenditure can be appropriately claimed:
- (a) Is the expenditure compatible with the Ten Principles?
  - (b) Has this expenditure been wholly, exclusively and necessarily incurred by me in my role as a Member of the Legislative Assembly, as opposed to my personal capacity or in a party political role, or in any other official role?
  - (c) Is this purchase of goods or service(s) supporting me in carrying out my Assembly duties, as defined in the Northern Ireland Assembly (Members’ Expenditure) Determination 2010.



- (d) Does the claim for expenditure match the purpose of Office Cost Expenditure (OCE) as set out on page 14 of the guidance?
- (e) Have I considered the claim under the guidance for “admissible and inadmissible” expenditure as detailed in Annex B on page 61 of the guidance?
- (f) Am I content that this claim will in no way have a negative impact on the reputation of the Assembly or its Members?

1.2.3 If a Member cannot give an affirmative answer to all of these questions, the claim should not be submitted for payment.

1.2.4 Protocols will be developed with the Northern Ireland Local Government Association (NILGA) and the Independent Parliamentary Standards Authority (IPSA) to ensure that expenses, claimed by those Members who are elected representatives in local government or at Westminster, are correctly split and accounted for.

# SECTION 2

## RULES FOR CLAIMING FINANCIAL SUPPORT

## **SECTION 2**

### **2.0 RULES FOR CLAIMING FINANCIAL SUPPORT**

- 2.0.1 This handbook has been issued on behalf of the Commission. The rules in this handbook are issued with the authority of the Commission.
- 2.0.2 A Member may claim financial support to assist him/her in carrying out his/her Assembly duties in accordance with these rules and guidance
- 2.0.3 This handbook governs the arrangements for claiming financial support. All claims for financial support will be tested against these rules and guidance. Only claims which are made in accordance with the Ten Principles and observe the rules will be authorised for payment.

### **2.1 SUBMISSION AND VERIFICATION OF CLAIMS**

- 2.1.1 In submitting a claim for financial support a Member **MUST**:-
- (a) act in accordance with the Ten Principles; and
  - (b) comply with the rules as issued in this handbook by the Commission; and
  - (c) have regard to any additional guidance issued by the Commission.
- 2.1.2 Claims **must** only be made for expenditure that is incurred wholly, exclusively and necessarily by a Member in connection with carrying out his/her Assembly duties, where Assembly duties fall within the definition of the Northern Ireland Assembly (Members' Expenditure) Determination 2010. (See Annex C on page 64)
- 2.1.3 All claims **must** be submitted in the manner prescribed in this handbook. Details of the current forms and procedures are given in the guidance in Section 3 (on pages 9 to 58).
- 2.1.4 All claims **must** be certified by a Member with an **original** signature. Signature stamps, scanned signatures or photocopies are not acceptable.
- 2.1.5 When appropriate all claims should be supported with original documentation. Details of documentation required for each category of expenditure are given in the guidance in Section 3 (on pages 9 to 58).

### **PROVISION OF GOODS AND SERVICES**

- 2.1.6 Invoices for services provided by constituency associations, political parties or any other third party suppliers for payment of secretarial, clerical, administrative

assistance or research work undertaken for a Member **must** contain all the information as outlined below:

- (a) The invoice **must** clearly show the detail of the nature/type of service provided, the period of time for which the service was provided, the number of hours required to deliver the service, the hourly rate payable for the service and the name of the individual(s) who has/have provided the service or assistance. Only in exceptional circumstances will an invoice which does not contain all of this information be processed for payment. In addition, a formal contract or written agreement must also be provided to the Finance Office in advance of the provision of the service;
- (b) For services undertaken by any third party supplier, claims must be made on **the** basis of a formal contract or written agreement. There must be an agreed billing system (i.e. invoiced monthly or quarterly) and an agreed schedule of rates;
- (c) If the service was provided by a self-employed individual to the Member additional information **must** be provided. This additional information is required for the Finance Office to meet the reporting obligations of Her Majesty's Revenue and Customs (HMRC). In these circumstances the invoice **must** also include the following:-
  - Name of individual,*
  - Address,*
  - National Insurance number,*
  - Date of Birth*
- (d) Invoices for goods purchased must contain a detailed description of the goods acquired.

## **2.2 ROLE OF THE FINANCE OFFICE**

- 2.2.1 Under the Commission's direction (as detailed on page 5) the Finance Office, including the Members' Financial Services and Payroll Teams, is collectively responsible for the administration of the financial support for Members.
- 2.2.2 In applying the rules and guidance for claiming financial support, as issued by the Commission, the Finance Office may make such arrangements as is deemed appropriate for the administration of the claim system. Under this authority the Finance office may:-
  - (a) on the submission of a claim by a Member, reimburse expenses incurred by that Member;
  - (b) issue guidance to Members on the operation of the rules for claiming financial support;

- (c) set the form and manner in which claims must be submitted and the manner in which the claims are verified; and
- (d) set the time limits for the submission of claims and with approval from the Commission, determine the consequences of failure to comply with any such time limits.

2.2.3 In considering any matter under these rules the Finance Office shall consider whether a Member has adhered to the guidance issued.

2.2.4 This guidance has been produced to assist Members in making claims for financial support. This guidance sets out the procedures to be followed by a Member in claiming Office Cost Expenditure (OCE) (including support staff salaries, support staff pensions and redundancy), Travel & Subsistence Expenditure, Disability Grant, Temporary Secretarial Expenditure (TSE), Childcare support, Winding up Expenditure, Resettlement Payment or Ill-Health Retirement Payment.

2.2.5 The purpose of the guidance is to provide each Member with all of the necessary information required to make a claim for financial support and to ensure that the rules for making such a claim are adhered to at all times

### **2.3 REVIEW OF DECISIONS AND IMPROPER CLAIMS**

2.3.1 If a Member has a concern regarding any decision in relation to the payment of a claim or the application of this guidance, the matter can be referred to the Head of Finance, who will consider any concerns raised and review the decision. The Head of Finance will seek to ensure that the rules and guidance have been applied correctly and consistently by the Finance Office.

2.3.2 If, after discussion with the Head of Finance, a Member still has a concern regarding a decision, they may wish to informally bring the matter before the Clerk/Director General for his/her consideration. The Clerk/Director General will consider the claim and, if necessary, may liaise with the Commission in an attempt to resolve the matter fully. However should a Member wish to raise this formally, it should be submitted in writing to the Clerk/Director General, who will consider the matter before seeking a formal response from the Commission. Any formal response from the Commission will be considered as final.

2.3.3 These rules will be used to scrutinise every claim submitted. In applying the rules and guidance the Finance Office may seek clarification on a claim. Any potential breaches of the rules, which may arise from the scrutiny by the Finance Office or from external and internal audit reviews, will be referred to the Clerk/ Director General who will bring the matter to the Assembly Commissioner for Standards.

### **2.4 AUDIT OF MEMBERS' CLAIMS**

2.4.1 Claims by Members for financial support will be subject to an annual audit by the Northern Ireland Audit Office (NIAO).

2.4.2 In the interest of openness and transparency a further audit will be conducted on a random sample of twenty-five percent of Members' claims. This will be undertaken by the Internal Audit Team to ensure that the rules and guidance have been applied consistently. In scrutinising the claims the Internal Audit Team will also undertake to ensure that the expenditure has been incurred wholly, exclusively and necessarily by the Member in carrying out his/her Assembly duties. The audit will seek to confirm the acquisition of assets and/or goods and services and will include site visits to constituency offices as appropriate.

## 2.5 PUBLICATION OF EXPENSES

As required by Standing Order 76 (2) the Speaker will publish information on expenses reimbursed to Members under these arrangements in the form and at the intervals it determines to be appropriate. This is currently quarterly on the Northern Ireland Assembly website [www.niassembly.gov.uk](http://www.niassembly.gov.uk).

# SECTION 3

## GUIDANCE ON CLAIMING FINANCIAL SUPPORT

### 3.0 CONTACT DETAILS

#### 3.1 FINANCE OFFICE

A Member, or his/her support staff, wishing to make enquiries about claiming expenditure may contact the Finance Office staff in Annexe C, Dundonald House on the following extensions (dialled from outside Parliament Buildings, the extension should be preceded by 028 905).

#### ***Office Costs Expenditure / Travel and Subsistence***

Paula McClintock	Head of Finance	<a href="mailto:paula.mcclintock@niassembly.gov.uk">paula.mcclintock@niassembly.gov.uk</a>	028 905 25345
<b>Members' Financial Services Support Team</b>			
Lynne McBride	Team leader	<a href="mailto:lynne.mcbride@niassembly.gov.uk">lynne.mcbride@niassembly.gov.uk</a>	028 905 25535
Karl Hedley	Team supervisor	<a href="mailto:karl.hedley@niassembly.gov.uk">karl.hedley@niassembly.gov.uk</a>	028 905 25528
Lyndsay Dundas	Team supervisor	<a href="mailto:lyndsay.dundas@niassembly.gov.uk">lyndsay.dundas@niassembly.gov.uk</a>	028 905 20800
Lesley Mills	Clerical Officer	<a href="mailto:lesley.mills@niassembly.gov.uk">lesley.mills@niassembly.gov.uk</a>	028 905 24818
Colin Blayney	Clerical Officer	<a href="mailto:colin.blayney@niassembly.gov.uk">colin.blayney@niassembly.gov.uk</a>	028 905 24229

Members may email the support team on [membersfinance@niassembly.gov.uk](mailto:membersfinance@niassembly.gov.uk)

All correspondence should be addressed to:

Members' Financial Services Team  
 The Finance Office  
 NI Assembly,  
 Annexe C,  
 Dundonald House,  
 Stormont,  
 Belfast  
 BT4 3SF.  
 Fax no           028 905 25527



### 3.2 PAY TEAM

Claims regarding payment of support staff wages should be addressed to:

James Gilsenan	Pay and Travel Team Manager	<a href="mailto:james.gilsenan@niassembly.gov.uk">james.gilsenan@niassembly.gov.uk</a>	028 905 24918
Darren Cairnduff	Pay Supervisor	<a href="mailto:darren.cairnduff@niassembly.gov.uk">darren.cairnduff@niassembly.gov.uk</a>	028 905 24688
Paul Gordon	Pay Supervisor	<a href="mailto:paul.gordon@niassembly.gov.uk">paul.gordon@niassembly.gov.uk</a>	028 905 25526
Jackie McGarrity	Pay Officer	<a href="mailto:jackie.mcgarritty@niassembly.gov.uk">jackie.mcgarritty@niassembly.gov.uk</a>	028 905 88559
Geraldine Steenson	Pay Officer	<a href="mailto:geraldine.steenson@niassembly.gov.uk">geraldine.steenson@niassembly.gov.uk</a>	028 905 24036

### 3.3 HR PENSION TEAM

Claims regarding Members' Pensions or support staff pension contributions should be addressed to :

Louise Anderson	Pensions Manager	<a href="mailto:louise.anderson@niassembly.gov.uk">louise.anderson@niassembly.gov.uk</a>	028 905 25558
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## OFFICE COST EXPENDITURE

## 4.0 OFFICE COST EXPENDITURE (OCE)

### 4.1 KEY POINTS

OCE Limit per annum:	You will be notified by the Finance Office at the beginning of the allowance year, which is the 1 <sup>st</sup> April. They will inform you of any changes throughout the year.
Nature of expenditure that can be claimed:	You can pay for: <ul style="list-style-type: none"> <li>➤ Support staff costs for your constituency office</li> <li>➤ Office and surgery accommodation;</li> <li>➤ Equipment and supplies for the office;</li> <li>➤ Allowable work commissioned by you and support services;</li> </ul>
Supporting documentation required:	All claims must be accompanied by a certified claim form, with an original signature. For <b>direct payments</b> original invoices must be submitted and for <b>reimbursements</b> a receipted invoice may be also be submitted.
Payment Methods Available:	There are 4 main ways to claim payment: <ul style="list-style-type: none"> <li>➤ For all purchases of goods or services and invoices over £500 you may use a <b>Direct Payment form</b> and attach the relevant invoice.</li> <li>➤ The cost of the bill can be met by yourself (if it is under £500) and then you can claim the sum back. Use a <b>Reimbursement form</b> and attach the relevant receipts. Not suitable for the purchase of goods.</li> <li>➤ You can set up a regular payment arrangement. Use a <b>Periodic Payment</b> form and attach a copy of the relevant contract i.e. rental agreement, rates bill etc.</li> <li>➤ Payments of less than £30 can be made from your petty cash account and the account replenished monthly. Use the <b>Petty Cash form</b>.</li> </ul>
Employee Payments:	All payments to employees must go through the Assembly's payroll system and are limited to one family member per Member.
Payment timescales:	Direct Payments, Reimbursements and Petty Cash claims are paid within 4 days of the claim being received by the Finance Office, providing the claim form is correctly completed and certified and all the backing documentation (i.e. invoices and/or receipts) is attached.
Transfer of OCE remaining balances at year end:	Transfer of unused OCE to a subsequent financial year is not allowed. The Office Cost Expenditure is calculated on an annual basis. Expenses can only be paid for the financial year in which they occur and are invoiced, subject to the maximum amount permissible for any financial year.

## 5.0 PURPOSE OF OCE

- 5.0.1 The purpose of OCE is to meet the expenditure wholly, exclusively and necessarily incurred by a Member on secretarial, clerical or administrative assistance (including the associated provision of any equipment, facilities or services) in carrying out his/her Assembly Duties. Examples of admissible and inadmissible expenditure are given in Annex B on page 61.
- 5.0.2 Assembly duties as defined in the Northern Ireland Assembly (Members' Expenditure) Determination 2010 are included on page 64 in Annex C.
- 5.0.3 OCE payable to a Member must not exceed the maximum amount provided. At the beginning of each financial year notification will be given as to the maximum amount of OCE that will be provided.

## 5.1 CERTIFICATION OF CLAIMS

- 5.1.1 For every claim a Member must consider the application of the Ten principles (as outlined on page 1 to 2 of this handbook. A Member must then certify that:-
- (a) the expenditure claimed has been wholly and exclusively incurred for the purposes of facilitating his/her Assembly duties;
  - (b) all work done, or items purchased, are of a satisfactory standard and represent value for money;
  - (c) all service providers employed are appropriately qualified to undertake the work;
  - (d) the expenditure claimed has not been incurred as a result of a donation to an individual or charitable organisation; or as a payment to benefit a political party for funding or for party political activities;
  - (e) the expenditure has been incurred within the relevant period;
  - (f) in submitting the claim he/she has considered and applied the Ten Principles.

## 5.2 LEVEL OF FUNDING

- 5.2.1 The maximum amount that can be claimed in 2010-2011 for OCE is £75,857.04.
- 5.2.2 The current Determination specifies that the maximum amount payable for OCE will be increased each subsequent year by the relevant percentage, which is the percentage increase in the Retail Prices in any year. **The maximum amount must not be exceeded.**

- 5.2.3 From the date of the next Assembly election in 2011, if a Member is an elected MP at Westminster and is in receipt of equivalent payments or allowances as a result, the amount of OCE payable will be abated by fifty percent.

## 6.0 BUDGETARY CONTROL

- 6.1.1 The Finance Office issues monthly reports to Members detailing all OCE processed for the year to date. These reports identify the total contractual payments that a Member will have to pay between the report date and the end of the financial year. These contractual payments can be for a number of things and are referred to as "commitments":- e.g. support staff costs, rent, insurance, rates etc. Using the information provided by each Member, the Finance Office will ringfence the funds required to meet these contractual obligations from the beginning of the year or from the date the contract commences. This will ensure there is no risk to a Member that contractual obligations cannot be met. For example, when a Member instructs the Payroll Team to add an individual to their support staff payroll, the Finance Office will calculate the gross pay and Employers National Insurance contribution required for that individual to the end of the given financial year. This will appear on the monthly report as a part of the commitment figure for salaries.
- 6.1.2 A sample of the monthly report is attached in Annex G on page 68. Each Member is responsible for using these reports to ensure that sufficient funds are available to make payments.

### Projected overspends

- 6.1.3 It is not permissible for a Member to spend in excess of the total OCE limit in each financial year. Once a Member has exhausted the balance of the OCE, the Finance Office will require submission of a cheque with further payment requests, or future payments will not be made. Staff in the Finance Office will return any reimbursement or direct payment requests that cannot be met from a Member's uncommitted OCE balance. Under no circumstances will payments be made until there are sufficient cleared funds available.
- 6.1.4 In cases where there is an amount of OCE remaining which is insufficient to meet a particular payment in full, a partial reimbursement may be appropriate. Partial direct payments cannot be made. It is a Member's personal responsibility to meet any outstanding liabilities that cannot be met from OCE. Finance Office staff are available at any time to advise a Member of OCE balances and provide reports showing spend to date.
- 6.1.5 Where a Member has insufficient funds to meet a contractual staff salary commitment, paid by the Payroll Team, the Member **must** make a payment to the Finance Office from his/her own personal funds to cover any shortfall. This payment must be made **before** the salary can be processed.

## 7.0 ADMISSIBLE AND INADMISSIBLE CHARGES AGAINST OCE

### 7.1.1 Admissible charges to OCE

OCE may be used to meet the following types of expenses:-

Research;

Secretarial;

Clerical and Administrative assistance;

Office accommodation for office;

Room hire for a satellite surgery or for occasional constituency meetings;

Equipment, utilities, facilities supplies or services associated with the office or surgery.

7.1.2 Due to the varying circumstances and the individual needs of each Member it is not possible to produce an exhaustive list of admissible and inadmissible items. Annex B on page 61 provides some of the most common examples. As this list is not exhaustive, it is recommended that when a Member is unsure of his/her entitlement to claim a specific item of expenditure from OCE, he/she should contact the Finance Office for advice in advance of making any commitment.

## 8.0 SUPPORT COSTS

### 8.1 Support Staff Salary Costs

8.1.1 A Member may claim the cost of support staff salaries and other payments for secretarial and research assistance from OCE, where the cost is wholly, exclusively and necessarily incurred in connection with their duties as an Assembly Member.

The following costs may be included:

- (a) staff salary costs (basic and overtime);
- (b) employer's National Insurance and employer's pension contributions;
- (c) temporary staff cover costs;
- (d) incidental and ancillary employment costs; and
- (e) redundancy costs.

8.1.2 Detailed guidance is provided by the Payroll Team in relation to written "Statements of Particulars of Employment" and payments made to employees or self employed persons who do research or other work on their behalf. For services supplied by individuals, not on the payroll, an invoice detailing the service provided must accompany all claims as described in paragraph 2.1.6 on page 5

8.1.3 The Finance Office provides a payroll service for the payment of support staff salaries. The Payroll Team undertakes to account for the deductions of National Insurance and Tax on behalf of each Member and also undertakes to complete all the HMRC returns associated with the payroll payments. If a Member wishes to authorise regular salary payments to their support staff they are required to supply the Payroll Team with the appropriate documentation as detailed below:

- (a) A signed and dated "Statement of Particulars of Employment", including a **job description and job title**. This is a requirement under The Employment Rights (NI) Order 1996. The Order requires employers to provide each of their employees with a written statement of the main terms and conditions of their employment. This should be agreed within a two month period of the employee taking up that employment. Assembly Members must supply the Payroll Team with a copy of any such statement. Failure or delay in passing a copy of this statement to the Payroll Team within the specified timescale **will** result in the payment being with-held until the appropriate documentation is received. A template is held by the Payroll Team should a Member wish to use it. **Members should note that this will be effective from the commencement of the next mandate in 2011.** The Commission will undertake to issue indicative pay scales and sample job descriptions. This will be available from the Finance

Office or on the Assembly Website at [www.niassembly.gov.uk](http://www.niassembly.gov.uk) from the commencement of the next mandate in 2011.

- (b) Where an employee is employed on a temporary basis, a signed copy of the terms for the assignment.
- (c) A completed and signed payment authorisation form (Form A). Form A is attached at Annex F on page 67. This form should clearly indicate the role in which the person is employed. Guidance pay bands and job descriptions are available to assist a Member in agreeing the terms and conditions of employment with the support staff employee.
- (d) For employees who fulfil the definition of a “family member” given below, a signed declaration of the relationship with the “family member” and a copy of the extract from the Register of Members’ Interests showing the appropriate declaration should also be attached. A Member will not be entitled to recover support staff costs in respect of the employment, or the engagement for the provision of secretarial, clerical or assistance of more than one family member at any given time. From the commencement of the Northern Ireland Assembly (Members’ Expenditure) Determination 2010, an existing Member is permitted to claim staff costs in relation to a family member who is already employed or otherwise engaged until the date when such persons cease to be employed or engaged to provide assistance.

A “family member” is defined as:

a spouse, civil partner or cohabiting partner of the Member; and

a parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew or niece of the Member or of a spouse, civil partner or cohabiting partner of the Member.

- (e) Overtime or other instructions for variations to the monthly salary payments should be notified on a Form A (1). This form can be found on-line on the Finance pages of AsslSt.

**For the avoidance of doubt, all employees paid from OCE are employees of the individual Member. They are not employed by the Commission.**

- 8.1.4 All alterations to payments or termination of an employment contract, including instructions to pay statutory redundancy payments, must be notified in writing with original signatures. Adjustments will not be made as a result of verbal communication with the Payroll Team.
- 8.1.5 Payments will only be authorised if all the appropriate documentation is received and there are sufficient funds available from a Member’s OCE.



- 8.1.6 Support staff salaries paid through the payroll service will be paid monthly, 3 working days before end of the month. Payments will be made automatically by BACS (Bankers Automated Clearing Services) to the individual's nominated bank account.
- 8.1.7 If a Member wishes to join with another Member or party to pool the costs of employing a particular support member of staff, they may do so. All documentation regarding the employee **must** be signed by each Member or authorised party signatory. Any distribution of costs must be notified in writing to the Payroll Team.
- 8.1.8 If a Member chooses to claim the cost of support staff salaries from OCE they must ensure that they fulfil their statutory obligations in terms of the National Minimum wage Act 1998. Details of current rates will be issued annually, typically in October. The Finance Office will not action any instructions that contravene this legislation.

## **8.2 Staff Bonus Payments**

- 8.2.1 In recognition of specific work undertaken or additional duties carried out, a Member may wish to make a modest ad hoc payment to support staff. These exceptional payments must only be made as part of a formal performance recognition scheme or in support of additional duties being undertaken by the support staff employee. Any performance recognition scheme should define the criteria under which additional payments will be made. They **must not** exceed £500 per annum for full time equivalent employees, i.e. for staff who work on a part-time basis, the £500 limit will be reduced on a proportionate basis. These ad-hoc payments are subject to both Tax and National Insurance and **must** be processed through the payroll. Therefore, to request such payments, a Member must not use the OCE claim system instead they must notify the Payroll Team in writing, **giving a clear justification for the additional payment**. If clear justification is not given for the ad-hoc payment it will not be authorised for payment.

## **8.3 Incidental and Ancillary Employment Costs**

A Member may claim reasonable costs incurred in advertising for the recruitment of staff or associated legal costs incurred in fulfilling their statutory obligations as an employer.

## **8.4 Redundancy Payments**

- 8.4.1 In the event of a Member leaving the Assembly a separate provision is made for the payment of statutory redundancy.
- 8.4.2 Where a Member dismisses an employee by reason of redundancy at any time, other than when the Member has ceased to be a Member, redundancy costs may be claimed from OCE, providing an employment contract exists.

- 8.4.3 Information on making redundancy payments may be obtained directly from the Payroll Team, who will also provide contact details for a Member to obtain suitable confidential legal advice regarding their particular situation.
- 8.4.4 Redundancy payments will be made if a Member has a legal obligation to make the payment. If under the terms of the employment contract between the Member and the support staff employee, there has been a provision for reasonable redundancy payments in excess of the statutory entitlement payments these will be admissible from OCE. In these circumstances a Member should contact the Payroll Team for further information in advance of their effective resignation date. Any notifications for contractual or discretionary non-contractual redundancy payments received after the Member leaves the Assembly will be taken as a charge to WUE.
- 8.4.5 Statutory redundancy payments are not charged to OCE.

## 8.5 OTHER OCE SUPPORT COSTS

### Research Costs

- 8.5.1 A Member may engage the services of a company, self-employed individual or organisation to carry out research or to provide administration assistance. These costs are admissible from OCE only when they relate to a Member carrying out his/her Assembly duties.
- 8.5.2 Research costs can be claimed for work undertaken by a Member in carrying out his/her assembly duties. This could include research for:
- (a) matters currently before the Assembly;
  - (b) the examination of complaints / correspondence from constituents; or
  - (c) benchmarking or comparisons with other legislatures.
- 8.5.3 Requests from constituency associations or political parties for payment of research or secretarial work undertaken for a Member may also be submitted. Authorisation for payment will only be granted if the Finance Office is content that all the required information, as detailed in paragraph 2.1.6 on page 5, has been supplied. Failure to supply this information will mean payment will not be made.
- 8.5.4 If the service is provided by a self-employed individual additional information must be provided. This additional information is detailed in paragraph 2.1.6 on page 5

### Volunteer expenses

- 8.5.5 A Member may **occasionally** wish to use the services of volunteers to help with his/her constituency work. It is considered reasonable to reimburse volunteers with the **actual** cost of their expenses. Generally, volunteers are considered to be individuals who undertake work for a particular business or organisation for no financial reward, who do not have any form of contract and who, although they may have an accepted work pattern, are not obliged to turn up for work.
- 8.5.6 If expenses are paid that exceed the costs **actually** incurred by the volunteer e.g:- mileage repaid at a rate higher than the HMRC published rates, or payment of uniform expenses, or payment of allowances of any kind, the HMRC may view the volunteer as receiving remuneration for their services. Even if an individual is in receipt of a non-financial benefit, e.g. the receipt of training over and above the level needed to perform their work, it may be considered more appropriate that the individual is classified, not as an volunteer, but as an employee or a worker and **must** be added to the payroll. The Finance Office may seek clarification from a Member if a regular payment is being made to a volunteer which remains substantially unchanged each time. Each case will be reviewed on an individual basis, in consultation with HMRC. If appropriate, a Member will be asked to complete a Form A and forward it to the Payroll Team. The Payroll team will be able

to provide additional guidance on the definitions of a volunteer, a worker or an employee and the implications that may arise for the Member in terms of applying the National Minimum Wage Act 1998.

- 8.5.7 Claims for volunteer expenses, which have not been deemed as payroll items, should be claimed through the OCE claim system. They will be paid on production of the actual receipts, or at travel and subsistence rates (see Annex H on page 69 for volunteer rates). Details of expenses should be shown and described on the reimbursement claim form and accompanied by an explanatory note giving details of the volunteer (name, address and National Insurance number) and how the payments are made up.
- 8.5.8 While volunteer expenses are not taxable, where the actual costs cannot be established they may become taxable. A Member paying such expenses to individuals must keep detailed records in the event of HMRC or audit interest. Volunteer expenses are not appropriate in circumstances where a payment is made to remunerate a person for work carried out even if the situation or circumstances in which a payment is made are temporary.

#### **Staff Travel – General**

- 8.5.9 A Member may pay general travel costs to his/her employees from OCE. Generally, home to office mileage is not paid, however where it is paid, it is fully taxable and will be included in the employee's salary. Members are strongly advised, but not obliged, to set mileage rates in line with HMRC's guidelines. The advised rates for Members Staff Travel are shown at Annex H on page 69. As the employer, a Member may decide on the rate of mileage allowance but paying above the rates shown in Annex H will lead to an additional tax liability on the employee and increased audit and public scrutiny. A schedule showing the details of the mileage and the amount claimed should be attached to Forms C1 or C2 whichever is appropriate and submitted to the Finance Office for payment. It is recommended that a Member keeps detailed records of staff mileage claims for income tax and audit purposes.

#### **Staff travel - between Parliament Buildings and Constituency**

- 8.5.10 Apart from paying staff travel from OCE, a Member may claim reimbursement for up to 18 single or 9 return journeys per year for employee travel between his/her constituency and Parliament Buildings (i.e. 18 journeys for all staff not 18 journeys for each member of staff). Payment for these journeys is charged against the Commission's travel budget and not a Member's OCE. Details on how to claim for these journeys are given in paragraph 14.0 under the Other Expenditure Categories Section.

### Members and their staff attending conferences and training

- 8.5.11 A Member who attends a conference or seminar should do so at their own expense and must not claim any of the cost from OCE, unless they are specifically asked to attend as a representative of the Assembly by the Commission.
- 8.5.12 A Member attending a conference or seminar in their role as party spokesperson on a particular subject may seek reimbursement from Party Allowance funding. Payment in these circumstances is a matter for parties themselves and, as such, these claims should be submitted on the appropriate Party Allowance claim forms available from the Finance Office.
- 8.5.13 A Member may pay for the attendance of an employee at a training course or seminar where the content can be directly related to, and aimed at, improving their ability to do their job in the constituency office, i.e. for training and development purposes. While these costs are admissible from OCE, a Member is strongly advised to contact the Finance Office in advance of booking attendance at such events to ensure that it will be allowable.

## 9.0 CONSTITUENCY OFFICE COSTS

9.0.1 A Member is entitled to claim office costs reasonably incurred in the performance of their Assembly duties, in so far as not being available for the Northern Ireland Assembly by way of central provision.

9.0.2 Costs that may be claimed against OCE include, but are not limited to:-

- (a) the cost of establishing and running a local constituency office, such as leasing and utility costs;
- (b) the purchase or lease of office furniture or equipment (including IT or photocopying equipment) or the purchase of stationery;
- (c) the cost of telecommunications;
- (d) the cost of the publication and distribution of contact cards;
- (e) the cost of advertising and the cost of surgery advertising;
- (f) the hire of premises for surgeries, public meetings and other meetings with constituents
- (g) any other costs which are ancillary to those specified in sub-paragraphs (a) to (f) above.

## 9.1 Rental of a Constituency Office

9.1.1 OCE may pay for the rental of a property for use as a constituency office. It **must not** be used to purchase property. In a property rental situation it is **not** permissible for a Member to claim payments for a property that they themselves own and from the commencement of the next mandate in 2011, no payments can be claimed for property that is owned by a “connected party”. In this context a “connected party” can be defined as

(a) a family member, or

(b) a person with whom the Member is “connected” within the meaning of section 252 (2) (b) (c) (d) and (e) and section 254 of the Companies Act 2006.

9.1.2 In a property rental situation, a Member must provide the Finance Office with sight of a final signed copy of the tenancy/lease agreement **before** payment of rent commences. A copy is kept by the Finance Office and the original returned. If a lease agreement is amended a new copy must also be forwarded to the Finance Office.

9.1.3 From the start of the next Assembly mandate in May 2011, all leases which have rental payments made from OCE will be subjected to at least one independent rental valuation per mandate. This market valuation will determine the maximum amount payable from OCE for rent. At that date, rental payments will only be paid up to the value of the independent market valuations. As OCE may only be claimed

up to the value of the independent market valuation, any **excess** will become a matter for the individual Member. Transitional arrangements will be applied for all leases signed prior to the start of the new Mandate in 2011. Independent valuations will be undertaken at the commencement of each subsequent mandate. For all rental agreements which have payments that are lower than the independent valuations, the lower value contained within the terms of the lease will continue to be paid.

- 9.1.4 In addition to forwarding a signed copy of the lease agreement to the Finance Office, if a Member wishes to claim payments for rental:
- (a) for a new lease agreement, prior to any lease being signed, a Member must contact the Finance Office in writing to arrange an independent rental valuation.
  - (b) for existing leases that are subject to periodic reviews, an Independent valuation of rental payments must also be undertaken when the review period is reached or if a lease is being extended beyond its original terms.
- 9.1.5 While it is admissible for a Member to lease a constituency office from a party political organisation it **must** be on a formal commercial basis and will be subject to the same independent valuations as any other property.
- 9.1.6 Rental payments **must** be made directly to the landlord. The Finance Office will arrange regular direct payments to be made. To facilitate this payment method a Member should complete a Periodic Payment Form (Form C3), which is attached in Annex O on page 78, clearly stating the address of the property for which the Periodic Payment is to be made.
- 9.1.7 A Member must avoid entering into a rental agreement that seeks advance payments in excess of six months rental.
- 9.1.8 If the lease agreement is reviewed, an amended Form C3 must be forwarded to the Finance Office before any change to the payment date or amount can be implemented.
- 9.1.9 Using the Periodic Payment Method of payment, payments will be made at the start of each month/quarter as set down in the lease agreement, unless it is amended or terminated. Rent will not be paid in advance of the due date.
- 9.1.10 If, under exceptional circumstances, a Member has to enter into a new lease agreement in the final year of the mandate, he/she must contact the Finance Office prior to any agreement being signed.
- 9.1.11 A Member is reminded that all statutory obligations regarding accessibility to and Health and Safety in, their constituency offices must be met. This must be given due consideration when entering into a lease agreement. From the start of the next Mandate in 2011 a Member must sign the declaration, attached in Annex D on page 65, confirming that **all** statutory obligations are being met.

- 9.1.12 The Third Principle states that “Any amount claimed **must** be in respect of expenditure that has been wholly, exclusively and necessarily incurred in respect of a Member’s Assembly duties.” Therefore a Member should not use an office, funded by OCE, for any other purpose, e.g. for council business, party political activities or canvassing during an election period. At the end of each financial year the Finance Office will seek a declaration from each Member that the office has not been used for any other purpose. If, under exceptional circumstances, a constituency office has been used for a wholly incidental purpose (e.g. a one off party meeting or A.G.M) the Member must declare this and reimburse the Assembly for the proportion of costs incurred in facilitating the incidental use. If the improper use continues on a regular basis OCE payments in respect of the office may stop.
- 9.1.13 During an election period separate guidance will be issued to each Member regarding the use of constituency offices. A Member will be asked to declare if the office or other resources will be used for the purposes of the campaign and a reimbursement towards the OCE costs will be sought from the Member.
- 9.1.14 Accommodation which is leased by a Member as a constituency office **must not** be sub-let. However an office may be shared by more than one Member for Assembly business. In these circumstances each Member must have a separate lease agreement lodged with the Finance Office or be a joint signatory to the original lease agreement.
- 9.1.15 If the expenditure of the office is to be assigned to more than one Member, each Member must give their consent in writing for the expenditure to be apportioned by an agreed ratio. Any changes to the cost sharing agreement must be notified immediately in writing to the Finance Office and signed by all parties to the agreement. The Finance Office will contact each Member at the start of each financial year to confirm they are still content with the cost sharing arrangements. If a Member is also a Member of Parliament at Westminster (MP), he/she must complete an annual declaration, stating what percentage, if any of his/her office costs are attributable to holding that office. This percentage will be applied to all claims submitted.
- 9.1.16 A Member who rents a constituency office with a MP or a Member of the European Parliament (MEP) must enter into a written agreement with the MP or MEP as to the apportionment of costs and the terms of the agreement must be approved by the Finance Office. If a Member is an MP or MEP and they wish to claim the rental payments of the office from OCE, he/she must declare in writing that the rental payments are not being paid from any other parliamentary funding.
- 9.1.17 A Member may incur legal costs as a result of renting a constituency office, e.g. in negotiating rental payments or drafting a leasing agreement, these can be claimed from OCE.



## 9.2 Working from Home

- 9.2.1 A Member who uses his/her own home extensively for Assembly or constituency business may claim reimbursement for the percentage business use of the home for utility costs. However a Member **must not** make any claim for rental costs associated with a home office. A Member should make a reasonable assessment of the percentage which he/she wishes to ascribe to business use. This percentage must be notified to the Finance Office so that costs can be apportioned accurately. The Finance Office will contact each Member annually to confirm that the percentage business use remains the same. If during a year, a Member's business use of his/her own home changes significantly, he/she must notify the Finance Office immediately in writing.
- 9.2.2 It should be noted that in applying the percentage split to utility bills, the amount claimed for variable costs will be treated as non-taxable; however the percentage claimed of any fixed costs is considered a benefit in kind and will be taxable. The taxable element must be paid through payroll. For example, if a Member claims a percentage for business use of a home telephone, the element claimed for business calls is non-taxable, however the percentage claimed for line rental will be taxable. Please contact the Finance Office for more information.
- 9.2.3 Where a Member wishes to claim for reimbursement of rates on a home office, they must demonstrate that the use of a home office has increased the rateable value of his/her home. Where a home office is used as his/her constituency office Land and Property Services should be informed and a revaluation carried out, any increase can then be claimed against OCE.

### 9.3 Equipping and Running a Constituency Office

#### Office furniture and IT equipment

- 9.3.1 The reasonable cost of purchasing office furniture, additional computers (hardware and software), printers, modest digital cameras, photocopiers, fax machines, telephones, radios and televisions may be met from OCE. Any equipment purchased is only to be used to assist a Member in performing his/her Assembly duties and must not be used by family members or for party political activities. Equipment purchased should be available for scrutiny by internal or external audit review.
- 9.3.2 The installation of satellite TV at a constituency office only, may be met from OCE. Ongoing subscription charges for satellite TV may also be met from OCE, provided that the package installed is of a news and current affairs related nature. Subscriptions for any other packages are not allowed. A breakdown of the monthly subscription should be provided with any claim for payment. The cost of TV licensing for constituency offices may also be claimed from OCE.
- 9.3.3 A Member may claim the cost of a digital camera to be used for Assembly business and coloured photocopying devices, or satellite navigation aids. However the amount that can be claimed must not exceed the annual limits. On the introduction of this handbook the maximum amounts that can be claimed in respect of such equipment is (i) £150 for satellite navigation aids, (ii) £250 for digital cameras and (iii) £5000 for colour photocopying devices.
- 9.3.4 A Member may purchase a mobile telephone and pay the bills from OCE.
- 9.3.5 All telephone numbers in use for Assembly business (and subsequently charged to OCE) must be notified in writing. This form is available from the Finance Office.
- 9.3.6 Documentation accompanying each claim for telephone costs must contain the telephone number. For audit purposes online bills or statements of account can only be submitted for payment if they clearly show the telephone number, the supplier and a supplier company logo.
- 9.3.7 Members should be aware that they have access to a central contract for office consumables and small equipment (please contact the Finance Office or the IS Office for details). These contracts can be used in the knowledge that value for money has been established by a wider procurement exercise. Members are encouraged to consider using these contracts.
- 9.3.8 Claims for large items of office furniture and equipment (e.g. TV's, meeting tables etc.) will be limited to one for each category per mandate for each constituency office. In exceptional circumstances a Member may need to purchase additional or replacement equipment e.g. when equipment is broken or an additional office is opened. In such circumstances a Member should contact the Finance Office in

writing, providing robust justification for the purchase and prior to the purchase being completed. Claims that are deemed to be for upgrades will not be accepted.

- 9.3.9 If a Member submits a claim for the purchase of **any** office furniture or equipment in the year preceding an Assembly Election, he/she will be required to provide, in writing, robust justification for the expenditure in addition to the normal documentation. No claim for capital purchases will be accepted in the final six months of a mandate, unless a Member clearly demonstrates that it is to replace equipment which is broken. This also applies in the period preceding a Members retirement. If a Member is found to have purchased and paid for furniture or equipment in the period preceding their retirement, reimbursement may be sought.
- 9.3.10 The reasonable costs of hiring or renting office equipment or furniture, the making of lease payments, maintenance contract payments or the meeting of repair costs for office equipment may all be met from OCE.

## 9.4 Office Running Costs

- 9.4.1 Utility costs are all admissible costs for OCE – e.g. heating, lighting, telephone etc.
- 9.4.2 OCE may be used to pay constituency office rates. These can be paid monthly by the Periodic Payment method or annually by way of a one off payment. However in the year of an Assembly election, to avoid the unnecessary administrative burden of claiming a rebate should a Member not be re-elected, it may be appropriate to consider the monthly payment option.
- 9.4.3 Members may take out insurance to cover the loss of the contents of their constituency office and recover the cost from OCE.
- 9.4.4 The buildings insurance is normally the responsibility of the landlord, although it is commonplace for a landlord to seek an additional premium to cover such insurance costs. In these circumstances the additional premium may be paid from OCE. **It is responsibility of each Member to ensure that adequate insurance cover is in place.**
- 9.4.5 The Commission undertakes to provide insurance cover annually for Employers' and Public liability. Details of the Assembly insurance policies are available from the Finance Office. A Member should check that he/she is not duplicating cover already provided in these policies. The Finance Office will issue a copy of the relevant certificates at the start of each year. These certificates **must** be displayed within each constituency office.
- 9.4.6 Following advice from HMRC, a Member who makes payments to cleaning staff **must** treat these payments like other payments to an employee or a self employed individual, i.e. either the payments to the individual must be processed through the payroll for the appropriate number of hours per month or, the cleaning/management services company must provide an invoice for payment.
- 9.4.7 A Member may claim the cost of local newspapers. He/she may also claim the cost of purchasing or subscribing to magazines or periodicals directly related to his/her constituency or Assembly duties.

## 9.5 Postage and Stationery

- 9.5.1 A Member may claim the cost of stationery and postage from OCE. This **must** be used strictly in relation to his/her Assembly business.
- 9.5.2 **The cost of purchasing and posting items of a political or personal nature must not be claimed from OCE under any circumstances.**
- 9.5.3 In addition, stationery or postage (**including the use of pre-paid envelopes**), funded from OCE **must not** be used for the following purposes:

- (a) Communications of a business or commercial nature; or
- (b) Correspondence on behalf of a group or organisation that a Member is associated with other than the Assembly; or
- (c) In connection with fund raising for the benefit of any organisation, advocating membership of **any** organisation, or supporting the return of **any** person to public office, or
- (d) Issuing greeting cards or personal messages of well wishes;

9.5.4 Stationery supplied by the Assembly Office Resources team **must not** be used to issue circulars.

A circular is defined as:

- (a) A letter sent in an identical or near identical form to a number of addresses (whether or not it is individually signed and addressed), if it is not sent in response to a query or correspondence from those addresses; or
- (b) A standardised greeting card or letter; or
- (c) A standardised letter sent to new constituents; or
- (d) A letter sent in an identical or near identical form to a number of addresses acknowledging a reply to a letter, questionnaire or survey that itself was not requested.

9.5.5 However a Member may issue a letter to a number of individuals or groups regarding constituency business and charge the cost of stationery and postage/delivery to OCE. A Member must be able to clearly demonstrate that the material is not of a party political nature in content and that it is directly related to his/her Assembly duties. **For the avoidance of doubt the content of such letters must not be of a party political nature and stationery provided by the Assembly Office Resources team MUST NOT be used for this purpose (including paper and pre-paid envelopes).**

9.5.6 It should be noted that there are specific guidelines issued by the Assembly Office Resources team on the use of Assembly stationery (including pre-paid envelopes) and postal arrangements, contained on the Office Resources pages on AssISt. All Members should familiarise themselves with these guidelines.

9.5.7 If the Finance Office is made aware of any improper use of Assembly stationery or if expenditure has been claimed incorrectly, a Member will be asked to reimburse the expenditure claimed, or the cost of the stationery improperly used (including pre-paid envelopes).

## **9.6 Refurbishment of Constituency Office**

- 9.6.1 OCE may be used to pay for limited refurbishment to a Member's constituency office.
- 9.6.2 Carpeting, painting, furnishing and minor plumbing, electrical work and minor internal structural alterations (e.g. addition of stud partitions) may be undertaken and paid for out of OCE provided this is in keeping with the lease agreement.
- 9.6.3 Costs incurred to meet statutory obligations (e.g. to ensure compliance with the Disability Discrimination Act) may also be charged to OCE. However, a Member should ensure that these are not covered under the terms and conditions of the lease agreement.
- 9.6.4 Generally, the responsibility for external maintenance will rest with the landlord. Any extensive structural repairs, alterations, electrical or plumbing work carried out to the exterior or the interior of a property may be considered to increase the asset value of a property and as such will not be met from OCE.
- 9.6.5 An exception may be made if the external work is undertaken specifically to improve the security of the property, e.g. the installation of shutters or security equipment. Where there is any doubt as to whether the costs of any renovations or repairs can be met from OCE, guidance should be sought from the Finance Office before any work is undertaken.
- 9.6.6 High value capital expenditure that adds value to a property will not normally be met from OCE, e.g. –
- (a) the installation of a new kitchen or bathroom facilities; or
  - (b) installation of a new heating system where one did not previously exist; or
  - (c) renovation works linked to reduction or non-payment of rent.
- 9.6.7 While the cost of improving an existing heating system or minor modifications to an existing kitchen or bathroom may be met from OCE, if a Member is considering work of the nature detailed above in paragraph 9.6.6, he/she should contact the Finance Office prior to any work being undertaken. A Member will then be asked to provide the Finance Office with two quotations for the work required. These will be considered in the context of (i) the value of the lease payments, (ii) the length of the lease and (iii) the period of time until the end of the mandate.

## **9.7 Petty Cash Accounts**

- 9.7.1 A Member may wish to operate a petty cash account in his/her constituency office. The use of a petty cash account reduces the necessity for submitting claims for items of expenditure of a minor nature (single items costing less than £30). Any single items costing greater than £30 are subject to the normal OCE claims

process and must not be processed as petty cash. If they are submitted on a petty cash claim form they will be not be paid.

### 9.7.2 Operation of Petty Cash Account

A separate bank account must be opened with an amount drawn from OCE of not more than £75. Details of the account must be supplied to the Finance Office. A Member may then drawdown the amount required to replenish the account from his/her OCE using the Petty Cash Form C1a. These forms are available from the Finance Office. This should be equal to the total of the transactions recorded on the form and will be paid directly into the petty cash bank account but cannot exceed **£75 per month**. Only requests for replenishment of the account equal to the value expended will be paid. Payments for petty cash will not be processed until the claim form is received by the Finance Office and each claim form must be certified by the Member.

9.7.3 Each Member must maintain detailed records and receipts locally (e.g. the copy petty cash form with enclosed receipts). These records may be requested for audit purposes, annually or at shorter intervals depending on the activity on the account. A bank statement showing the balance as at the 31 March should be forwarded each year to the Finance Office. These must be received by the Finance Office during the OCE accruals period, which is notified annually to each Member.

## 9.8 Advertising

9.8.1 **A Member must not claim the cost of producing or distributing documents which contain party political messages, party policy, applications for party membership, or for electioneering purposes.**

### Content of Advertisement or Leaflets

9.8.2 A Member may claim the cost of inserting notices in a local newspaper, distributing advertising leaflets, the production of flyers or posters for small billboards however, such material must only provide **factual** information about his/her constituency office such as its address, its opening hours and contact details.

9.8.3 A Member may **not** claim the cost of publishing leaflets which contain any narrative on the Member's work in the Assembly or constituency.

9.8.4 Strap-lines, emblems, flags, references to party websites or party email addresses are not permitted. Flags and emblems will only be admissible if they are part of a party logo, as long as the logo is incidental and clearly secondary to the main content of the advert.

9.8.5 Photographs of, and references to charitable work are not admissible, unless it is as a result of a specific request from, or by agreement of the Commission.

- 9.8.6 A Member is permitted to include public information which is relevant to the constituency – e.g. useful community contact details.
- 9.8.7 References to party councillors and party office contact details are not admissible.
- 9.8.8 Insertions in third party publications will generally be deemed as sponsorship however, if the content is limited to factual information or contact details only, it may be admissible. Any personalised messages or greetings are not allowed.
- 9.8.9 If the advertising material contains inadmissible items of any kind then the Finance Office will withhold **all** of the payment for the publication **and** all of the distribution cost. It should be noted that “distribution costs” refers to any invoices from distribution agencies as well as costs claimed for purchasing postage stamps. A Member is no longer able to make a contribution towards the costs, invoices will be returned unpaid.
- 9.8.10 All Members must check with the Finance Office before undertaking the production and distribution of any material in order to establish if the cost will be met from OCE.
- 9.8.11 The cost of signage for a constituency office may be claimed from OCE – provided, in the case of new external signage, the Finance Office is given evidence that the Landlord has been consulted, that the lease agreement has not be breached and, if appropriate, the relevant planning permission has been sought. Office signage for the purposes of OCE is classed as advertising and as such will be subject to the same restrictions described in paragraphs 9.8.1 - 9.8.13.
- 9.8.12 A draft of any advertisement, leaflet or office signage **must** be made available to the Finance Office for approval prior to publication. When submitting the claim for payment a copy of the final finished document, newspaper insertion or photograph of the signage must be forwarded to the Finance Office with the appropriate claim form.
- 9.8.13 Any claims that fail to comply with these requirements will be returned and not processed for payment.

#### **Hire, Lease or Rental of Cars or Vans**

- 9.9 A Member must not claim the cost from OCE of hiring, leasing or renting cars. However a Member who hires a van or lorry to transport furniture or equipment to their office may claim the cost of rental.



## **9.10 Purchase or Rental of Caravans and Mobile Offices**

- 9.10.1 It may be acceptable for a Member to lease or rent a small caravan for use as an office, provided there is no long-term agreement that culminates in purchase and ownership. The cost of fitting a tow ball or bar to a vehicle in order to tow the caravan is also an eligible OCE expense.
- 9.10.2 A Member must not use OCE for the purchase of a port-a-cabin type building for use as an office. He/she may, however, lease or rent such buildings providing the terms of a rental or lease agreement do not lead to final ownership.
- 9.10.3 A Member must discuss with the Finance Office the particular circumstances surrounding the leasing or renting of caravans or port-a-cabins before making any such agreements.

## **9.11 Hospitality**

- 9.11.1 The use of OCE to fund the cost of hospitality in a Member's constituency office is limited to reasonable expenditure on tea, coffee, and biscuits for visitors.
- 9.11.2 OCE must not be used to provide anything more substantial in terms of food and drink or to pay for business lunches.
- 9.11.3 Members must not claim the cost of providing hospitality to visitors or the running of functions in Parliament Buildings from their OCE.
- 9.11.4 Where rooms / halls are hired it would not be appropriate for refreshments or the decoration of these premises to be claimed from OCE.

## **Donations**

- 9.12 Members must not claim the cost of any donations from their OCE that they might make to their political parties or to any other organisation or individual. This includes sponsorship payments and charitable donations.

## **10.0 ADMINISTRATION OF OCE**

- 10.0.1 The largest area of support available to Members is OCE. For this reason this guidance gives detailed information on how to claim the various categories of OCE. For the other financial support categories, claim forms have been noted as part of this guidance, however a Member should refer to the appropriate office to obtain any further detailed guidance required.
- 10.0.2 OCE claimed by a Member shall not exceed the maximum amount set for that year. Each Member will be advised at the beginning of the financial year of the maximum amount that is payable for OCE. For the purposes of OCE the financial year runs from 1st April to 31st March. Generally the limit of permissible expenditure will be available for the full financial year; however in periods of suspension or dissolution alternative rules may apply.
- 10.0.3 Where an individual either (i) becomes, or (ii) ceases to be a Member part way through any financial year, the annual limit for OCE will be apportioned at a daily rate (i) from and including the day of signing the Roll of Membership or, (ii) up to and including the Member's last day in office.

### **10.1 Making Claims for OCE**

- 10.1.1 For the purposes of making a claim, OCE falls into two main categories –

*(1) Support Staff salaries and*

*(2) Expenditure Claims.*

- 10.1.2 As discussed in section 8.0 the Payroll Team deals with the payment of support staff salaries. The Members Support Team deals with all other claims from OCE.

### **10.2 Payment of support staff salaries:**

- 10.2.1 When a Member instructs the Payroll Team to put an individual on the payroll, Form A must be completed and submitted to the Payroll Team. This form is attached in Annex F on page 67. Full details of the documentation required is listed in pages 17 to 20 of the guidance
- 10.2.2 Amendments to an employee's salary must be forwarded to the Payroll Team on a Form A1 – this form is available on-line on the Finance pages of AsslSt.
- 10.2.3 A Member should contact the Payroll Team to obtain more detailed information on employing staff and completing a written Statement of Particulars of Employment.
- 10.2.4 A Member who wishes to authorise an ad-hoc or occasional salary and/or expense payments to their staff should use Form A ensuring it is marked "one off payment".

10.2.5 If a Member wishes to make an exceptional bonus payment to an employee he/she must not use the claims system operated by the Finance Office. All such payments must be made through the payroll. A letter instructing the Payroll Team is required in such circumstances, clearly outlining why the bonus is being paid and what specific work was undertaken, as detailed in paragraph 8.2 on page 19.

### 10.3 Payment of expenditure claims:

There are four options for Members depending on the type of expenditure incurred:

#### *Periodic/Regular payments - made directly to a third party by the Finance Office.*

10.3.1 A Member may instruct the Finance Office to make regular payments directly to a third party on a monthly or quarterly basis. The details, including payee, their bank details and the date that the payment is to commence, should be registered on Form C3. An example of Form C3 is included in Annex O, on page 78 and is available from the Finance pages on AsslSt. Unless an end date has been provided on Form C3, the Finance Office will continue to make payments until written instructions to cease paying are received or a lease agreement expires. This method of payment should be used for all lease agreements.

#### *Reimbursements*

10.3.2 The Finance Office can reimburse a Member for expenses already incurred – the appropriate Form is C1. A Member should claim such expenses within **one month** of a transaction taking place. In all cases the claim form should be submitted with proof of payment i.e. receipts or invoices from suppliers marked paid. The reimbursement method (form C1) should only be used for small payments or occasionally where speed of payment is necessary e.g. for payment of an oil delivery or on the resolution of utility bills, where further delay may result in suspension of service. **Generally, invoices in excess of £500 should be paid via the Direct Payment method** (see paragraph 10.3.3 below). However in the event of a disputed bill, if speed of payment is required to prevent loss of service, this method may be used. **Any purchases of GOODS must be made directly to the third party supplier.** A copy of a C1 form is available on the Finance Office pages of AsslSt.

The majority of payments should be made via the direct payment method as detailed below.

#### *Direct Payments*

10.3.3 **This method should be used for the purchase of services over £500 and the purchase of ALL goods.**

Invoices should be submitted to the Finance Office to make payments direct to a third party/ supplier on a Member's behalf. A Member should instruct the Finance Office using Form C2. Details of the payment(s) must be entered and the form

submitted with all invoice(s) attached. A copy of a C2 form is available on the Finance Office pages of AsslSt.

### ***Petty Cash Recoupment***

10.3.4 The Finance Office will make payments to replenish the petty cash bank account. The Petty Cash recoupment form (Form C1a) should be completed showing a breakdown of the expenditure. The Petty Cash bank account will then be replenished via BACS. These forms are available directly from the Finance Office in duplicate form

## **10.4 Submission of Claims to the Finance Office**

10.4.1 Regardless of which method of payment is to be used all forms must be certified and signed with an original signature by the Member. Scanned signatures, signature stamps or photocopied signatures are not acceptable. Any claims received without an original signature will be returned unprocessed. Claim forms completed and signed by an employee will not be accepted.

10.4.2 All claim forms must be accompanied by original invoices, or in the case of reimbursements, accompanied by receipts or invoices which have been certified paid. A Member should read the declaration carefully before signing each claim form. Claim forms which are not properly completed or are not certified by the Member will not be paid. In authorising claims for payment the Finance Office will seek to ensure that the cost has been incurred in carrying out Assembly duties and that it does not contravene any rules or guidance that have been published.

10.4.3 In general, photocopies of invoices or receipts are not acceptable as proof of purchase. However in an exceptional situation where a Member, for good reason, is unable to produce an original invoice or receipt, a copy may be acceptable. In these circumstances a letter explaining why the original invoice is not available should be attached to the claim form. Where a Member wishes to retain a receipt (for example as a guarantee) the original should be sent to the Finance Office with the claim form. The receipt will then be certified, copied and the original returned to the Member. For accounts that have been settled on-line and are being claimed by reimbursement, an on-line statement or pay-pal statement will be accepted. The statement must contain details of the supplier (e.g. supplier name and logo), the amount paid, the account number, the Member's name and details of what was being purchased or paid for. Statements for (i) telephone accounts must clearly show the telephone number in question and those for (ii) goods must include a detailed description of the items purchased. A screen print showing this information will be accepted.

10.4.4 Order acknowledgements are not normally acceptable as proof of purchase/ payment. Similarly statements are not acceptable except in extenuating circumstances.

- 10.4.5 A Member must ensure that the correct forms are used at all times. While secretariat staff will do everything possible to prevent or help rectify a mistake, the Finance Office cannot be held responsible if a double payment of a bill occurs as a result of the wrong form being submitted.

### **Claim Forms**

- 10.5 Each Member may continue to use the coloured booklets of claim forms; however electronic versions of the forms are now available on AsslSt. Members should ensure they retain a carbonated copy or a photocopy for record purposes. If using the carbonated forms, the top copy should be detached and sent to the Finance Office with the relevant documentation. For petty cash recoument the carbon copy should be retained with the relevant receipts. Once the existing stocks of booklets are finished no more will be available and the electronic forms should be used.

### **10.6 Completion of Claim Forms**

- 10.6.1 A Member must ensure all claims forms are completed in full before they are submitted to the Finance Office. In particular, a Member should ensure that they have signed the declaration on each claim form and have provided reasonable documentation to itemise, identify and support expenditure. The Finance Office may need to seek further information or clarification about a claim before making payment.
- 10.6.2 The Finance Office is not permitted to complete claim forms on behalf of a Member.
- 10.6.3 All documentation in relation to support staff salaries should be addressed to the Payroll Team. The Members' Financial Services payment system must only be used for payment of expenditure.
- 10.6.4 The correct forms or versions of forms must be used at all times.

### **10.7 OCE Reports**

- 10.7.1 All payments made by the Finance Office are charged against a Member's OCE budget. All regular payments authorised on Form B are committed against the budget and the expenditure is projected for the whole year unless otherwise requested.
- 10.7.2 Once a periodic payment is made it is shown as an expense on the monthly OCE report and the commitment is reduced by the corresponding amount. A claim in respect of reimbursement to a Member or direct payment to a supplier is shown at the time payment is made. The OCE reports are issued to each Member within 8 working days after the month end and a sample report is attached at Annex G on page 68.

## **10.8 HM Revenue & Customs implications for OCE**

- 10.8.1 OCE is a taxable emolument, which means it has to be declared on a Member's Self Assessment tax return; however it is normally "allowable" as an expense of office. With the exception of PAYE on salaries, the Finance Office will **not** deduct tax from OCE payments. Members should note that there are separate rules governing the payment of OCE by the Finance Office and the classification of "allowable expenses of office" by the HMRC. In some instances a Member may find that an item of expenditure allowable as a charge against OCE may not qualify for tax relief by HMRC and therefore may be subject to taxation, e.g. Accountancy fees.
- 10.8.2 There may also be occasions when expenditure may not be accepted as a charge against OCE but may well qualify for tax relief.

## **10.9 Capital Equipment**

- 10.9.1 Items of capital equipment purchased outright will also be treated by HMRC in accordance with the rules governing acquisition of capital assets.
- 10.9.2 As a result of changes introduced under the Finance Act 2008, capital expenditure is no longer to be included as taxable income on a Member's annual tax return. A new Annual Investment Allowance, of up to £50,000 per annum, means that capital expenditure (up to this limit) is exempt from tax and national insurance contributions. The Finance Office will continue to record this expenditure as capital; however it has been excluded from the P11D.

## **10.10 P11D returns**

- 10.10.1 At the end of the financial year the Finance Office will make a return to HMRC showing the amount paid to each Member in respect of OCE. A Member will be sent an individual copy of the P11D and a breakdown of his/her OCE.
- 10.10.2 When completing HMRC tax return forms, a Member should state his/her total expenses incurred on Assembly business and the amount claimed and received in respect of OCE. The box numbering on the P11D corresponds to the box numbering on the Northern Ireland Assembly page.

### **Treatment of VAT**

- 10.10.3 Where VAT is charged, the Finance Office will pay all bills inclusive of VAT. It is a Member's own responsibility to explore the possibility of recovering VAT by contacting HMRC directly.

## **10.11 Year end procedures**

- 10.11.1 For accounting purposes the financial year end is 31 March.

- 10.11.2 The Finance Office will continue to accept claims for expenses for an outgoing year up to a specified date in April. Each Member will be notified of this date by the Finance Office, e.g. for 2010/11 claims may be received by Finance up to and including 28 April 2011. However if a Member wishes to make a change to his/her payroll, all amendments for the year must be received by the Payroll Team before 10 March.
- 10.11.3 Invoices received during the April accruals period will only be processed if the invoice is dated no later than the 31 March and there are sufficient funds left in an individual Member's OCE. No payments for the preceding year can be made after the specified date in April. Invoices dated 31 March or before can not be held and paid out of the subsequent year's OCE.
- 10.11.4 **For the avoidance of doubt OCE is made available to cover expenditure within the relevant financial year (1 April to 31 March) and must be expended on costs that are incurred within that period.**
- 10.11.5 However some provision can be made in respect of rates revaluations that reach back into the previous year. Part or all of the arrears may be paid out of the current year's allowance. It is important to note that debts or unspent OCE balances cannot be carried forward from one year to the next.

**Entitlement to OCE on entering or leaving the Assembly**

- 10.11.6 A Member entering or leaving the Assembly will be entitled to an OCE budget calculated on a pro rata basis from the date on which membership commences to the date on which it terminates.
- 10.11.7 In general terms a Member is not restricted to monthly limits of OCE. However should a Member leave the Assembly at any point during a year, OCE entitlement will be calculated on a daily basis up to and including the last day of office. Should the amount claimed to that date be in excess of the apportioned entitlement, there will be a requirement to make a refund of that excess.

Further Assistance is available to a Member on leaving the Assembly under the Winding up Expenditure framework. Further details of this are given on page 56.

## OTHER CATEGORIES OF FINANCIAL SUPPORT



## OTHER EXPENDITURE CATEGORIES

### **11.0 TRAVEL AND SUBSISTENCE**

This section provides information and guidance on travel and subsistence expenditure which can be claimed by Members.

#### **Members' Travel and Subsistence**

11.1 As a general rule a Member is entitled to reimbursement from public funds of the travel expenses incurred on Assembly or constituency business. This includes travel within the UK, the Republic of Ireland and elsewhere. A Member is also entitled to reimbursement for the costs of staying away from home overnight on Assembly business.

### **11.2 Classification of expenditure**

All travel and subsistence expenditure payments can be classified under the following 4 broad headings:

- (a) **Normal Travel** – *This includes travel to and from a Member's home to Parliament buildings or a constituency office, to and from a constituency office to Parliament buildings and travel within a Member's constituency;*
- (b) **Subsistence** – *A subsistence allowance may be payable when it is essential for a Member to stay away from home overnight on Assembly business;*
- (c) **Extended travel** – *A Member may travel within the UK and the Republic or Ireland on Assembly business;*
- (d) **Approved Committee travel** – *A Member may be required to travel to a number of different destinations at part of their role within a Committee.*

### **11.3 Normal Travel**

11.3.1 A Member is entitled to claim payment for normal travel, i.e. business mileage that has been incurred wholly, exclusively and necessarily in carrying out his/her Assembly duties. This commonly would include the following journeys:-

- Between a Member's home and Parliament Buildings;
- Between a Member's home and their constituency office (s);
- Between a constituency office and Parliament Buildings; and
- Constituency travel.

11.3.2 Constituency travel is likely to include journeys such as:-

- (a) Meeting constituents in their home, in community centres or in constituency surgeries;
- (b) Attending the offices of Government Departments on behalf of constituents (e.g. Jobs & Benefits offices, Planning Service offices etc, the offices of which may not be located within their own constituency); or
- (c) Meeting another Member and/or community representatives to discuss issues of a common concern or to seek to resolve potential conflict within a constituency.
- (d) Larger community forums/meetings which may be for the purpose of providing information to a group of constituents.

This list is not intended to be exhaustive. Members will undertake journeys within their constituencies for a wide variety of reasons but the important point to bear in mind is that these journeys should have a clear link to a Member carrying out his or her Assembly duties.

11.3.3 A Member may be asked to attend a function or event as a result of his/her membership of the Assembly (for example, attendance at events such as the Assembly Roadshows).

11.3.4 Attendance at such events has a positive and effective role in highlighting the work of the Assembly. It is likely that most events of this type will take place within a Member's constituency. Where it is clear that there is absolutely no party political or partisan element to the event **AND** the Member plays an active part in the function or event to the extent that the work of the Assembly as an institution is highlighted, then a travel claim under Normal Travel or Extended Travel will be considered.

11.3.5 For the avoidance of doubt, travel that relates to attendance at a party political function / event or a function / event that would be generally considered to be partisan in nature **DOES NOT** meet the criteria of wholly, exclusively and necessarily in connection with a Member's Assembly duties and must not be claimed under any circumstances. **It should be noted that attendance at seminars or conferences on matters that are of general interest to a Member, are not admissible.**

11.3.6 Generally, a Member will use his/her own vehicle for normal travel but other forms of transport may be used to travel on Assembly business. If a Member travels by train, bus or taxi on Assembly business, reimbursement will be based on the actual fare paid.

11.3.7 Taxis may only be used in **exceptional** circumstances and where no other form of transport is suitable or available. In these instances, claims for reimbursement

should always be accompanied by a written explanation as to why taxis have been used along with relevant receipts.

- 11.3.8 A Member who travels by car on Assembly and constituency business may claim a mileage payment for the business use of a private vehicle. Journeys should be based on the most direct route with additional mileage allowed for reasonable diversions when they are necessary. Journeys by taxi or hire car are treated separately. Under the HMRC guidelines claims for motor mileage are payable to employees for **business use** of their **own** car. Therefore cars should be owned by the Member and should be insured for business use. On signing the appropriate claim form a Member is declaring that these conditions have been met.
- 11.3.9 A Motor Mileage Payment (MMP) is based on the rates shown at Annex I on page 70. These rates pay for the business use of a private car, they are not to compensate for the cost of owning a car. Therefore, other expenses such as garaging and repairs, insurance, motoring association subscriptions and other incidental costs must not be claimed separately.
- 11.3.10 An amount is payable for journeys made on Assembly business by pedal or motor cycle are shown in Annex I.

#### ***Member's Declaration***

- 11.3.11 For any Member who uses a car for normal travel a declaration, Form **MMP1**, should be completed (shown at Annex K on page 72) and be sent to the Finance Office, before any mileage can be paid. Members should advise the Finance Office and submit a new MMP1 form if any changes take place. This form records the mileage for each Member of the journeys as classified on page 43, and assist in the authentication of travel claim forms.
- 11.3.12 Members are reminded of the need to make the Finance Office aware of any changes to their home address. An amended Form MMP1 must be submitted to the Finance Office before the submission of a travel claim which begins from a new home starting point.

#### ***Ownership of vehicle***

- 11.3.13 HMRC guidelines state that motor mileage payments should only be made to (i) an employee and (ii) for business use of his/her own car. A Member who does not own the car they use to carry out their Assembly or constituency duties will not be entitled to motor mileage payments.
- 11.3.14 Where a Member uses his/her car for travel from home to the nearest railway or bus station, the cost of the return journey may be claimed. A similar return journey is allowed where a Member drives to his/her constituency from home and then travels on to Parliament Buildings by bus or train.

## **11.4 Claiming Motor Mileage Payments**

11.4.1 There are two claim forms for Members' travel:

- (i) Form **MTS1** – Travel inside constituency – Blue
- (ii) Form **MTS2** – Travel to constituency boundary – Peach

### **Advice on the taxation of motor mileage payments**

11.4.2 HMRC set Annual Mileage Rates (AMR) which are established by the Income Tax (Earnings and Pensions) Act 2003. These are designed to pay an employee for the business use of their own private vehicle. Business mileage is not deemed to include an employee's travel to and from his/her permanent place of work. If these rates are paid for business use of a private car HMRC deem there to be no Tax or NIC liability for the employee. However for payments that are made in excess of the AMR or for mileage that is not business mileage (e.g. for travel to and from work) they are deemed to be taxable and should be processed as other income. The HMRC annual rates are as follows:

*Up to 10,000 miles in a year - 40p per mile*

*Over 10,000 miles in a year - 25p per mile*

11.4.3 HMRC considers that a Member has two places of work, namely their constituency and Parliament Buildings. Mileage rates paid for travel after the 1 April 2011 will be paid at the HMRC annual rates as quoted above. For these mileage payments the tax liability of the payments will therefore only depend on where a Member lives in relation to his/her constituency. However for travel undertaken and paid prior to 1 April 2011 further consideration must be given to the tax liability of such payments as these rates do not fully equate to the HMRC mileage payments rates. For such payments a tax liability will occur for any payments made for mileage between 10,000 – 20,000 miles as this is in excess of the HMRC rate. Consideration must also be given to where the Member lives in relation to his/ her constituency.

11.4.4 To ensure that a Member is taxed correctly the travel of a Member will be considered under the following headings:-

- (a) A Member who lives within his/her constituency; and
- (b) A Member who lives outside of his/her constituency boundary.

The consideration for tax purposes and the appropriate claim form will depend on which of these situations applies to a Member.

### A Member living within his/her constituency

11.4.5 For a Member who lives within his/her constituency HMRC deem them to live at their place of work, therefore motor mileage payments made do not become taxable unless a Member is paid in excess of the HMRC annual rates. For travel incurred from the date of the introduction of this handbook up to and including the 31 March 2011, the following rates apply:-

*Up to 10,000 miles in the year – 40p per mile – 40p non taxable*

*Between 10,000 and 20,000 – 40p per mile – 25p non taxable – 15p taxable*

*Over 20,000 miles in the year – 25p per mile – 25p non-taxable*

11.4.6 Mileage for a Member is accumulated from each claim (claims for extended travel and committee travel are also taken into consideration) and once a Member reaches the 10,000 threshold and receives payments at a rate in excess of the HMRC annual rates the payment will be split between taxable and non-taxable elements. At 20,000 the rate payable will be reduced to 25p per mile, which is in line with the HMRC rate and incurs no tax liability.

11.4.7 Travel for a Member who lives within his/her constituency should be claimed on a **MTS1** form, which is shown at Annex M on page 75. For the avoidance of doubt, if a Member, lives within their constituency and has to travel on constituency business from home to a location beyond their constituency boundary, this is not taxable as long as the HMRC rates are applied. From the 1 April 2011 as the HMRC rates will be applicable all travel incurred within the constituency and on constituency business will be non taxable. Such travel should be claimed on a MTS1 form.

### A Member living outside his/her constituency

11.4.8 Currently for a Member who lives outside his/her constituency the rules relating to taxation of motor mileage payments are more complicated.

(i) *Travel to and from the Constituency* –For a Member who lives outside his/her constituency travel to and travel within his/her constituency is treated as follows:

(a) Travel to and from a Member's home to the **boundary** of the constituency is fully **taxable** and should be claimed on MTS 2. For travel incurred up to and including the 31 March 2011 the rate payable will depend on the accumulated mileage already undertaken by the Member. This is taxable no matter which rate is payable. An example of an MTS 2 form is shown in Annex L on page 73. This will remain taxable for travelled incurred after 1 April 2011; however it will be paid at the new HMRC rates.

- (b) Business mileage travelled **within** the constituency is **not normally taxable**, except for travel incurred up to 31 March 2011, if the miles claimed are between 10,000 – 20,000 miles. These will be split accordingly. – **Form MTS1** applies. For mileage incurred after 1 April 2011 this will be non taxable and paid at the HMRC rates.
- (ii) *Assembly Mileage* – Travel between home and Parliament Buildings by a Member who lives outside his/her constituency is treated in the following ways for tax purposes:
- (a) If a Member travels through his/her constituency on the way to and from Parliament Buildings from his/her home **to the constituency boundary** is **fully taxable** - Form **MTS2** applies.
- (b) Mileage for the second part of his/her journey **through** the constituency and on Parliament Buildings will be taxable between 10,000 – 20,000 miles, for travel incurred up to and including 31 March 2011. – Form **MTS1** applies. From 1 April 2011 this mileage will be payable at 25p and will be non-taxable.
- (c) For a Member who does **not travel through** his/her constituency on the way to and from Parliament Buildings, but travels from home straight to Parliament Buildings and return, the payment is **fully taxable** – Form **MTS2** applies. This will also remain taxable from 1 April 2011 as HMRC do not deem this to be business mileage.

### **Payment of travel claims**

11.4.9 On the submission of a travel claim that includes motor mileage, the Finance Office will calculate the accumulated mileage claimed year to date. This calculation considers **all** the mileage claimed by a Member – i.e. normal travel (within or outside a constituency), extended travel and/or committee travel. If mileage is deemed taxable the Finance Office will split the payment into taxable and non-taxable elements. The non-taxable element will be paid through the expenses system and a Member will be issued with a remittance slip in the normal way. The taxable element will be paid through the Member's payroll and the details of this will be shown on his/her payslip. A Member should note that Finance Office will pay the non-taxable element on receipt of the claim; however as a cut-off date is required to process salaries, this element will usually be paid one month in arrears of receiving the claim. As all mileage amounts claimed on a MTS2 form are deemed taxable they will all be paid through the payroll to be taxed at source. However they should still be forwarded to the Finance Office in the normal way.

### **11.5 Completion of Claims**

11.5.1 In order to assess the validity of a claim against this guidance certain information will be required. The level of information will depend on the type of travel being claimed. As each Member fills in MMP1 form declaring the mileage for journeys (i)

from home to Parliament Buildings and/or return, (ii) home to constituency office and/or return and (iii) constituency office to Parliament Buildings, a Member is not required to provide any additional information about the nature of such journeys. For these journeys it is not necessary to include the date of every journey. Instead a date range can be included and the number of journeys undertaken within the date range can be inserted. Travel forms are available on the Finance Office pages on AsslSt. For all travel claimed after 1 April 2011 the new forms should be used.

- 11.5.2 For travel on Assembly or constituency business more detail on the nature of the travel is required to ensure the travel is valid. A Member's security must be fully protected and in addition a Member's meetings with constituents or other groups within the constituency should attract an appropriate degree of confidentiality. Specific or exact details of places are not required, as there is clearly a need to retain a level of confidentiality. However, there is also a need for a Member (when seeking payment of travel expenses from public funds) to provide a sufficient level of detail to confirm the nature of that travel. Therefore, when completing the details of journeys within the constituency, a Member should provide a level of detail that allows the Finance Office to assess the validity of a claim against the rules for payment i.e. that the journey has been undertaken by a Member in connection with his/her Assembly duties.
- 11.5.3 By way of example, this level of detail may include descriptors such as "Visit to constituent's home", "Visit to SSA", "Visit to Planning Service", etc. Clearly, there is no requirement to include the name or address of an individual constituent or to divulge the exact circumstances that give rise to the need for travel but there is a need to show that the expenses claimed relate to journeys that arise wholly, exclusively and necessarily in connection with a Member's duties. Also, for attendance at events or functions, details of the function attended will need to be included. Payment for such events will only be made where a Member can clearly demonstrate that there was no party political or partisan element to the event and that he/she played an active role in the function to the extent that the work of the Assembly as an institution is highlighted.
- 11.5.4 A Member may only claim reimbursement for any journey to the extent that it is not reimbursable from any other source, even though a particular journey may cover business on behalf of the Assembly and other organisations e.g. Local Council or Westminster business.
- 11.5.5 All travel claims must be signed personally by the Member and submitted within **TWO** months of the date on which a journey took place unless extenuating circumstances (e.g. illness) prevent timely submission. Ideally claims should be made on a monthly basis. Claims submitted after the **TWO** month deadline will not be processed.

## **11.6 Subsistence**

- 11.6.1 Should it be necessary for a Member to stay away overnight from their normal place of residence, in connection with Assembly business, hotel accommodation may be arranged and an amount of subsistence may be payable. If a Member needs to stay away overnight they should contact the Assembly Travel Team for further details.
- 11.6.2 The rates payable for absences from home for up to 24 hours are shown at Annex J on page 71.
- 11.6.3 Claims should be made on the normal travel claims, Form MTS1, and should be accompanied by appropriate receipts relating to overnight subsistence. Such claims will be paid through the normal expenses system.

## **11.7 Members' Extended Travel**

- 11.7.1 In addition to journeys made within Northern Ireland under 'Normal Travel' arrangements, a Member may also travel elsewhere in the UK or the Republic of Ireland at public expense on approved Assembly business under 'Extended Travel' arrangements, provided that the reason for the journey meets one of the following criteria:
- (a) There is a stated Assembly reason (e.g. representing the Assembly or one of its major Office holders at a state occasion); or
  - (b) It is related to a matter currently before the Assembly; or
  - (c) It is pertinent to a constituent matter or has particular relevance to a Member's constituency.
- 11.7.2 Journeys undertaken for personal, private or party political reasons do not qualify for reimbursement. Subjects in which a Member is 'an interested party' are also outside the scope of the 'Extended Travel Scheme' unless the travel qualifies under the above-mentioned conditions.
- 11.7.3 If the 'Extended Travel' undertaken by a Member relates to their work as a Minister or post holder then the claim would not qualify under the Extended Travel Scheme. The cost of such travel should be claimed through the relevant Department, Committee or Office.
- 11.7.4 A Member wishing to make a journey on Assembly business under 'Extended Travel' provisions is asked to complete the appropriate Form **MET1**, which is shown at Annex N on page 77. Each application should be signed by the Member and submitted to the Finance Office at least five days before the intended date of the journey.



- 11.7.5 If appropriate, the Finance Office will issue authorisation for the Extended Travel Scheme to be used.
- 11.7.6 If the journey is to be made by rail or air a Member may contact the Travel Desk within the Finance Office to arrange for the provision of the necessary travel documents or tickets.
- 11.7.7 As with the 'Normal Travel' arrangement, taxis may only be used during 'Extended Travel' in **exceptional** circumstances and where no other form of public transport is either suitable or available. Reimbursement will be made on actual receipted expenditure.
- 11.7.8 Car hire may be undertaken during an 'Extended Travel' journey in circumstances where it can be clearly demonstrated to be a cost effective alternative to public transport.
- 11.7.9 Where the cost of car hire exceeds the cost of public transport, the hire car cost may be reimbursed to a maximum not exceeding the notional cost of public transport. In these circumstances receipts and all relevant information must accompany the claim form.

## **11.8 Committee Travel**

- 11.8.1 A Member of an Assembly Committee is entitled to travel at public expense on approved Committee business. This Section of the guidance provides information for Members who travel on Committee business both inside and outside Northern Ireland.
- 11.8.2 Each Committee has its own travel budget. It is essential therefore that any expenditure incurred by a Committee Member, travelling on committee business, is recorded against the relevant Committee's travel budget – using claim form **CTS1**.
- 11.8.3 A supply of CTS1 forms for each Committee is held by the Committee Clerk.
- 11.8.4 All travel and other allowable expenditure incurred on Committee business should be claimed on the appropriate committee travel claim form. This would include, e.g. - travelling expenses incurred on site visits within Northern Ireland, daily personal allowances, travel to and from airports prior to and after visits outside Northern Ireland and any allowable sundry expenses.
- 11.8.5 Completed and signed committee claim forms should be passed to the appropriate Committee Clerk for authorisation before they are forwarded to the Finance Office for processing and payment.
- 11.8.6 Members should complete and return claims forms on a monthly basis.
- 11.8.7 Travel to a committee meeting in Parliament Buildings is treated in one of two ways.

- (a) Generally Members who attend committee meetings in Parliament Buildings during a normal Assembly business week are likely to deal with other Assembly business while in the building. In these circumstances travel to and from Parliament Buildings should be classed as 'Normal Travel' and claimed on Forms **MTS1** or **MTS2** – as appropriate.
- (b) However attending a committee meeting in Parliament Buildings during recess or at weekends, travel should be treated as Committee travel and claimed on the appropriate Committee travel and subsistence claim Form **CTS1**.

All travel on Committee business to locations within Northern Ireland, other than Parliament Buildings, must be undertaken with the express permission of the Committee.

- 11.8.8 Generally committee visits are prearranged by the Committee Clerk on the instruction or agreement of the Chairperson or Deputy Chairperson of a Committee and are undertaken in groups. A Member may arrange to travel from Parliament Buildings or from their homes depending on their home location in relation to the location of the visit. In order to avoid any misunderstandings a Committee Member should agree all travel arrangements with the Committee Clerk in advance of a site visit.
- 11.8.9 Members should note that business mileage travelled on Committee business is taken into account when calculating the **rate** of mileage allowance payable.
- 11.8.10 Generally, all travel and accommodation arrangements for Committees' travel, outside Northern Ireland, are made in advance by Committee Clerks, through the Finance Office's Travel Desk.
- 11.8.11 Committee Clerks are provided with procurement cards to enable them to meet any locally incurred expenditure such as meals and transportation costs. These arrangements should reduce, to a minimum, the need for a Member to pay for and subsequently claim, reimbursement of expenses incurred.
- 11.8.12 It is the responsibility of the Committee Clerk to ensure that the cost of accommodation and meals, during visits outside Northern Ireland, is kept within the limits set down in the Northern Ireland Assembly (Members' Expenditure Determination 2010) - see Annex J on page 71, or any other policy that may be in place at the time.
- 11.8.13 Any other expenditure incurred by a Member over and above that provided by and allowed out of Committee funding, is the responsibility of an individual Member. A Member is required to make his/her own arrangements to pay for such expenditure at the time it is incurred e.g. personal phone calls. Advice should be sought from Committee Clerks if there is any doubt as to what expenses may be met from Committee funds.

## **11.9 Year End Procedures**

- 11.9.1 The Finance Office will only accept motor mileage claims for an outgoing year up to the end of the accruals period in April each year.
- 11.9.2 Claims received after this date will be accounted for and reported in the financial year in which they are received.
- 11.9.3 A Member should be aware that this may distort their published travel expense figures.
- 11.9.4 Any travel claims which have a taxable element received during the April accruals period will be split. The non-taxable element will be processed as an accrual as if it was received before the 31 March period and will be reflected in the correct financial year. As payroll records cannot be altered retrospectively, any taxable elements will be processed through payroll in the month the claim is received.

## **12.0 Disability Grant**

12.1 A Member may claim for a grant of up to a maximum of £10,000 in any year. This is to be equal to the increased costs incurred by a Member in carrying out his/her Assembly duties where the additional costs are wholly or mainly attributable to any disability which the member has. Any Member wishing to claim this grant payment should contact the Payroll Team for further information. The Disability Grant payment form is available online on the Finance pages on AsslSt.

## **13.0 Support Staff Pension Contributions**

13.1 Contributions incurred by a Member, as an employer, to an employee's pension scheme may be claimed. The amount which may be claimed is subject to a limit of ten percent of the gross annual basic salary paid. In each year a member shall not be entitled to recover such expenditure in respect of more than one employee who is a family member, except in respect of a family member who is employed by the member on the introduction of this handbook and doesn't cease to be employed by the member or otherwise cease to provide secretarial, clerical or administrative assistance. The HR Pension Team will undertake to submit these contributions to the nominated Pension provider on the Member's behalf. Further detailed information is available directly from the HR Pension Team.

## **14.0 Staff Travel Between the Constituency Office and Parliament Buildings**

14.1 For the 18 single journeys or 9 return journeys referred to in paragraph 8.5.10 a Member must complete and certify a SSTS1 claim form. Copies of this form can be requested from the Finance Office.

14.2 These forms should be completed and signed by the employee and certified by the Member and be accompanied, where appropriate by proof of the cost of the travel – if undertaken by public transport (i.e receipts or tickets).

## **15.0 Temporary Secretarial Expenditure (TSE)**

15.1 Temporary Secretarial Expenditure (TSE) is available to meet the additional costs which a Member incurs in obtaining temporary secretarial or research assistance while a permanent employee is prevented from working through illness or pregnancy.

15.2 TSE is separate from OCE and does not count towards the budgetary limit of OCE. However, where a support staff employee is absent on half-pay or reduced salary, part of the OCE will be used towards the cost of the replacement.

15.3 In order to qualify for payment of TSE, a Member's support staff employee for whom the temporary cover is being provided must:

- (a) Be absent from work because of illness or pregnancy for a minimum of two weeks; and
- (b) continue to receive a salary paid from the employing Member's OCE; and
- (c) not be employed on a casual or temporary basis; and
- (d) in the case of illness, be absent for a continuous period that exceeds two weeks; and
- (e) have submitted supporting medical certificates for the period of sickness or a maternity (MATB1) showing the expected week of confinement; and
- (f) have a valid contract of employment specifying the period of pay sickness/maternity.

15.4 TSE does not allow for any increase in hours or pay rates for the temporary employee. The limitations on family members also apply to this category or expenditure.

15.5 To make a claim for TSE a Member must submit a TSE (1) form. This form is available online on the Finance pages on AssiSt. More information on the TSE framework is available from the Payroll Team.

## **16.0 Childcare Scheme**

16.1 A Member may apply to the Payroll Team for a contribution towards the cost of the care of their children while he/she is at work. The childcare provider must be a person permitted by law to look after children. Details of the scheme, the eligibility criteria, current rates and application forms are available from the HR Pension and Childcare Team.

## 17.0 Winding up Expenditure (WUE)

- 17.1 On leaving the Assembly, WUE is available to assist an outgoing Member to meet the costs of winding up his/her Assembly business. This is designed to cover the cost of terminating contractual obligations, including notice to vacate rented premises, pay in lieu of notice for staff or to continue paying salaries for staff who continue to work for the Member to support the winding up of their business. It is not restricted to the items of expenditure admissible from OCE, however it is not possible to claim for the purchase of equipment from WUE.
- 17.2 This is not paid automatically, it must be claimed by the former Member; however in exceptional circumstances, if a former Member is incapacitated and cannot submit claims personally, a representative may be appointed to wind-up the Assembly business on his/her behalf.
- 17.3 From the introduction of this handbook the maximum amount payable for any financial year is set at an amount equivalent to one third of the OCE payable. For the financial year 2010-2011 equates to £25,285. From the start of the next mandate in 2011, if a Member is also a Member of either Houses of Parliament at Westminster at the time he/she ceased to be a Member, the maximum amount of Winding up payable will be one third of the abated OCE.
- 17.4 All other categories of expenditure cease to be available on and from the date the WUE becomes payable. In the case of a Member losing his/her seat at an election entitlement to the Expenditure comes into effect from the day after polling day. For those Members who do not stand for election during an Assembly election period WUE becomes payable from the date of dissolution.
- 17.5 The Payroll Team will accept a former Member's instructions to make salary and pension premium payments on a Form **WUE 1**. An example of the form can be found on the Finance pages on AsslSt. The payroll service is limited to a maximum of four months after departure from the Assembly. Any such payments authorised will become the first charge against the Winding up budget.
- 17.6 Claims for all other expenses should be submitted to the Finance Office on a Form **WUE 3** for reimbursements and a **WUE 4** for direct payment. These forms can be obtained directly from the Finance Office.
- 17.7 WUE is limited to expenses incurred during the **four** months following the date an individual ceases to be a Member. Any claims for expenditure incurred during this four month period may be submitted up to a maximum of six months after the date of leaving the Assembly. After the six month period any claims that are submitted cannot be processed and will be returned.
- 17.8 If a Member wishes to claim WUE he/she should contact the Finance Office for further information.

## **18.0 Resettlement Payment**

18.1 Under the Northern Ireland Assembly (Members' Expenditure) Determination 2010 a Member who –

- i) Is a Member of the Assembly immediately before its dissolution; AND
- ii) does not stand for re-election, or  
who is not returned to the Assembly

will be entitled to claim a Resettlement Payment calculated at a prescribed percentage, based on the age of the former member and the length of service as a member, where "salary as a Member" has the same meaning as in the Assembly Members' Pension Scheme (NI) 2008.

18.2 Under current legislation only that part of the allowance in excess of £30,000, is subject to income tax and this will be deducted at source by the Payroll Team.

## **19.0 Ill – Health Retirement Payment**

An individual who ceases to be a Member of the Assembly by resigning his seat on grounds of ill-health before attaining the age of 65 may apply to the Commission for a payment under this section. For the avoidance of doubt this is not a pension entitlement.

19.2 Under the Northern Ireland Assembly (Members' Expenditure') Determination, a Member who:-

- (a) does not intend to seek re-election to the Assembly;
- (b) is ceasing to be a member as a direct consequence of his ill-health;
- (c) has ill-health to such an extent as to prevent him/her from performing adequately the duties of a member of the Assembly; and
- (d) is not entitled to receive a Resettlement Payment

shall be entitled to receive payment under this section equal to the amount which would have been payable under the Resettlement Payment section had that section been applicable to him/her on his/her ceasing to be a member of the Assembly.

19.3 Every application under this category of financial support must be accompanied by evidence from a medical practitioner of the applicant's state of health.

19.4 As provided for by the Determination under this category of financial support the Commission may require the applicant to undergo a medical examination by a medical practitioner nominated by it for the purpose; and the fees for any such

examination shall be borne by the Commission or the applicant, as the Commission may determine.

Further information and details of the eligibility criteria for both of these payments can be obtained directly from the Payroll Team.



# ANNEXES

## ANNEX A

# The Seven Principles of Public Life

## Identified by the Nolan Committee in their First Report on Standards in Public Life May 1995

### **Principle 1: Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

### **Principle 2: Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

### **Principle 3: Objectivity**

In carrying out public business, including making public appointments, awarding contracts or recommending individuals for awards or benefits, holders of public office should make choices on merit.

### **Principle 4: Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Principle 5: Openness**

Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Principle 6: Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Principle 7: Leadership**

Holders of public office should promote and support these principles by leadership and example.

## ANNEX B

## OFFICE COST EXPENDITURE

ADMISSIBLE EXPENDITURE	INADMISSIBLE EXPENDITURE
<b>EQUIPMENT</b>	
Purchase or lease of photocopiers, faxes, scanners, phones and other office equipment.	
Purchase of office furniture	For photocopiers – see below on limits.
Satellite/digital TV – news channels only – installation and subscriptions	Satellite subscriptions for packages other than current affairs or news channels
Purchase of stationery and consumables	No stationery for personal use or circulars
Newspapers and periodicals	
Purchase of hardware and software.	Only software for that is necessary for Assembly duties
Security equipment	
Modest digital equipment	Some types of digital equipment or televisions are admissible however, if appropriate the maximum amount allowable for these types of equipment must not be exceeded (satellite navigation aids, digital cameras and photocopiers). These will be reviewed annually – please contact the Finance Office for advice.
Mobile Phone	
<b>SERVICES</b>	
Professional advice e.g from accountants, or lawyers. NB accountant fees are allowable as a charge against OCE however they are not deductible expenses for tax purposes.	
	Hospitality or entertainment
Cleaning	
Maintenance services or minor capital works- so long as these are required when first occupying a property or providing they don't go beyond making good dilapidations or meeting statutory obligations under Health and Safety or Disability Discrimination legislation. Two quotations must be provided for work of this nature	Large capital expenditure which adds value to the property, or expenditure which is not deemed value for money. No capital purchases will be permitted in the final year of a mandate unless to replace broken equipment, however this excludes the last six months of a mandate when no capital purchases will be allowed
Decorating	
New flooring	
Maintenance services for equipment	
Interpretation and translation services	
Research	

## ANNEX B

## OFFICE COST EXPENDITURE

ADMISSIBLE EXPENDITURE	INADMISSIBLE EXPENDITURE
Media services	
Media training	
Consultancy for software and website design.	
Annual Data Protection registration subscription.	
Recruitment services	
<b>COMMUNICATIONS</b>	
Postage and Stationery	Wreaths, personal greeting messages or cards of well wishes/sympathy, or Assembly Stationery for the use of issuing circulars, or Pre-paid stationery for anything other than Assembly business
Telephone costs	
Television licence	
Printing and distributing costs for contact sheets.	Costs associated with campaigning on behalf of any political party, or surveys or questionnaires or narratives on Assembly work.
	Election campaigning – personal or party related.
Website design and hosting.	
Advertising – e.g. office and surgery information only	Advertising that contains any party political message or that makes inappropriate reference to another Member or party or contains emblems.
Subscriptions e.g periodicals, newspapers.	
Data Protection notifications	
<b>SUPPORT COSTS</b>	
<b>SUPPORT STAFF SALARY COSTS AND BONUSES UP TO VALUE OF £500 – In recognition of additional duties etc.</b>	<b>ANNUAL SUPPORT STAFF BONUSES ABOVE £500</b>
Staff Business Travel	
Limited journeys for staff to Parliament Buildings	
	Gross payments to staff that are below the rates as prescribed by the Minimum Wage Act.
Reimbursement of actual volunteer expenses	
Work related training or seminars for support staff	
<b>CONSTITUENCY OFFICE COSTS</b>	

## ANNEX B

## OFFICE COST EXPENDITURE

ADMISSIBLE EXPENDITURE	INADMISSIBLE EXPENDITURE
Rent	Rent in excess of independent valuations
	Purchase of property by a Member or rental of an office owned by the Member or a connected party.
Room Hire for surgeries	
Water Rates	
Rates	
Contents insurance - NB the Assembly Commission has appropriate policies in place for Employers and Public Liability cover.	
Office buildings insurance if not covered by rental agreement.	
Utilities	

## ANNEX C

Assembly Duties–as defined by the Northern Ireland Assembly (Members’ Expenditure) Determination 2010 in paragraph (4) subparagraphs (a) – (g).

Assembly duties in relation to any member means the undertaking of any task or function which he/*she* may **reasonably** be expected to carry out in his/*her* capacity as a member of the Assembly including (*italic and emphasis added*):

- (a) attending a sitting of the Assembly;
- (b) attending a meeting of a committee or sub-committee of the Assembly of which he/*she* is a member or which he/*she* is required to attend by virtue of the fact that he/*she* has a responsibility for a Bill or other matter under consideration by the committee or sub-committee or for any other valid reason relating only to the business of the committee or sub-committee;
- (c) undertaking research or administrative functions which relate directly to the business of the Assembly;
- (d) establishing and maintaining a constituency office or offices;
- (e) providing an advice service to constituents;
- (f) attending meetings for the purpose of representing electors in Northern Ireland including meetings with a constituent or constituents;
- (g) attending, with the approval of the Assembly Commission, any ceremony or official function or national or international conference as a representative of the Assembly but not including attendance that relates wholly or mainly to that member’s role as a party spokesperson or representative.

ANNEX D



### Premises Declaration

The following premises have been leased for use as a constituency office and claims for rental are being paid from Office Cost Expenditure.

Address: .....

.....

.....

Postcode: .....

Telephone .....

I certify that the premises

- meet all statutory obligations regarding accessibility
- meet all statutory obligations regarding Health and Safety
- have a Energy Performance Certificate

Is the property owned by a landlord connected to you as defined in The Northern Ireland Assembly (Members' Expenditure) Determination 2010?:

Yes / No \*

(\* delete as appropriate)

Signed: .....

Name: .....

Constituency: .....

Date: .....

## ANNEX E

## Forms in use

Form	Description
<b>Payroll</b>	
MLA1	Bank details form
Form A	Secretarial salaries
Form A1	Amended secretarial salaries
Form B	Temporary secretarial expenditure
Form C	Resettlement Payment claim form
Form CC1	Childcare scheme
Form D	Disability Grant
Form MAT 1	Maternity leave application form
Form PA3	Party Employee Salaries
Form PA4	Amended Party staff salaries / details
Form W1	Winding Up Expenditure
Form W3	Party whip salary
Form W4	Amended Party Whip salary
<b>Finance</b>	
MTS1	Members Expense Claim Form
MTS2	Mileage Payment - Members who Live Outside their Constituencies
MMA1	Members Travel Details Record
MET1	Application for Extended Travel
	Telephone Records
SST1	Members Support Staff Expenses Claim
Form C1	Office Cost Expenditure – Reimbursement
Form C1a	Office Cost Expenditure – Petty Cash
Form C2	Office Cost Expenditure – Direct Payment
Form C3	Office Cost Expenditure - Periodic Payment Form
Form WU3	Winding Up Expenditure – reimbursement claim form
Form WU4	Winding Up Expenditure – direct payment claim form



ANNEX F

Form A

SECRETARIAL SALARIES<sup>1</sup>

## AUTHORITY FOR DIRECT PAYMENT OF SECRETARIAL SALARIES

I, \_\_\_\_\_, Member of Assembly for the \_\_\_\_\_ constituency, hereby authorise the Finance Office, Assembly Secretariat, to pay the under mentioned person, in his/her capacity as my Secretary/Research Assistant employed on Assembly business, the

Monthly Gross sum of \_\_\_\_\_  
(Here insert words)

NB: The statutory minimum wage is £5.93 (age 22+) and £4.92 (age 18-21) from 1<sup>st</sup> October 2010

£ \_\_\_\_\_ until further notice, together with the appropriate contributions in respect of my liability as his/her employer for National Insurance contributions,

with effect from \_\_\_\_\_

Full-time/Part-time (Delete as appropriate) Hours worked per week \_\_\_\_\_

TITLE: Mr/Mrs/Miss/Ms/Other \_\_\_\_\_ MARITAL STATUS: M/W/D/S

SURNAME: \_\_\_\_\_

FORENAME(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

N. I. NUMBER: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

NAME & ADDRESS OF BANK: \_\_\_\_\_

\_\_\_\_\_

NAME(S) OF ACCOUNT HOLDER(S): \_\_\_\_\_

ACCOUNT NUMBER: \_\_\_\_\_ SORT CODE: \_\_\_\_\_

**I further understand that the Finance Office will deduct Income Tax and National Insurance contributions from each payment for transmission to the appropriate authorities.**

INCOME TAX P45/P46/P38(S) HEREWITH/TO FOLLOW (Delete as appropriate)

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_ (MEMBER)

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_ (EMPLOYEE)

\_\_\_\_\_

## ANNEX G

OFFICE COST EXPENDITURE REPORT				<i>Report Date: dd/mmm/yy</i>	
Party Member		6xxx	Member's Name		
<b>Allowance</b>	<b>April 20xx to Mar 20xx</b>	<b>£ 75,857.04</b>	<b>Committed Expenditure</b>		
			Members Office - Rent	£ 6,000.00	
			Members Support Staff - Basic	£ 31,500.00	
			Members Support Staff - ERNI	£ 2,660.85	
			Members Office - Rates		
			Members Office Equipment Leasing	-	
			Members Room Hire	-	
			Members Website	-	
			<b>Total Committed Expend.</b>	<b>£ 40,160.85</b>	
<b>Committed Expenditure to 31 March 20xx</b>		<b>£ 40,160.85</b>			
<b>Actual Expenditure to date</b>		<b>£ 21,095.90</b>			
<b>Projected Balance/Overspend at 31 March 20xx</b>		<b>£ 14,600.29</b>			
Transaction Date	Account Name	Account Code	Transaction Description	Amount	
8 Apr xx	Members Office - Rent	43600	Address of Constituency Office and period of rent	£3,000.00	
14 Apr xx	Members Office - Rates	43700	Address of Constituency Office and period of rent	£1,500.00	
14 Apr xx	Members Advertising	44310	Description of advert and publication if appropriate	£150.00	
23 Apr xx	Members Telephones	43820	Month of calls	£500.00	
23 Apr xx	Members Telephones	43820	Month of rental charges	£100.00	
23 Apr xx	Members Support Staff - Basic	45000	Salaries - and Month of payment	£3,500.00	
28 Apr xx	Members Support Staff - ERNI	45100	Salaries - and Month of payment	£295.65	
29 Apr xx	Members Mobiles	43830	If reimbursement name of supplier and month of bill	£79.62	
12 May xx	Members Office - Electricity	43815	Supplier and details of period that costs relate to	£650.49	
26 May xx	Members Support Staff - Basic	45000	Salaries - and Month of payment	£3,500.00	
26 May xx	Members Support Staff - ERNI	45100	Salaries - and Month of payment	£295.65	
27 May xx	Members Mobiles	43830	If reimbursement, name of supplier and month of bill	£73.84	
15 Jun xx	Members Recovery of Stationery	44700	Stationery - cost of items acquired from Office Resources team	£5.00	
30 Jun xx	Members Support Staff - Basic	45000	Salaries - and Month of payment	£3,500.00	
30 Jun xx	Members Support Staff - ERNI	45100	Salaries - and Month of payment	£295.65	
30 Jun xx	Members Office - Rent	43600	Address of Constituency Office and period of rent	£3,000.00	
15 Aug xx	Members Consumables	44200	Description of expenditure - eg "postage", "newspapers"	£150.00	
25 Sept xx	Capital - IT Equipment Purchase	43020	Description of expenditure - e.g "iPad"	£500.00	

## ANNEX H

## Members' Support Staff and Volunteers

### Travel and Subsistence rates

*(Volunteers and staff must be paid either actual receipted expenses or subsistence and travel at the rates given below.)*

#### Recommended Mileage Allowance Rates for Support Staff and volunteers

All Engine Capacities	Rate Per Mile
Up to 10,000 Miles	40p
Over 10,000	25p
Motor Cycles	24p
Pedal Cycle	20p

*(For travel undertaken by rail, bus or taxi the cost of the fare of each journey will be reimbursed on the production of actual receipted expenses.)*

#### Recommended Subsistence Rates for Support staff and volunteers

Subsistence Rate	
More than 5 hours, but less than 10 hours	£4.25
More than 10 hours	£9.30

## ANNEX I

## Members' Mileage Rates

### HMRC Annual Mileage Rates to be applied for all travel incurred after 1 April 2011

All Engine Capacities	Rate Per Mile
Up to 10,000 Miles	40p
Over 10,000	25p
Motor Cycle	24p
Pedal Cycle	20p

### Motor Mileage Payment Rates to be applied for all travel incurred prior to 1 April 2011

All Engine Capacities	Taxable	Non Taxable
Up to 10,000 Miles		40p
10,000 to 20,000 Miles	15p	25p
Over 20,000 miles		25p
Motor Cycle		24p
Pedal Cycle		20p

*A Member may be permitted to recover the expenditure incurred for travelling by hire car or taxi only in respect of any journey where the use of a hire car or taxi is necessary for reasons of urgency or because it is not practicable to use any means of transport referred to in sub-paragraph (2)(a) of the Northern Ireland Assembly (Members' Expenditure) Determination 2010.*

*Where the Member has travelled by taxi, and it has been suitably authorised the cost of the fare of each journey will be payable.*

## ANNEX J

## Members' Travel and Subsistence Rates

Where a Member has incurred expenditure on travel which has been undertaken by him/her in carrying out his/her Assembly Duties and it has necessarily involved an overnight stay at a place away from the Member's normal place of residence, the Member shall be entitled to recover the following expenditure:

- (i) Overnight stay within the United Kingdom:-
  - (a) £18.30 towards the cost of meals and other living expenses for each night of the overnight stay;
  - (b) The cost of the overnight accommodation, on a bed and breakfast basis, in a hotel or similar accommodation up to a maximum per night of:
    - £175 in Greater London Area, or
    - £130 in any other part of UK.
  
- (ii) Overnight stay outside of the United Kingdom:-
  - (a) £18.30 towards the cost of meals and other living expenses for each night of the overnight stay;
  - (b) The cost of the overnight accommodation, on a bed and breakfast basis, in a hotel or similar accommodation up to a maximum of £300 per night.
  
- (iii) A Member is not entitled to recover the expenditure under this category in connection with duties carried out within his/her constituency.



Northern Ireland Assembly

Member Travel Details Record

Home Address (Town/City) .....

Constituency Office A (Town/City) .....

Constituency Office B (Town/City) .....

My routine standard, single, journeys are as follows:-

Home to Parliament Buildings ..... Miles

Home to constituency border (if appropriate) ..... Miles

Office A

Office B

Home to Constituency Office .....Miles ..... Miles

Constituency Office to Parliament Buildings .....Miles ..... Miles

Mileage from Office A to Office B ..... Miles

I confirm that I:

- own the vehicle I use for official business travel:
• hold a valid driving licence: and
• my motor insurance policy covers the use of the vehicle on official business.

Signed ..... Dated .....

Name: ..... MLA Constituency .....
(Please print)

Invoice Ref

MTS2 Form

ANNEX L

# Mileage Allowance claim form for Members who live outside their Constituencies

Part A Completed by the Claimant	Notes for Completion of Part B	Part C - Assembly Finance For Official Use
<p><b>Members Details</b> (Please complete in BLOCK CAPITALS)</p> <p>Members Activity Code <input type="checkbox"/> - <input type="checkbox"/> - <input type="checkbox"/> - <input type="checkbox"/></p> <p>Surname: Initial(s): _____</p> <p>Initials _____ Title _____</p>	<ul style="list-style-type: none"> <li>Repeat journeys – details need only be entered once on the claim form and the frequency denoted (eg “Home (H) to Parliament Buildings to Home (H)”). Other than that a separate line should be used for each day’s travel and details of journeys provided.</li> <li>Amount claimed will be either the miles covered (shortest practicable route) times the appropriate motor mileage allowance rate or the fare paid if the journey was made by public transport. ■</li> <li>Completed claims forms should be submitted at the end of each calendar month.</li> </ul>	<p>System Updated by: _____</p> <p>Date: _____</p> <p>Passed to Personnel Branch for payment: _____</p> <p>Date: _____</p> <p>Authorised by: _____</p>
<p><b>Claim Period</b></p> <p><input type="checkbox"/>-<input type="checkbox"/>-<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>-<input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/>-<input type="checkbox"/>-<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>-<input type="checkbox"/> <input type="checkbox"/></p> <p><b>Summary of Claim</b></p> <p><b>Total Amount Claimed Brought Forward from Part B Overleaf:</b></p> <p>No of miles: _____ £ _____</p>	<p><b>Declaration</b></p> <ul style="list-style-type: none"> <li>I declare that</li> <li>I made the journey(s) detailed in this claim.</li> <li>Where night subsistence is claimed, I stayed away overnight on Assembly business.</li> <li>The expenses shown have been actually and necessarily incurred by me on Assembly business.</li> <li>I have not been reimbursed from any other source for the journey(s) claimed</li> </ul> <p>Signed: (MLA) _____ (MLA)</p> <p>Date: _____</p>	<p>Authorisation Code: <input type="checkbox"/> - <input type="checkbox"/> - <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/></p> <p><b>Date Received Stamp:::</b></p>

# Mileage Allowance claim form for Members who live outside their Constituencies

Part B - Claim Details					
Date	Journey Details	Mode of Travel (own car, bus etc)	If by Car		Amount Claimed
			Miles		
<b>Total</b>					

The declaration should be completed and the form closed with a diagonal line at Part B before submission to the office below:

Finance Office, Annexe C, Dundonald House, Stormont, Belfast BT4 3SF





**MEMBERS' EXPENSES CLAIM FORM**

**How to complete this form**

- 1. Please complete form legibly using black ink.
- 2. Complete separate claim for each month.
- 3. Details of how to claim can be found in the Financial Support For Members Handbook.
- 4. Committee travel must be claimed on a CTS1 form.

**To be completed by claimant**

**Members Details**

Please complete in BLOCK CAPITALS:

Surname: \_\_\_\_\_ MLA Initial (s) \_\_\_\_\_ Title \_\_\_\_\_

**Claim Period**

From   /   /   To   /   /

**Declaration**

I declare that:

- 1. I made the journey(s) detailed in this claim.
- 2. Where night subsistence is claimed, I stayed away from my normal place of residence on Assembly business.
- 3. The expenses shown have been wholly, exclusively and necessarily incurred by me on Assembly business.
- 4. I have not been reimbursed from any other source for the journey(s) claimed.

Signed: \_\_\_\_\_ MLA

Date: \_\_\_\_\_

Date received stamp (for finance use)

## MEMBERS' EXPENSES CLAIM FORM – CONSTITUENCY TRAVEL

Date	Journey To/From Abbreviations as shown below to be used.	Miles claimed					Details <i>For 'constituency' or 'other' details of places and people visited must be given</i>	Expenses	
		H-PB and/or return	H-O and/or return	O-PB and/or return	CT and/or return	Other and/or return		Other* Expenses	Car Parking
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
								£	£
<b>Total miles claimed</b>								£	£

<b>H</b>	Home
<b>PB</b>	Parliament Buildings
<b>O</b>	Office
<b>CT</b>	Constituency Travel
<b>Other</b>	Any other allowable journeys

\* Other expenses - please provide details of the nature of expenditure claimed.



**NORTHERN IRELAND  
ASSEMBLY  
FINANCE OFFICE  
APPLICATION FOR EXTENDED TRAVEL**

**DETAILS OF TRAVEL**

Date	Journey From	Journey To	Single or Return	Method of transport (e.g. Rail/Air/Car)

**Reason for Journey:** (These must be for a stated Assembly purpose and not general political or party political purpose).


Member's Signature .....

Member's Constituency .....

Date .....

**NOTES**

**The qualifying conditions for Extended Travel are detailed in the Financial Support for Members Handbook**

This form should be submitted to the Finance Office at least five days before the date of travel to enable staff to process the request and respond to the Member in advance of the proposed date of travel.

Travel arrangements where possible, should be made through the Assembly's Travel Desk.



# Office Cost Expenditure

## Periodic Payment Authority

Please pay the amount of  on a Monthly / Quarterly / Annual\* basis

First payment (date)  Final Payment (date)

The payments are in respect of: (e.g. rent, rates, room hire, photocopier, etc.)

Premises address:

Payment to: (Name of organisation)

Address

Postcode  Telephone:

### Bank Details of Payee

Bank: Name  Sort Code:  -  -

Address:

Account Name:  Number:

**\*Delete as appropriate**

I, the undersigned, certify that:-

1. this claim is in respect of expenditure wholly and exclusively incurred for the purposes of facilitating my Assembly duties;
2. all work done, or items purchased, are of a satisfactory standard and represents value for money;
3. all service providers employed are appropriately qualified to undertake the work;
4. the payee is not a connected party as defined in the Northern Ireland (Members Expenditure) Determination.
5. I have retained a copy of this form for my records

Signed:

Name (Print)  MLA

Date:

**Periodic**