



Department of  
**Health**

An Roinn Sláinte

Máinnystrie O Poustie

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<p><b>Subject:</b></p> <p>Payment of Travelling and Other Allowances To Members Determination (Northern Ireland) 2020</p>	<p><b>Circular Reference:</b> HSC (F) 06-2020</p> <p><b>Date:</b> 27 February 2020</p>
<p><b>For Action by:</b></p> <p>Chief Executive of each Body listed in Schedule 8 to the Determination</p> <p><b>For Information to:</b></p> <p>Director of Finance of each Body listed in Schedule 8 to the Determination</p> <p><b>Summary of Contents:</b></p> <p>This circular contains a Departmental Determination which outlines revised travelling expenses, accommodation expenses, subsistence allowance, deputising expenses/financial loss allowances for unpaid public service, attendance allowance and dependent care expenses to such members and/or non-executive members as are specified in Schedule 8 to the Determination in respect of and particular to each of the individual Health and Social Care bodies listed in that Schedule, and effective from 1 March 2020.</p> <p>Enquiries: <b>Any enquiries about the contents of this Circular should be addressed to:</b></p> <p>Andrew Snowdin Finance Policy and Accountability Unit Room D3 Castle Buildings Stormont Estate BELFAST BT4 3SQ</p> <p>Tel: 028 90765649 <a href="mailto:fpau@health-ni.gov.uk">fpau@health-ni.gov.uk</a></p>	<p><b>Superseded Documents:</b> HSC(F)10/2014</p> <p><b>Related documents:</b> Not Applicable</p> <p><b>Expiry Date:</b> Not Applicable</p> <p><b>Status of Contents:</b> Action</p> <p><b>Implementation:</b> 1 March 2020</p>

Dear Colleagues

## **PAYMENT OF TRAVELLING AND OTHER ALLOWANCES TO MEMBERS DETERMINATION (NORTHERN IRELAND) 2020**

The attached Determination provides travelling, accommodation, subsistence and other allowances to such members and/or non- executive members (as are specified in Schedule 8 to the Determination) in respect of, and particular to each of the individual Health and Social Care bodies (listed in Schedule 8) in accordance with the Schedules to the Determination. It consolidates and replaces those Determinations listed in Schedule 7. The rates of allowances quoted are to be used for travel from 1 March 2020 and any changes will be notified.

The following changes have been made from the previous determination HSC(F) 10/2014:

1. Mileage rates as set out in Schedule 1 of the attached document. The new rates listed in schedule 1 are based on the current Agenda for Change rates.
2. Central London accommodation rate in Schedule 2.
3. Deputising expenses/Financial loss allowance for unpaid public service set out in Schedule 4.
4. Attendance Allowance for independent contractors set out in schedule 5.

From the date of this circular previous Determinations as listed in Schedule 7 are revoked.

HSC Bodies listed in Schedule 8 should:

- ensure that there are effective internal control arrangements in place to provide that only the rates and allowances listed in the attached Schedules to the determination are paid to members of relevant boards and committees where applicable;
- note that all expenditure on travelling and other allowances should be capable of justification by reference to these Schedules and that irregular payments are open to be challenged by internal and external auditors; and
- make arrangements to distribute copies or extracts of the new Determination and Schedules to the members concerned.

**There is no discretion to pay rates other than those laid down in the Schedules of the Determination.**

Yours faithfully

**Charles Barnett**  
**Finance Policy and Accountability Unit**

## **PAYMENT OF TRAVELLING AND OTHER ALLOWANCES TO MEMBERS DETERMINATION (NORTHERN IRELAND) 2020**

The Department of Health<sup>(a)</sup> makes the following determination in exercise of the powers conferred by Article 89 of the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(b)</sup>, Article 10 of, and paragraph 9 of Schedule 3 to, the Health and Personal Social Services (Northern Ireland) Order 1991<sup>(c)</sup>, section 1 of, and paragraph 6(1) of Schedule 1 to, the Health and Personal Social Services Act (Northern Ireland) 2001<sup>(d)</sup>, section 2 of, and paragraph 6(1) of the Schedule to, the Health and Personal Social Services Act (Northern Ireland) 2002<sup>(e)</sup>, Article 3(2) of, and paragraph 6(1) of Schedule 1 to, the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003<sup>(f)</sup>, section 7 of, and paragraph 4(1) of Schedule 1 to, section 12 of, and paragraph 4(1) of Schedule 2 to, section 14 of, and paragraph 4(1) of Schedule 3 to, and, section 16 of, and paragraph 4(1) of Schedule 4 to, the Health and Social Care (Reform) Act (Northern Ireland) 2009<sup>(g)</sup> and section 1(6) of the Safeguarding Board Act (Northern Ireland) 2011<sup>(h)</sup>, and with the approval of the Department of Finance<sup>(i)</sup> hereby determines as follows:-

### Citation and commencement

1. This Determination may be cited as the Payment of Travelling and Other Allowances to Members Determination (Northern Ireland) 2019 and shall have effect from 1 March 2020.

### Interpretation

2. In this Determination -

"absence" means absence from home necessitated by the member's duty;

"allowances" means payments by an authority to a member in respect of travelling expenses, accommodation expenses, subsistence allowance, deputising expenses or financial loss allowance, attendance allowance or dependent care expenses;

"authority" means, as may be appropriate, the Department or anybody authorised under this Determination to pay allowances;

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<sup>(a)</sup> See 2016 c.5 (N.I.), section 1(5)

<sup>(b)</sup> S.I. 1972/1265 (N.I. 14) – Article 89 as amended by Part 1 of Schedule 5 to S.I. 1991/194 (N.I. 1) and, Schedules 6 and 7 to 2009 c.1 (N.I.)

<sup>(c)</sup> S.I. 1991/194 (N.I.1.) as amended by S.I. 1997/1177 (N.I.7), 2001 c.3 (N.I) and 2009 c.1 (N.I.)

<sup>(d)</sup> 2001 c.3 (N.I.)

<sup>(e)</sup> 2002 c.9 (N.I.)

<sup>(f)</sup> S.I. 2003/431 (N.I. 9) as amended by 2014 c.5 (N.I.)

<sup>(g)</sup> 2009 c.1 (N.I.) as amended by 2014 c.5 (N.I.)

<sup>(h)</sup> 2011 c.7 (N.I.)

<sup>(i)</sup> See 2016 c.5 (N.I.), section 1(4)

"Department" means the Department of Health;

"financial loss" means a loss of earnings which a member would otherwise have received or any additional expenses (other than expenses on account of travelling or subsistence) to which he would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by the member for the purpose of enabling him to perform any duty;

"member" has the specific meaning given to it in Schedule 8 in respect of each of the individual bodies listed in that Schedule.

### Entitlement to Travelling and Other Allowances

3. (1) The bodies specified in Schedule 8 may, subject to the provisions of this Determination, make payment to those members of the bodies specified in that Schedule (and particular to each individual body), in respect of -

- (a) travelling expenses in accordance with Schedule 1;
- (b) accommodation expenses in accordance with Schedule 2;
- (c) subsistence expenses in accordance with Schedule 3;
- (d) deputising expenses/financial loss in accordance with Schedule 4;
- (e) attendance allowance in accordance with Schedule 5;
- (f) dependent care expenses in accordance with Schedule 6.

where they have necessarily incurred expenses under the above headings for the purpose of enabling them to perform their duties as members.

(2) Provided that a member shall not be entitled to a payment in respect of subsistence expenses incurred by him for the purpose of enabling him to perform an approved duty within a distance of 5 miles from his usual place of residence, and provided that where payment of remuneration is made to a member he shall not be entitled to any payment in respect of financial loss.

### General Conditions

4.(1) Payment of allowances shall be conditional on the members observing any requirement contained in this Determination or imposed by the authority as may be determined by the Department; and without prejudice to the generality of the foregoing, in claiming allowances a member shall certify –

- (a) that so far as travelling expenses are concerned, any amounts specified in the claim were actually and necessarily incurred and that any mileage specified was actually and necessarily covered;

- (b) that so far as accommodation and subsistence expenses are concerned, expenses were necessarily incurred and that periods of absence and details of meals taken were as specified in the claim;
- (c) that any claim in respect of deputising expenses or financial loss is in respect of actual financial loss, or the cost of a locum;
- (d) that so far as dependent care expenses are concerned, any amounts in the claim were actually and necessarily incurred;
- (e) that so far as personal, incidental and business expenses are concerned, any amounts in the claim were actually and necessarily incurred.

(2) Where a member is entitled to receive allowances in relation to the performance of duties as a member of more than one authority or committee, the total allowances paid should not exceed the rate that would be payable had all the duties been performed for only one of those bodies.

#### Subsistence Allowance

5. An allowance may be paid to members when absent from home or normal place of business on necessary business for more than 5 hours and necessarily had to purchase meals and non-alcoholic beverages. The rates payable are set out in Schedule 3.

#### Dependent Care Expenses

6. Dependent care expenses should be paid where members would not, otherwise because of childcare responsibilities or as a carer for a dependent relative, be able to attend a meeting. Conditions for the reimbursement of expenditure incurred are set out at Schedule 6.

#### Provision of Lease Cars

7. When a body provides a lease car to a Chairman, which includes provision for private use, official mileage should be reimbursed using the mileage rates formula specified at Schedule 1 – Private Use Vehicle.

#### Revocation

8. The Determinations listed in Schedule 7 are hereby revoked but without prejudice to anything done or suffered or to any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

A senior officer of the Department of Health

*Nellia Lloyd*

*Fynn Merelli*

A senior officer of the Department of Finance

## SCHEDULE 1

### TRAVELLING EXPENSES

In this Schedule -

"motor cycle" means a motor cycle without a side-car;

"passenger" means a passenger in a motor vehicle to whom a travelling allowance would otherwise be payable under this Determination;

"public transport" means any service provided for travel by the public other than by aeroplane, taxi or hired car;

"Reserve Rate" means the rate payable to officers who:

a. have the basic insurance required to qualify for the Private Rate and who maintain their vehicle in a roadworthy condition; or

b. are driving a vehicle which does not fulfil the ownership requirements required to qualify for the Private Rate; or

c. are using the vehicle for a journey which the Department does not recognise as appropriate travel by private motor vehicle (e.g. where public transport is available and car parking charges would not have been incurred.); and

d. any expressions to which a meaning is assigned by the Road Traffic (Northern Ireland) Order 1981 shall have that meaning.

### MEANS OF TRAVEL

Public Transport Rates  
Train, Bus and Coach

The costs of an ordinary fare, or where there is more than one class, the first class fare; should be met provided that advantage shall be taken of any reduced fares available.

Where appropriate, additional costs can be met in relation to:

1. Seat reservation;
2. Storage of luggage; and
3. Sleeping accommodation on an overnight journey.

### Car Mileage

Subject to agreement members may use their car where public transport is deemed inappropriate or, if preferred choice of travel. Car mileage is paid on the understanding that members are fully insured for business use.



If passengers, heavy luggage or equipment are transported, members may also claim the passenger/luggage mileage rate for each mile they are carried. This is to compensate for the extra fuel used, equipment or luggage must be of significant enough weight to attract this rate, generally around 40 kilos.

The mileage rates for claims

	Up to 3,500 miles per year	Over 3,500 miles per year	All eligible miles travelled
Rate and Engine capacity	Amount per mile	Amount per mile	Amount per mile
Cars (all type of fuel)	56p	20p	
Motor Cycles			28p
Pedal Cycles			20p
Passenger Rate			5p
Reserve Rate			28p
Carrying heavy or bulky equipment			3p
The actual amount of any expenses incurred on tolls, ferries and parking fees (receipts required)			

Private Use Vehicle (See general Conditions Para 7) Mileage rates should be calculated according to the following formula:

**Cost of 1 litre of Premium Unleaded Petrol/Diesel as appropriate divided by vehicle's miles per litre on Urban Cycle**

The fuel price should be taken as a reasonable amount at the time of the claim, according to local circumstances.

The vehicle's miles per litre on urban cycle should be based on the car manufacturer's information.

**Taxi** Members may use taxis or minicabs where public transport is inappropriate or in the case of urgency. The fare should be met with a receipt.

**Aircraft** Where there is a cost benefit (in terms of travel and subsistence) or where it is decided that the saving in time is so substantial as to justify travel by air, the costs of a flight and any airport taxes shall be met.

## SCHEDULE 2

### ACCOMMODATION EXPENSES

In all cases the maximum limits for commercial accommodation per night are: -

Central London\*      Receipted costs up to £140, including VAT, for bed and breakfast  
+ Standard Allowance of £22.50 to cover lunch and dinner

Elsewhere UK      Receipted costs up to £100, including VAT, for bed and breakfast  
+ Standard Allowance of £22.50 to cover lunch and dinner

Dublin      €180 to cover accommodation and all meals for 24 hour period

Elsewhere Irish Rep €140 to cover accommodation and all meals for 24 hour period

\*within a 5 mile radius of Charing Cross

Where the use of more expensive accommodation is unavoidably necessary the full receipted cost can be met providing advance authorisation has been obtained from the Department.

### PRIVATE STAY ALLOWANCE

The private stay allowance is to cover the cost of providing accommodation, evening meal and breakfast if members choose to stay with friends or relatives. The allowance applies to all members. If claimed, the subsistence claim must be reduced by two meals.

All of the UK and Ireland	1 night	£27.50 (maximum)
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The allowance is at a fixed rate and receipts are not required.

### SCHEDULE 3

#### RATES OF MEAL ALLOWANCES

Subsistence allowance is claimed by way of meal allowances at the maximum rates given below.

Period Away	Meals	Value
Over 5 hours	1	£ 5
Over 10 hours	2	£15
Over 12 up to 24 hours	3	£20

For periods in excess of 24 hours additional entitlement should be calculated on the same basis beginning with the 'Over 5 hours' band.

Where meals have been provided, at no additional cost, claims should be reduced accordingly.

Receipts are not required unless the specified rates are exceeded. Claimants must then provide receipts and an explanation for the excess.

Subsistence allowance is not normally paid for a period of attendance at the place where the meetings of the authority or committee normally take place. However, in circumstances where such payments take place they may be considered to be taxable as employment income by the Inland Revenue from whom further advice should be sought.

Please note that any claims for alcoholic drinks will not be paid.

## SCHEDULE 4

### DEPUTISING EXPENSES/FINANCIAL LOSS ALLOWANCES FOR UNPAID PUBLIC SERVICE

Unpaid members of committees may be paid a financial loss allowance to reimburse actual certified loss of earnings (other than casual overtime earnings) resulting from attendance at meetings. All claims must be accompanied by certified documentary evidence of actual loss of earnings.

Alternatively unpaid members of committees may be paid a deputising (locum) allowance to reimburse the full cost of employing a person to provide cover or substitution, whilst attending the specified committees. Claims for such an allowance can **only** be allowed when certified documentary evidence of the cost of the locum cover is provided.

#### **\*Rates Payable**

Maximum allowable daily                      £400.00

Maximum allowable per half day    £200.00

(Maximum of £50.00 per hour to a maximum of £400 in any day)

There is no maximum allowable yearly amount under these provisions (either to cover deputising expenses or as a financial loss allowance).

#### **\*NOTE**

Provided that the payment is calculated to do no more than replace the salary that the recipient would otherwise have received from the employer, a financial loss is not taxable as employment income. However, if the recipient is self-employed the allowance is taxable under Schedule D as a receipt of the business.

## SCHEDULE 5

### ATTENDANCE ALLOWANCE FOR INDEPENDENT CONTRACTORS

An attendance allowance of £260 per day or £130 for meetings up to 4 hours long is payable to independent contractors (i.e. non-health service employees) for statutory meetings or when the attendance of professionals is essential to the development or implementation of a policy (i.e. at the specific request of the Department, attending as practising professional and/or as representative of a trade union/professional association). **Independent contractors may also claim an allowance for locum expenses or financial loss up to the maximum rate specified in Schedule 4 above.**

In cases where letters of invitation are to be issued, and to ensure that attendees are in no doubt as to the allowances which may be claimed, the conditions for payment should be issued with the letter of invitation.

## **SCHEDULE 6**

### **DEPENDENT CARE EXPENSES**

Members may claim for the cost of additional dependent care arrangements that become necessary as a result of attending meetings. This includes such costs as a child minder or a carer for a dependant relative.

Allowances may only be claimed in respect of children aged 15 or under or in respect of other dependents (where there is medical or social work evidence that such care is required).

Payments will only be made as reimbursement of any reasonable expenditure incurred, for which receipts must be provided to support any claim. Allowances are not payable in respect of payments made to members of the claimant's own household or direct family and the carer must be aged 16 years or more.

## **SCHEDULE 7**

### **DETERMINATION REVOKED**

- (1) The Payment of Travelling and Other Allowances to Members Determination (Northern Ireland) 2014.

## **SCHEDULE 8**

### **BODIES AUTHORISED TO MAKE PAYMENTS TO SPECIFIED MEMBERS**

1. The Department in respect of members of –  
Any tribunals, committees, working or project groups where professional input is required, being a body established or appointed under the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(a)</sup>;
2. The Northern Ireland Blood Transfusion Service (Special Agency) established under the Northern Ireland Blood Transfusion Service (Special Agency) (Establishment and Constitution) Order (Northern Ireland) 1994<sup>(b)</sup>;
3. The Northern Ireland Guardian Ad Litem Agency established under the Northern Ireland Guardian Ad Litem Agency (Establishment and Constitution) Order (Northern Ireland) 1995<sup>(c)</sup>;
4. The Northern Ireland Medical and Dental Training Agency established under the Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004<sup>(d)</sup> to its members except that "members" in this paragraph includes a member of a committee or sub-committee of a body, whether he is a member of the body or not.
5. The Regional Health and Social Care Board established under the Health and Social Care (Reform) Act (Northern Ireland) 2009 <sup>(e)</sup> to its members except that "members" in this paragraph does not include members of the Regional Health and Social Care Board committees who are not members of the Regional Health and Social Care Board.
6. The Patient and Client Council established under the Health and Social Care (Reform) Act (Northern Ireland) 2009 <sup>(e)</sup> to its members.
7. The Regional Business Services Organisation established under the Health and Social Care (Reform) Act (Northern Ireland) 2009 <sup>(e)</sup> to its members.

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(a) S.I. 1972/1265 (N.I. 14)  
(b) S.R. 1994 No 175  
(c) S.R. 1995 No 397  
(d) S.R. 2004 No 62



8. The Regional Agency for Public Health and Social Well-being established under the Health and Social Care (Reform) Act (Northern Ireland) 2009<sup>(e)</sup> to its members except that "members" in this paragraph does not include members of the Regional Agency for Public Health and Social Well-being committees who are not members of the Regional Agency for Public Health and Social Well-being.
9. Health and Social Care Trusts established under the Health and Personal Social Services (Northern Ireland) Order 1991<sup>(f)</sup> to the Chairman and any non-executive director of the trust, and to any member of a committee or sub-committee of the trust who is not also a director.
10. The Northern Ireland Practice and Education Council for Nursing and Midwifery established under the Health and Personal Social Services Act (Northern Ireland) 2002<sup>(g)</sup> to the non-executive members of the Council and to any member of a committee or sub-committee who is not a member of the Council.
11. The Northern Ireland Social Care Council established under the Health and Personal Social Services Act (Northern Ireland) 2001 to its chairman, to any other member of the Council and to any member of a committee or sub-committee who is not a member of the Council<sup>(h)</sup>
12. The Health and Social Care Regulation and Quality Improvement Authority established under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 to its chairman, to any other member of the Authority and to any member of a committee or sub-committee who is not a member of the Authority. <sup>(i)</sup>
13. The Safeguarding Board for Northern Ireland (SBNI) established under the Safeguarding Board Act (Northern Ireland) 2011 to its Chairman and to its members who have been appointed by the Department under S.1.(2)(c) of the Safeguarding Board Act (Northern Ireland) Act 2011.<sup>(a)</sup>

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(e) 2009 c.1 (NI)  
(f) S.I. 1991/194 (N.I.1)  
(g) 2002 c.9 (N.I.)  
(h) 2001 c.3 (N.I.)  
(i) S.I. 2003/431 (N.I. 9)  
(a) 2011 c.7 (N.I.)

