

REVISED GUIDANCE FOR MEMBERS OF POLICE MISCONDUCT APPEALS TRIBUNALS ON THE CLAIMING OF FEES AND EXPENSES

HOME OFFICE: APPEAL TRIBUNAL CHAIR (NON QC)

April 2007

FEES

1. Fees may be claimed at the following rates;

Full day ie sittings of more than 4 hours (excluding meal breaks)	£366
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Half day ie sittings of 4 hours or less (excluding meal breaks)	£181
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The "fees" rates may be claimed for all meetings of the tribunal.

It is recognised that a sitting of less than 4 hours plus travel, **on the same day**, may cause a member to give up a whole day for a half-day's session. Wherever possible we will, therefore, seek to appoint those members closest to where the hearing will take place. Where this is not possible, members may claim for a full day's sitting where the sitting is less than 4 hours (excluding meal breaks) and where travel on the same day as the sitting together total over 7 hours.

LONG SITTINGS

2. Where the length of a tribunal sitting exceeds 7 hours (excluding meal breaks) a claim may be made for a long sitting. The allowance payable is 1/7 of the normal daily rate for each hour, or part thereof, in excess of 7 hours.

PREPARATION AND REPORT WRITING FEES

3. A fee may be claimed at the rate of **£52.5** for each hour necessarily spent in preparatory work or report writing. This fee may, however, only be claimed where it is necessary for the work to be undertaken on a day other than the day on which the tribunal sitting takes place, (except that a fee may be claimed even in these circumstances if the tribunal fee is paid at the half-day rate).

TRAVELLING EXPENSES

4. Chairmen and members may be paid their travelling expenses between residence and place of duty. Any necessary travel to a tribunal sitting may be undertaken by first class train travel. If claiming reimbursement of rail fares you must either provide a receipt or enter on the claim the rail ticket number and date and place of issue.

For journeys up to 10,000 miles, travel by car may be claimed at the following rates;

cars with engine capacity up to 1500 ccs	40 pence per mile;
cars with engine capacity between 1501 and 2000 ccs	40 pence per mile; and
cars with engine capacity over 2000 ccs	40 pence per mile.

Incidental travelling expenses eg bus/tube fares, may also be claimed. Taxi fares may be reimbursed only in the following circumstances: for journeys for which there is no other suitable method of public transport, or where heavy luggage has to be transported to or from the place of departure or arrival. A receipt for travel by taxi must be provided and full reasons must be given in writing and included or attached to the claim form. Full details of each step of the journey should be shown. Travelling allowances are designed to meet expenses incurred and are in no sense a form of remuneration. Please note that no liability can be accepted in the event of any accident, damage, injury or death.

There is no provision for payment of travelling time to chairmen or members.

NIGHT SUBSISTENCE

5. A night subsistence allowance may be claimed if you are absent from your normal place of residence for a period of 24 hours or more and necessarily incur expenditure on accommodation, meals and incidental travel (see above) which is additional to what would have been incurred at home. This allowance is therefore intended to cover the hotel costs plus all meals and incidental expenses for a period of 24 hours from the time of departure from home.

The rate payable is **£96.00**.

This rate has been made up as follows;

- Actual receipted bed and breakfast expenditure up to a limit of **£70.00**
- **Plus** a flat rate allowance of **£26.00**. This allowance is intended to cover dinner, lunch and local travel (for example between your hotel and the place of the

hearing) and also to cover miscellaneous personal expenses. **No additional amount is payable.**

Members who stay free of charge with friends or relatives may claim the flat rate allowance of **£26** to cover dinner, lunch and local travel. Where accommodation is not available from the booking agent (Calder Conferences, see paragraph 6) within reasonable travelling distance of the appeal hearing and the cost of bed and breakfast in suitable alternative accommodation is outside the subsistence limit, you may claim the amount actually paid **provided that prior approval has been obtained from this office.**

Where a tribunal member elects through choice not to stay at a hotel arranged through the booking agent, and stays in an alternative hotel, night subsistence will be limited to £69.70 on production of a receipt, regardless of the actual costs incurred.

Where a police force offers to arrange accommodation for you, please ensure that the total cost of your overnight stay will remain within the night subsistence limit. Proposed expenditure exceeding this limit **must receive prior approval from the police authority concerned.**

All claims must be vouched by a receipt for the cost of bed and breakfast, which should be attached to your claim form. If they are not, only the flat rate allowance of £24 will be payable.

HOTEL BOOKINGS

6. Members should make use of the cost free hotel location and booking service provided by **Calder Conferences** to check whether accommodation within the prescribed limits is available. Calder Conferences are located at the Mews Stoney Rise, Horsforth, Leeds LS18 4SF. Their telephone number is **0113 258 2277** (fax is 0113 258 3344).

Calder Conferences undertake to find good quality hotel accommodation anywhere in the UK, at a corporate rate, in single accommodation to include full English breakfast, service and VAT. Hotels are generally of 3 star standard and all provide en suite facilities, telephones in rooms, tea and coffee making facilities.

Members should telephone Calder Conferences at the above number quoting MAFF reference number RMP 481 and giving their name, required location, arrival and departure dates, Department and Division (Home Office, Policing Powers and Protection Unit), and contact telephone number. Calder Conferences will make a provisional booking, advise you of this by phone and, if you accept, will give you a reservation number which you should quote on arrival at the hotel. Calder Conferences will confirm the booking with the hotel. Amendments or cancellations of bookings which have been made through Calder Conferences should be notified through Calder Conferences during working hours, but direct to the hotel after 6pm.

DAY SUBSISTENCE

7. Where, as in most cases, an overnight stay is not necessary, an allowance may be claimed for the necessary costs spent on meals (day subsistence). The allowance is based on the period during which the member is absent from home (or normal place of office). The rates are;

Absence of more than 5 hours and less than 10 hours **£4.25**

Absence of more than 10 hours **£9.30**

This is a flat rate allowance, which may be claimed, whether the cost of meals was more, or less, than the actual amount of expenditure. It is not necessary for receipts to be provided. The allowance should not, of course, be claimed if a meal is provided free of charge.

Day subsistence allowances will not be paid concurrently with night subsistence allowances. However, a member who necessarily stays overnight for the purposes of a hearing may attract a day subsistence allowance when he is absent from home for more than 5 hours or more than 10 hours after a complete period of 24 hours attracting night subsistence allowance has expired.

The sole purpose of subsistence allowances is the reimbursement of extra expenditure necessarily incurred and they are in no sense a payment for services.

The rates shown for both night and day subsistence, together with the rates for travel expenses, are taken from the rates payable to the most senior officers within the Civil Service.

MISCELLANEOUS EXPENSES

8. Postage and telephone calls etc necessarily dispensed in respect of the determination of the appeal may be claimed. Where it is necessary for papers to be dispatched, normal postage (and not courier) service should be used.

VAT

VAT may be claimed by those members registered for the purposes of VAT. In these cases the VAT registration number should be shown.

Claim Forms.

Any queries you have about the provision or completion of claim forms should be addressed to the police authority responsible for organizing the tribunal.

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