

Fees and Expenses 2024/2025
Legally Qualified Chair of Police Appeals Tribunals (PAT)

The Police and Crime Commissioner for Surrey (PCC), in exercise of the powers conferred by the Police and Crime Act 2011, hereby makes the following scheme. This scheme is in line with current Home Office guidance (2020) and shall have effect for all work conducted as a PAT Chair since 31st July 2024 – 31st March 2025.

Definitions

In this scheme,

“PCC”	means the Police and Crime Commissioner
“OPCC”	Means Office of the Police and Crime Commissioner
“CE”	means the Chief Executive to Surrey PCC
“LQC”	Legally Qualified Assistant
“PAT”	Police Appeals Tribunal
“Scheme Year”	means the period ending on 31 st March 2025.
“Business address”	means the place where the PCC has their office, (currently Police HQ, Mount Browne, Guildford)

FEES AND EXPENSES

As laid out in paragraph 15 of the PAT Chair Terms and Conditions (2022), the fees and allowances are determined by the Home Secretary. The appointment is non-salaried. The chair will receive a fee for each day sat. Any decision to amend the rate of pay is for the Home Secretary. Until and unless amended, both the fees and hourly rates are applicable for all work conducted as a PAT Chair. Any claims for hours and any travelling/subsistence costs incurred should be submitted to the Chief Executive (CE) to the PCC within three months of the duty for which the expense has been claimed. Claims received after the expiry of this period will only be paid in exceptional circumstances at the discretion of the CE to the PCC.

Fees:

- Full day sitting of more than 4 hours (excluding meal breaks) £511.56
- Half day sittings of under 4 hours £255.50

Preparation & Report Writing:

An hourly rate of 1/6 (£85) of the normal daily rate for each hour, or part thereof maybe claimed for preparatory work or report writing up to a maximum of 5 days, if the likely preparation time required on the case is greater than the 5 days, the Chair should contact the Surrey OPCC to discuss,

the case and provide a rationale and an estimate for the potential time spent in preparatory work or drafting a decision.

The provision of the Income Tax (Earnings and Pensions Act) 2003 applies to PAT Chairs. Accordingly, income tax is payable and deducted at source from the fee paid to a PAT chair, in accordance with PAYE regulations. (In certain circumstances, HM Revenue & Customs (HMRC) may be prepared, by administrative practice, to treat the fees of an office held by someone who is also a professional in private practice as ordinary professional receipts within the trading income rules. This would result in a No Tax (NT) coding being applied to office holder income.)

Class 1 National Insurance contributions will also be deducted from the fee that is paid. National Insurance contributions cease automatically when a PAT Chair holder reaches state retirement age, even if service continues thereafter.

It is the responsibility of the PAT Chair to notify and arrange matters with the HMRC in respect of tax and national insurance contributions.

Cancellations:

If a hearing is cancelled over two weeks in advance of the proposed date, there will be no payment made, save for any preparatory work already completed

Where the hearing is cancelled 7-14 calendar days prior to the commencement date, the current half day rate will be payable, up to a maximum of 5 working days.

Where less than seven calendar days' notice is given, the full day rate will be payable, up to a maximum of five working days.

TRAVEL, ACCOMMODATION & SUBSISTANCE:

All travel and subsistence claims must have been incurred in the performance of approved duties and not claimed from any other body in respect of the same duties.

Travel:

Where public transport costs are incurred, these should be undertaken in standard class, if a claim is to be made for first-class travel, a reasonable justification must be supplied. Costs incurred for rail travel will be reimbursed on production of a receipt.

Mileage will be reimbursed for mileage incurred travelling to and from any venue in relation to the work being undertaken. Mileage will be reimbursed at the HMRC vehicle rate, currently 45p per mile for the first 10k miles, 25p afterwards. The vehicle, for which mileage is being claimed must be taxed, have appropriate insurance for business use and a valid MOT certificate (where applicable) at the time the journeys were made. Evidence of this may be requested for audit purposes.

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 whilst travelling or whilst undertaking hearing duties.

There is no provision for payment of travelling time unless in relation to a claim for a short day. It is recognised that a sitting of less than 4 hours plus travel, on the same day, may cause a Chair to give up a whole day for a half-day's session. Chairs 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.

Accommodation:

Wherever possible hearings will be timed to avoid the necessity for overnight stays. If a hearing runs to two or more days, then the Chair may, if travel to the hearing venue is likely to take more than an hour, request that a hotel be booked in advance. **Please contact the Surrey OPCC Office Manager who will arrange this for you.**

If the Chair chooses to arrange their own accommodation, they may claim reimbursement of **£126** per night which is made up as follows:

- Accommodation up to a limit of **£100** per night
- Plus, a flat rate allowance of **£26**. This allowance is intended to cover dinner and local travel (for example between hotel and the hearing venue) and also cover miscellaneous expenses. No additional amount is payable.

Overnight accommodation expenses will only be paid for the night prior to the start of a hearing if the Chair resides more than 50 miles away from the hearing venue and it is not possible or reasonable to travel on the day of the hearing.

Chairs who stay free of charge with friends or relatives may claim the flat rate allowance of £26 to cover, dinner, lunch and local travel.

Subsistence:

Where 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 Chair is absent from home (or normal place of work). The rates are: -

- Absence of more than 5 hours and less than 10 hours **£4.82**
- Absence of more than 10 hours **£10.57**

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.

TRAINING:

Chairs attending training pre-approved by the Home Office as relevant to their role as PAT Chairs will be able to claim the full day rate to cover attendance at training days. To claim for cost of training, Chairs should send details of the requested training and why it is relevant to their role to the Police Integrity Unit at the Home Office.

OTHER EXPENSES:

Postage and telephone calls etc necessarily dispensed in respect of the determination of the hearing may be claimed upon provision of documentary evidence. Where it is necessary for papers to be dispatched, this should be done by registered post or special delivery to preserve the confidentiality of papers. Evidence of the cost should be provided with any claim.

CLAIMING EXPENSES:

All claims must be submitted using the claim form provided and must be signed by the claimant.

Chairs who wish to submit an invoice may include a copy of the invoice with the completed claim form but an invoice without a completed and signed claim form does not constitute an eligible claim.

VAT may be claimed by those Chairs registered for the purposes of VAT. In these cases, the VAT registration number should be shown on the invoice.

Any queries about the provision of or completion of claim forms should be addressed to:

The Office Manager
The Office of the Police and Crime Commissioner
PO Box 412
Guildford
Surrey, GU3 1YJ

Tele: 01483 630200
Email: Rachel.lupanko@surrey.police.uk