

## Greater London Authority

### ELECTED MEMBERS' RESETTLEMENT AND ILL-HEALTH RETIREMENT GRANT SCHEME DETERMINATION 2008

#### Formal Determination by the Mayor and Assembly

The Mayor of London and the London Assembly in joint exercise of their powers under section 26A of the Greater London Authority Act 1999 (as amended), have made the following determination as to elected members' resettlement and ill-health retirement grants.

#### *Citation and commencement*

1. This Determination shall have effect from 1<sup>st</sup> March 2008 and shall apply at any ordinary election of the Greater London Authority ("the Authority") after that date. For the avoidance of doubt, this Determination does not have retrospective effect.

#### *Interpretation*

2. In this Determination –

"the Act" means the Greater London Authority Act 1999(as amended by the Greater London Authority Act 2007);

"the Authority" means the Greater London Authority;

"Assembly member" means a member of the London Assembly, whether Constituency Member or London Member

"Authority member" means the Mayor of London or Assembly member; and

"Ill-Health Retirement Grant" means a payment to an Authority member who retires from his or her tenure of that public office in accordance with section 9 of this Determination

"Resettlement Grant" means a payment to an Authority member at the end of his / her tenure of that public office.

"Additional Resettlement Grant" means an additional payment to an Assembly member calculated in accordance with section 8 of this Determination

## *Resettlement Grant*

### **3. A Qualifying Person**

#### **3.1 A Qualifying Person is a person who:**

- a. immediately before an ordinary election of the Authority is an Authority member and is not a candidate for re-election; or
- b. immediately before an ordinary election of the Authority is an Authority member and is a candidate for re-election but is not re-elected.

#### **3.2 A Qualifying Person is entitled to claim a Resettlement Grant.**

#### **3.3 A Qualifying Person must claim the Resettlement Grant within twelve months of the date of the ordinary election or date of resignation and which shall be paid in a lump sum within six weeks of the date of the claim.**

### **4. In the preceding paragraph,**

“candidate for re-election” includes a person who immediately before an ordinary election is an Authority member and is on a list of candidates of a registered political party in the London Member contest; and

“re-elected” includes a person returned as a London Member of the Assembly.

### **5. Where an Authority Member ceases to be elected to that office but remains in another public office to which he or she has been elected and that public office entitles the holder to a resettlement grant under a statutory scheme, he or she will have the payment of the Resettlement Grant deferred until he or she ceases to hold an elected office of any kind. Any deferred payment under this Determination will be index-linked from the date the entitlement accrued in line with the annual inflation awards applied to the Authority members’ salaries. If for any year it is not possible to distinguish an annual inflation award from other changes to the level of salaries, the index for that year will be determined by the Authority’s chief finance officer. Where an Assembly member holds such office up until the time he or she is elected as the Mayor of London, both offices will constitute continuous service and the Resettlement Grant payable on leaving the latter office will be calculated on the basis of the Mayor’s salary.**

### **6. The amount of the Resettlement Grant expressed as a percentage of yearly salary (at the rate payable to that Authority member on the day of poll at an ordinary Authority election, whether or not abated under the Greater London Authority (Limitation of Salaries) Order 2000)) is determined by age (at the election) and length of service as an Authority member immediately before the election. The relevant percentages are shown in the following table.**

## PERCENTAGES OF YEARLY SALARY

		number of years of service (completed years)						
		under 10	10	11	12	13	14	15 or over
Age	under	50	50	50	50	50	50	50
	50	50	50	52	54	56	58	60
	51	50	52	55	58	62	65	68
	52	50	54	58	63	67	72	76
	53	50	56	62	67	73	78	84
	54	50	58	65	72	78	85	92
	55 to 64	50	60	68	76	84	92	100
	65	50	58	65	72	78	85	92
	66	50	56	62	67	73	78	84
	67	50	54	58	63	67	72	76
	68	50	52	55	58	62	65	68
	69	50	50	52	54	56	58	60
	70 or over	50	50	50	50	50	50	50

7. To calculate the number of years' service:
  - i. A full term of office (based on quadrennial ordinary elections) counts as 4 full years
  - ii. Time served as an Authority member will only be counted once
  - iii. Time ignored in making a payment for a previous period of service (if any) will be ignored
  - iv. Part years will be ignored unless a member was elected at a by-election, and the subsequent ordinary election falls one year or less after the by-election, in which case the Authority member will be deemed to have served a whole year.
  
8. Assembly members who have at any time during their period of service referred to in paragraph 6 held an office at the Authority for one year or more which -
  - a. attracts a salary higher than that of Assembly members generally; and
  - b. is specified in the Salaries and Pensions Determination current at the time of an ordinary election of the Authority

but who no longer holds that office on the day of the poll at an ordinary Authority election, shall be entitled to receive an additional payment by way of an Additional Resettlement Grant if they no longer hold that office immediately before the election. The Additional Resettlement Grant will be equal to one quarter of the difference between i) the annual salary payable for that office on the day before they ceased to hold that office and ii) the basic annual salary for Assembly members generally on the day of poll at an ordinary Authority election. If, during an Assembly member's term of office, he or she held more than one office at the Authority

covered by a. and b. above, the calculation of the Additional Resettlement Grant will be based on the higher, or as the case may be, the highest amount payable for an office. The entitlement under this provision will be deferred for payment jointly with the Resettlement Grant to which he or she is entitled as an Assembly member

### *Ill-health retirement*

**9** Any Authority member whose health precludes their continued participation as a member of the Authority shall be entitled to claim an Ill-Health Retirement Grant on ceasing to be an Authority member. The level of grant shall be calculated on the same basis as a claim for Resettlement Grant under sections 5 and 6 of this Determination. For the avoidance of doubt, an Authority member under this section will be entitled to claim an Ill-Health Retirement Grant as would have been his or her entitlement at the preceding ordinary election as if they had been a Qualifying Person pursuant to section 3 of this Determination.

**10.** (a) Every application for Ill-Health Retirement Grant shall be accompanied by evidence from a medical practitioner of the applicant's state of health.

(b) In the case of any such application the Authority 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 Authority or the applicant, as the Authority may determine.

### *Dispute resolution*

**11.** In the event of a dispute about a calculation under sections 6 - 10 of this Determination, which cannot be resolved by agreement between the Authority and the Authority member concerned, the dispute shall be determined by the Chair of the Authority's Standards Committee (provided that he or she is an Independent Member). If the Chair of the Standards Committee is not an Independent Member, the dispute shall be determined by an independent person appointed by the Authority for the purpose.

Approved by –

- The Mayor of London – 20 February 2008 (MAF 3271)
- The London Assembly – 20 February 2008 (Minute 5)