

COUNCIL MEMBER FEES, ALLOWANCES, ENTITLEMENTS & REIMBURSEMENTS

Purpose

To clearly outline fees, allowances, entitlements and reimbursements awarded to Council Members for the purpose of undertaking their role as representatives of the City, in accordance with the *Local Government Act 1995*, and based on determinations from the WA Salaries and Allowances Tribunal. This policy also takes into consideration of Attendance at Events.

Definitions

The **Act** means the *Local Government Act 1995*.

The **Administration Regulations** refers to the *Local Government (Administration) Regulations 1996*.

Council Member means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Salaries and Allowances Tribunal is an independent body established under the *Salaries and Allowances Act 1975* that sets the minimum and maximum fees and allowances for Council Members.

Policy Statement

Council Members are entitled to the payment of fees and allowances and the reimbursement of reasonable expenses as defined in this policy.

1. Eligibility to receive Fees and Allowances whilst a Council Member

Council Members are eligible to receive fees and allowances once they make their declaration to office. The value of the fees and allowances are determined each financial year during the adoption of the budget and shall not exceed the values determined by the Salaries and Allowances Tribunal.

Council Members' fees and allowances shall be payable monthly in arrears. Where a Council Member does not hold office throughout the payment period, an amount of one twelfth of the annual fee will be prorated for that part of a month that they held office.

2. Fees and allowances for attending meetings

Council Members who attend Council or committee meetings are entitled to be paid a sitting fee regardless of the meeting structure in place, or the number of meetings attended by a particular Council Member.

Different rates apply to the Mayor and Deputy Mayor to the rest of the Council Members.

2.1.1. Mayor and Deputy Mayor Local Government Allowance

The annual local government allowance for the Mayor and the Deputy Mayor shall be set by Council on an annual basis.

The Deputy Mayor is entitled to no more than 25% of the annual local government allowance payable to the Mayor.

The expenditure of the allowances is at the Mayor or Deputy Mayor's discretion.

2.2 Allowance of ICT Expenses

All Council Members are entitled to be paid an annual allowance for the actual cost related to information and communications technology.

The allowance is for costs relating to telephone usage including plans/contracts, rentals, mobile phones, mobile devices, extra telephone lines, call cost, internet service provider fees and consumables incurred while performing the functions of a Council Member.

2 Authorised Activities

Express authority of the Council is given to Council Members to attend the following activities:

- a) any working group meeting, ordinary or special briefing session and council forum, notice of which has been given by the Chief Executive Officer (CEO);
- b) any meeting of any body to which the Council Member has been appointed by the Council or to a secondary body as approved by the CEO (but not including any meeting of a regional local government);
- c) any annual or special electors' meeting;
- d) an invitation to an event as approved (see Appendix A);
- e) any meeting of a ratepayer/residents association;
- f) any site where:
 - i. the site is the subject of an item of business on an agenda for a Council briefing session or a Council meeting; and
 - ii. the attendance occurs between the issue of the agenda and the Council briefing session or the Council meeting;
- g) a meeting with the CEO or a Director of the City at the request of the CEO or a Director;
- h) a meeting with a ratepayer/resident or a local body or group to discuss any local government matter;
- i) a meeting or function of any body including any State Government body, in their capacity as the Mayor, including attendance by the Deputy Mayor or a Councillor in place of the Mayor;
- j) Professional development or mandatory training; or
- k) Any other function, meeting or event in their role as a Council Member that is supported by a written invitation.

3 Reimbursement of Expenses

Council Members will need to complete a "Claim for Reimbursement of Expenses" form and submit within one month after the expense is incurred.

4.1 Reimbursement of child care expenses as a result of attendance at an authorised activity, meeting of Council or Committee

A Council Member who incurs child care costs (where they are a parent or legal guardian) because of the Council Member's attendance at a Council meeting or meeting of a committee (of which he or she is a member), is entitled to be reimbursed the actual cost per hour or the prescribed amount for children requiring adult supervision as determined by the Salaries and Allowances Tribunal whichever is the lesser amount.

Child care costs will not be paid for where the care is provided by a member of the immediate family or relative living in the same premises as the Council Member.

Claims to be supported by a tax invoice/receipt or a signed statutory declaration from the Council Member of the expense incurred.

4.2 Reimbursement of travel and parking expenses because of attendance at an authorised activity, meeting of Council or committee

A Council Member who incurs travel expenses because of the Council Member's attendance at a Council meeting or meeting of a committee of which they are a member, is entitled to be reimbursed for travel from the person's place of residence or work to the meeting and back.

Council Members are entitled to claim reimbursement of travel associated with any other Authorised Functions (in accordance with 2 above) provided that:

1. the Authorised Function requires travel between towns;
2. a City vehicle cannot be used for the travel; and
3. Car-pooling with City staff is not an option.

If transportation is provided by another Council Member, then only that Council Member who provided vehicle transport is entitled to claim the actual cost applicable.

The amount per kilometre to which the person would be entitled for that expense in the same circumstances in accordance with the *Local Government Officers' (Western Australia) Award 2021*.

Parking costs are to be reimbursed at the actual cost upon production of a receipt.

4.3 Claim for Reimbursement

CG-6-1 Form is to be used for Councillor Travel Expense Claims

CG-6-2 Form is to be used for Councillor Child Care Expense Claims

All claims for reimbursement must be lodged with the Chief Executive Officer on the appropriate claim form, on a monthly basis, within 1 month. Expenses for the month of June are to be submitted by 15 July.

In submitting claims or a statutory declaration for reimbursement, the Council Member shall detail the date of the claim, particulars of the claim and nature of business, e.g. the amount paid for child care costs, distance travelled, vehicle displacement and the total travelled in kilometres and certify the accuracy of such information.

Parking fees are reimbursed only with receipts.

Failure to present claims within identified time periods will be considered by the CEO and may result in the non-payment of the claim particularly if the claim relates to a former financial period.

Under no circumstances is any reimbursement to be made in connection with costs incurred for re-election to the office of Mayor or Council Member.

5 Superannuation

All Council Members will be entitled to receive superannuation payments. Council Members will need to complete an application form with their nominated superannuation fund provider and submit it to the Chief Executive Officer or their delegate for payments to be made. Payments will be made monthly and will be based on Council Fees and Allowances only.

Council Members do have the flexibility to opt in or opt out of the program at any time. Opting back in does not entitle a Council Member to any back payments.

As with any financial arrangements, Elected Members are encouraged to obtain their own financial or taxation advice.

6 Mayor's Entitlements

The CEO shall provide to the Mayor, at the City's cost, the following within the City's administration offices:

- The use of an office, the use of a City employee as a part time executive assistant to the extent considered appropriate by the CEO, and the use of a computer and telephone.
- In addition to the allowance in lieu of reimbursement of telephone expenses the CEO is to provide to the Mayor a mobile phone for City business calls only.

Related Documents

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| Legislation & Local Laws | <p><i>Local Government Act 1995 (as amended), sections 5.98, 5.98A and 5.99</i></p> <ul style="list-style-type: none"> • <i>Local Government (Financial Management) Regulations 1996, regulation 5</i> • <i>Local Government (Administration) Regulations 1996, regulations 31 and 32.</i> • Public Service Award 1992 • SAT Determination: Salaries and Allowances Tribunal |
| Relevant Delegations | |
| Strategies & Plans | |
| Related Council Policies | |
| Procedures, Documents & Forms | <p>Form CE-6-1 "Councillors Claim Form - Travel Expenses"</p> <p>Form CE-6-2 "Councillors Claim Form - Child Care Expenses"</p> |

Policy Owner

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| Directorate | <i>Corporate & Commercial</i> |
| Department | <i>Governance & Organisational Strategy</i> |

Review Management

Next review due: *June 2024 (Reviewed every 4 years)*

Version Management

| Version | Date | Council Resolution # | Description |
|---------|---------|----------------------|-------------|
| 1.0 | 09.2020 | 151286 | |
| 2.0 | 06.2012 | 152116 | |
| 3.0 | 08.2012 | 152174 | |
| 4.0 | 10.2012 | 152264 | |
| 5.0 | 12.2012 | 152330 | |
| 6.0 | 04.2015 | 153109 | |
| 7.0 | 04.2017 | 153772 | |
| 8.0 | 07.2019 | 154387 | |
| 9.0 | 06.2020 | 154608 | |
| 10.0 | | | |

Appendix A : Attendance at Events

Event is defined by section 5.90A of the Act to meaning a concert, conference, function, sporting event or other occasion as may be prescribed by legislation.

Gift is defined by section 5.57 of the Act to meaning a conferral of a financial benefit (including a disposition of property) made by one person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral. It includes any contributions to travel.

Invitation means a ticket to an event, pre-approved or not, where payment is ordinarily required.

1. Eligibility of Attendance

A list of events and attendees authorised by the local government in advance of the Event is disclosed in Schedule 1.

If the Event is not pre-approved, the following criteria will apply:

- a) All Invitations or offers to an Event for a Council Member or CEO to attend should be in writing,
- b) Attendance at Events for Council Members will be approved by the CEO, and
- c) Attendance at Events for the CEO will be approved by the Mayor.

In making a decision on attendance at an Event, the decision maker will consider the following:

- a) who is providing the invitation or ticket to the Event (for example, is the donor a person who is undertaking or seeking to undertake an activity involving a Council decision);
- b) the location of the Event in relation to the local government (within the district or out of the district);
- c) the role of the Council Member or CEO when attending the Event (participant, observer, presenter) and the value of their contribution;
- d) whether the Event is sponsored by the local government;
- e) the benefit of local government representation at the Event;
- f) the number of invitations / tickets received; and
- g) the cost to attend the Event, including the cost of the ticket (or estimated value of the Event per invitation) and any other expenses such as travel and accommodation.

Where a Council Member or CEO is unable to attend an Event, the CEO may offer the Invitation to another Council Member, Employee or decline acceptance of the initial Invitation.

2. Payments in Respect of Attendance

Where an invitation or ticket to an Event outside the district is provided free of charge, the local government may contribute to reasonable expenses for attendance, such as travel and accommodation, if the Council determines attendance to be of value.

If the Council determines that a Council Member or CEO should attend a paid Event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.

Where partners of an authorised local government representative attend an Event, any tickets for that person, if paid for by the local government, must be reimbursed unless expressly authorised by the Council.

SCHEDULE 1 APPROVED EVENTS

The following is a list of pre-approved events as determined by Council:

- a) Any free event held in the City of Karratha;
- b) Australian or West Australian local government events;
- c) Awards nights/dinners of clubs and community groups within the City of Karratha;
- d) City of Karratha hosted events, ceremonies and functions;
- e) City of Karratha run functions or events;
- f) City of Karratha sponsored functions or events;
- g) Community art exhibitions;
- h) Cultural events or festivals;
- i) Events run by a local, state or federal government;
- j) Events run by schools, universities or educational institutions;
- k) Events run by professional bodies associated with local government;
- l) Recognition of service events;
- m) Community associations and Service club events (e.g. Rotary, Lions, RSL etc.);
- n) Events where Council Member or CEO attendance at an event is in an official capacity;
- o) Political functions and events relevant to the City;
- p) Industry and peak body functions, events and conferences.