

Council Policy – Councillor Fees and Entitlements

Responsible Directorate	Corporate Services
Responsible Business Unit/s	Governance
Responsible Officer	Manager Governance
Affected Business Units	Governance Finance Executive Services

Objective

In accordance with Division 8 Part 5 of the *Local Government Act 1995* Elected Members are entitled to receive a fee for meeting attendance, be reimbursed for expenses and/or be paid an allowance for certain types of expenses. This policy provides the approval framework under which all fees, allowances and reimbursements to Elected Members will be made.

The policy also ensures that Elected Members are provided with appropriate facilities, equipment, information and training opportunities to support them in performing their duties.

This policy applies to all persons who holds the office of Councillor on the Council of the Shire of Serpentine Jarrahdale.

All matters approved in this policy are in accordance with the relevant legislation and determinations, being the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members in accordance with the *Salaries and Allowances Act 1975*.

All fees and allowances are to be set by Council resolution annually following the Salaries and Allowances Tribunal determination.

Policy

1. FEES AND ALLOWANCES

1.1 Annual Meeting Attendance Fees - (*Local Government Act 1995* section 5.99)

Annual Meeting fees for Elected Members and the Shire President is determined each year by the Salaries and Allowances Tribunal ('the Tribunal'). An Elected Member is entitled to be paid the minimum fee, as determined by the Tribunal, for attending Council or Committee meetings. Alternatively, Council is able to set a fee within the prescribed range set by the Tribunal.

In the absence of Council determining the annual meeting fees from the Tribunal's determination each year, the below percentages shall prevail:

- 1.1.1 The Councillors' Annual Meeting Attendance Fee shall be 75% of the annual maximum Salaries and Allowances Tribunal determination.
- 1.1.2 The Shire President's Annual Meeting Attendance Fee shall be 75% of the annual maximum Salaries and Allowances Tribunal determination.

1.2 Annual Allowance for Shire President - (*Local Government Act 1995* Section 5.98(5))

- 1.2.1 The annual allowance for the Shire President shall be 75% of the annual maximum Salaries and Allowances Tribunal determination.

**1.3 Deputy Shire President Allowance - (Local Government Act 1995 Section 5.98A)**

1.3.1 The annual allowance for the Deputy Shire President is 75% of the Annual Allowance for the Shire President, as determined in point 1.2 of this policy.

1.4 Information and Communication Technology (ICT) - (Local Government Act 1995 Section 5.99A and Local Government (Administration) Regulations 1996 Regulation 31(1)(a))

1.4.1 Elected Members are to receive the maximum prescribed Information Technology and Telecommunications Allowance as set by the Salaries and Allowances Tribunal.

The ICT Allowance is to cover rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; and any other expenses that relate to information and communications technology i.e. telephone/fax call charges, printer consumables and internet service provider fees.

1.4.2 The allowance in 1.4 is in addition to Council providing computer equipment in the form of a laptop/tablet/iPad, (whichever is adopted by Council from time to time) with appropriate software as needed. Council supplied equipment is only to be used in relation to Council business.

1.4.3 Councillors are to provide their most convenient and contactable telephone number to the public and for publication in Council documentation including the website.

1.5 Conditions Relating to Payment of Fees and Allowances

All Allowances and Fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer in writing that he/she does not want to claim any or part of those. The taxation liability arising from these payments is the individual responsibility of each Elected Member.

All the fees and allowances described in 1.1 to 1.4 above shall be paid monthly in arrears.

2. REIMBURSEMENTS**2.1 Childcare**

2.1.1 Elected Members are entitled to be reimbursed for childcare costs incurred because of an Elected Member's attendance at a Council or Committee meeting. In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal, being the actual cost per hour, or \$25 per hour, whichever is the lesser amount.

2.1.2 Receipts for expenses incurred from the Childcare Centre and correspondence from Centrelink showing entitlement of rebate and benefit that are claimed are to be provided for reimbursement (this covers the Childcare rebate which is a percentage of income and the Childcare benefit which is 50% of the total cost).



2.2 Travel

The payment of travel costs is prescribed under Regulation 31 and 32 of the *Local Government (Administration) Regulations 1996*.

Travel costs incurred and paid by Elected Members will be reimbursed when using a private motor vehicle to, from and attending:

- a) Meetings of the Council or a Committee of the Council;
- b) Any Shire convened meeting requiring elected member attendance, including briefing sessions, workshops and other forums;
- c) Meetings where a Councillor has been appointed by Council as its delegate or a deputy to the delegate (except where the other body pays the elected member for meeting attendance and/or travel eg ministerial appointment to State Advisory Boards);
- d) Attending functions where the Member is representing the Shire President or is attending by resolution of Council;
- e) A specific request or instruction of the Council;
- f) Elected member training courses;
- g) Attendance at community functions with a formal invitation as an elected member; and
- h) Seminars and conferences attended in the capacity of an elected member.
- i) Site inspections in connection with matters listed on any Council Agenda (Members to state the item number listed on any Council Agenda along with the date and time of the visit on the claim form).

2.3 Claims Procedure and Time Limit

Elected Members requesting reimbursement of expenses in accordance with the provisions of this policy shall complete the appropriate claim form.

2.3.1 Reimbursement claims shall detail the date of the claim, particulars of travel, nature of business and distance travelled. This shall be accompanied by supporting documentation.

2.3.2 Claims for reimbursement are to be submitted no later than 30 days after the end of the month in which the expense was incurred.

2.3.3 Travel shall be wherever possible, by the shortest route.

2.3.4 Under no circumstances is any reimbursement to be made in connection with costs incurred for re-election to office.

2.4 Rates of Reimbursement

Depending on the circumstances of the travel expense being claimed, there are 2 sets of reimbursement rates applicable, either:

- a) section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011; or
- b) Public Service Award 1992.

**2.4.1 Reimbursement claims relating to travel to and from Council and Committee meetings**

Claims for reimbursement made in accordance with 31(1)(b) of the *Local Government (Administration) Regulations 1996 – ...travel costs incurred by a council member because of the member’s attendance at a council meeting or meeting of committee of which he or she is also a member. –*

The Salaries and Allowances Tribunal has determined these claims are reimbursed at:

“The rate of reimbursement being as prescribed by section 30.6 of the Local Government Officers’ (Western Australia) Interim Award 2011.

2.4.2 Reimbursement claims for other travel

Reimbursement claims made in accordance with 32(1) of the *Local Government (Administration) Regulations 1996*, have been determined by the Salaries and Allowances Tribunal as

“...the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992.”

3. PROMOTIONAL/LOBBYING OPPORTUNITIES

The Shire’s Strategic Community Plan supports and encourages the creation of progressive, connected communities. Council supports this through ongoing lobbying to higher levels of government to increase the Shire’s grant eligibility and to highlight priority projects that align with State and Federal initiatives. Council provides resources annually in the Shire’s budget for this. In most cases, the Shire President and Chief Executive Officer would represent the Shire, however other Councillors may be considered if it is a matter where the Shire is best represented by someone other than the Shire President and and/or Chief Executive Officer. These opportunities and the Shire’s best representative/s are at the discretion of the Shire President and Chief Executive Officer.

4. ITEMS PROVIDED TO ELECTED MEMBERS**4.1 Corporate Items**

In order to assist Elected Members in the performance of their duties they shall be provided with:

- a) Business cards;
- b) Name badges;
- c) Elected members are entitled to obtain the following uniform:

Men	1 x Suit (incorporating the Shire’s logo) 2 x Business Shirts 1 x Tie (with Shire Logo supplied on appointment of position with Council)
Women	1 x Suit (incorporating the Shire’s logo) 2 Blouses/Shirts



	1 x Scarf (with Shire’s logo given on appointment of position with Council)
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The abovementioned is applicable to elected members for each full term of office.

Where appropriate, approved uniforms will incorporate the Shire’s logo; and

- d) A Shire issued laptop or tablet inclusive of standard equipment associated with the day-to-day use of the device. Conditions associated with the use of this equipment include:
 - i. Any damage and loss of computer equipment is the responsibility of the Elected Member to repair and fund.
 - ii. Computer equipment is to be used for Shire purposes only including, researching Council related matters, Shire approved social media, Shire related pictures or filming, receiving and despatching email correspondence, diary requests and Council meeting agendas.
 - iii. All information on Shire issued computer equipment is subject to Freedom of Information requests.
 - iv. Any costs associated with upgrades or additional requirements over and above the standard computer being offered should be met by the Elected Member.
 - v. All computer equipment is to be returned to the Shire in the event of an Elected Member resigning from Council or at the expiry of their term of office.

4.2 Recognition of Elected Members

Retiring Elected Members are recognised at the last Ordinary meeting of Council before the election or at an official function recognising past Elected Members.

Retiring Councillors are presented with:

- their name badge
- their name plaque
- a certificate of service
- A gift up to the value of \$100 per year of service with a maximum value of \$1000 (provided that at least one full 4 year term of office has been served). The value of any gift provided to a retiring Elected Member is limited to the prescribed amount set out in Regulation 34AC of the *Local Government (Administration) Regulations 1996*.

4.3 Shire Office Access

The Shire shall provide to the Shire President the use of a suitable office within the Shire’s Civic Centre.

Elected Members will be issued with a 24 hour access security card/token for the Civic Centre. Elected Members are not permitted to enter the administration areas without the permission of the CEO. All meetings with Shire employees should be pre-booked through the CEO or a Director’s office and held in the meeting rooms in the Civic Centre.

**5. DISPUTE RESOLUTION**

Any disputes concerning this policy shall be referred to the Chief Executive Officer in the first instance. In the event that the Elected Member and the Chief Executive Officer cannot reach an agreement, the matter will be referred to the Council for a decision.

Definitions

Not applicable

Relevant Policies/Council Documents

- Previous Council Policy - 1.1.15 Councillor Fees and Entitlements
- Strategic Community Plan 2017 – 2027
- Council Policy 3.3.5 – Councillor and CEO Attendance at Events

Legislation/Local Law Requirements

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- Salaries and Allowances Tribunal
- Local Government Officers' (Western Australia) Interim Award 2011
- Public Service Award 1992

Office Use Only				
Relevant Delegations	Nil			
Council Adoption	Date	22 May 2017	Resolution #	OCM066/05/17
Reviewed/Modified	Date	22 November 2017	Resolution #	SCM162/11/17
Reviewed/Modified	Date	18 December 2017	Resolution #	OCM186/12/17
Reviewed/Modified	Date	19 August 2019	Resolution #	OCM187/08/19
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