

## 1.13 C-1EMEPD013 Elected Members Entitlements and Professional Development

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### **PART A - Policy**

#### **Objective**

The Shire of Dandaragan's Elected Members are required to carry out certain functions and responsibilities under the *Local Government Act 1995* (the Act). In order to assist in the facilitation of their roles there are entitlements that they must/or may be provided with in order to be effective in their role.

This objective of this policy is to provide a clear outline and guidance for the support and payment of all entitlements, including meeting/attendance fees, allowances, and conference and training expenses to elected members.

#### **Policy Statement**

In recognition of the complexity and demands on Elected Members in undertaking their role, the Shire of Dandaragan is committed to ensuring adequate funding is included in the Annual Budget so that elected members are provided with appropriate facilities, equipment, material and information to support them in performing their duties of office and to enable attendance at Conferences or Professional Development training that has relevance to that role.

This policy has been prepared to conform with the provisions relevant to elected member entitlements under the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*

#### **Legislative Provisions**

Sections 5.98, 5.98A, 5.99, 5.99A and 5.100A of the *Local Government Act 1995* provides that a Local Government is to pay certain fees and allowances and may reimburse expenses.

Regulations 30, 31, 32 and 34AC of the *Local Government (Administration) Regulations 1996* prescribe the level and circumstances of the payment or reimbursement of fees, allowances and expenses.

#### **Policy Content**

<b>Part</b>	<b>Title</b>
1.	Payment of Fees and Allowances
2.	Access to Shire Buildings, Administrative Support and Technology
3.	Attendance at Conferences and Training within Australia
4.	Reimbursement of Expenses

## **PART 1**

### **1. Payment of Fees and Allowances**

#### **1.1 Objective**

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

#### **1.2 Annual Meeting Attendance Fees in lieu of Council Meeting and Committee Meeting Attendance Fees:**

- (a) In lieu of paying the President and Councillors a meeting attendance fee for each prescribed meeting, the Shire will pay an amount within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid annually for Meeting Attendance Fees for the President and Councillors. The amount to be paid will be set by Council as part of the adoption of the Annual Budget.
- (b) Payments will be made quarterly in advance on a pro-rata basis throughout the annual period.

#### **1.3 Annual Local Government Allowances — President and Deputy President:**

- (a) The Shire will pay an Annual Local Government Allowance within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to the President and Deputy President. The amount to be paid will be set by Council as part of the adoption of the Annual Budget
- (b) Payments will be made quarterly in advance on a pro-rata basis throughout the annual period.

#### **1.4 Annual Allowance for ICT Expenses**

- (a) The Shire will pay all Elected Members the maximum Annual Allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to Elected Members.

**ICT expenses** means –

- (a) 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* (Regulations); or
  - (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the Regulations.
- (b) Payments will be made monthly in advance on a pro-rata basis throughout the annual period.

## 1.5 Annual Allowance for Travel and Accommodation Expense

In lieu of Annual Allowance for Travel and Accommodation expenses, the Shire will reimburse Elected Members the costs incurred in accordance with clause 32 of the Regulations (*see clause 4.4 of this policy for full details*).

**Travel and Accommodation expenses** means –

- (a) travel costs, as prescribed by regulation 31(1)(b) of the *Local Government (Administration) Regulations 1996* (Regulations); or
- (b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the Regulations.

## 1.6 Conditions of Payment

- (a) All allowances and fees shall be paid automatically into a nominated bank account unless an Elected Member has advised the Chief Executive Officer (CEO), in writing, that he/she does not want to claim any or part of those fees and allowances.
- (b) If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back paid but accrue from the date of the CEO receiving such a request.

## 1.7 Claims in Excess of Annual Allowances

Any claims by Elected Members for expenses incurred over the maximum Annual Allowance for ICT or Travel are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.

## 1.8 Taxation Implications

The taxation liability arising from these payments is the individual responsibility of each Elected Member.

## **PART 2**

### **2. Access to Shire Administration Centre, Administration Support and Equipment**

#### **2.1 Shire President's Office**

The Shire President will have access to a suitable office within the Administration Centre allocated by the CEO.

The Shire President will have access to secretarial support including management of diary and emails, photocopying, drafting official Shire business related responses and for following up on outstanding matters with the CEO.

#### **2.2 Function Area**

A Function Area and bar are available to all elected members for use in hosting guests or holding Shire related meetings. The Elected Members should advise the CEO by email that a meeting room is required so the room can be booked.

#### **2.3 Administration Support**

Elected Members will have access to:-

- (a) Conference/meeting rooms within the Administration Centre.
- (b) Limited photocopying, printing, facsimile, internet and telephone facilities within the Administration Centre.
- (c) Secretarial support as resources allow including limited word processing, photocopying, and postage is available upon request to the CEO.

#### **2.4 Information, communication and technology (ICT) equipment & Use**

The following equipment will be issued to Elected Members over and above the annual ICT Allowance detailed in Item 1.4:

- A laptop or equivalent technology

##### ***Conditions***

- (i) This equipment will be new and replaced in accordance with the Shire's replacement program (normally once every three (3) years).
- (ii) Any damage and loss of the equipment during that time is the responsibility of the Elected Member to repair and fund.
- (iii) The equipment is strictly 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.
- (iv) Any issue relating to the equipment that requires technical support will only be provided if the issue relates to the usage types listed in 2.4 (iii).
- (v) The CEO, if requested, may provide assistance to Elected Members with user training and support.
- (vi) All information on Shire issued equipment is subject to Freedom of Information requests.

- (vii) A Councillor email address will be created in the form of cr.surname@dandaragan.wa.gov.au. The President will be provided with a specific email address of [president@dandaragan.wa.gov.au](mailto:president@dandaragan.wa.gov.au).
- (viii) All emails received and sent through the cr.surname@dandaragan.wa.gov.au or president email accounts are captured in the Shire's Email Archive System.
- (ix) Any costs associated with upgrades or additional requirements over and above the standard equipment being offered should be met by the Elected Member.

## 2.5 Shire Office Access

The Shire Administration Office is protected by a coded security system.

To protect the integrity of the Administration Operations, access by Elected Members is by arrangement through the CEO's Office.

Elected members are not permitted to request staff to provide them with access into the Administration Centre and meetings with staff should be pre-booked through the CEO Office and held in an appropriate meeting room. This provision does not preclude staff arranging and booking meetings with elected members.

## 2.6 Documentation

The following documentation will be issued to Elected Members in electronic form or printed form:-

- *Local Government Act 1995*
- *Code of Conduct for Council*
- *Councillor Manual – "The Complete Guide to the Local Government Act 1995"*
- *Induction Manual*
- *Local Planning Scheme No.7 all associated planning strategies and documentation*
- *Annual Budget*
- *Integrated Planning and Reporting (IPR) documentation*
- *Policy Manual and Delegations Register*
- *Information Technology Service Agreement for Elected Members*
- *Shire and Town maps*

The following documentation will be provided on request:-

- Western Australian Local Government Directory
- Annual Report (most recent edition)
- Councillor delegates list
- Councillor meeting dates & venues (most recent edition)
- Councillor Request Forms
- List of Councillors addresses
- Local Laws
- Member's Expense Claim
- Organisational chart
- Community Centre Information

**Access to Information**

*Section 5.92 of the Local Government Act 1995, provides:-*

*A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.*

**2.7 Other Items**

The following items will be issued to Elected Members:

- Name badge
- Business cards
- Shire satchel

**2.8 Gifts and Donations**

From time to time Elected Members may wish to provide stakeholders or community organisations and members with gifts or donations for various reasons. Any request for a gift or donation must be submitted to the CEO in writing stating the purpose of the gift or donation and provide justification as to why the gift or donation is warranted.

The CEO is responsible for approving any such requests for gifts or donations within budget limits permitting and reasonable justification being provided.

**2.9 Election Campaigns Excluded**

All Shire resources, equipment and facilities subject of this Policy are provided on the absolute understanding that they will not be used for any election purposes.

## **PART 3**

### **3. Attendance at Conferences, Study Tours, Community Consultation and Training**

#### **3.1 Objective**

To enable Elected Members to develop and maintain skills and knowledge relevant to their role as a representative of the Shire.

To further develop Councillors awareness of undertakings by other Local Authorities and to improve their knowledge by way of networking, visiting surroundings districts and consulting with the wider Dandaragan community and to ensure they are not financially disadvantaged in doing so.

#### **3.2 Statement**

The role of an Elected Member is complex and demanding and the Shire supports and encourages Elected Members to attend appropriate Conferences, Study Tours and Training to enable them to be more informed and better able to fulfil their duties of Office.

#### **3.3 Conferences and Training that May be Attended**

The Conferences and Training to which this Policy applies shall generally be limited to the following:

- West Australian Local Government Association and Australian Local Government Association conferences.
- Special 'one off' conferences called for or sponsored by the West Australian Local Government Association and/or Australian Local Government Association on important issues.
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities such as SEGRA or Australian Coastal Society.
- West Australian Local Government Association's or relevant provider's Councillor Induction Program.
- West Australian Local Government Association Elected Member Training and Development.
- Training relating to the role of Elected Members.
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

#### **3.4 Required Training for Council Members**

**All newly elected Council Members are required to comply with the provisions of section 5.126 of the *Local Government Act 1995* and undertake the training stipulated in Regulations 35 and 36 of the *Local Government (Administration) Regulations 1996*.**

### **3.5 Approval**

The CEO is authorised to approve all requests for each Elected Member per annum to attend any locally provided Conference or Training within the categories outlined at clause 3.3 providing it is within the funds allocated in the Annual Budget.

All overseas and interstate requests will require Council approval.

### **3.6 Study Tours**

A study tour is designed to enable Elected Members (and staff) to travel intrastate, interstate and/or overseas to research and study specific issues fronting Council

Wherever possible, details of study tours are to be arranged in advance so that suitable provision can be made in each year's budget. When no details of study tours have been arranged, or arrangements are incomplete, an appropriate amount may be included in the budget to cover the cost of an annual study tour.

The CEO in consultation with the Shire President may approve attendance at study tours subject to budget and in accordance with the following guidelines:-

- The maximum attendance at any study tour is to be two Elected Members (and two staff).
- Attendance at a study tour shall only take place where there are appropriate funds provided in the annual budget
- A detailed report including recommendations on each study tour is to be submitted to Council

In addition to these ad hoc study tours, the Shire will aim to undertake a best practice tour every second year to visit another local government in Western Australia to share knowledge and ascertain solutions to contemporary local issues. This best practice tour available to all elected members will alternate with attendance with the West Australian Local Government Association's annual conference.

### **3.7 Special Provision**

To provide an opportunity to network with Federal Ministers, Members of Parliament and/or Senior Departmental Officers on issues affecting this Council, the Shire President (and the Chief Executive Officer) may attend an appropriate interstate conference that may incorporate a visit to Canberra.

### **3.8 Booking Arrangements**

Registration, travel and accommodation for Elected Members will be arranged through the Council Secretary. In general, all costs including airfares, registration fees, and accommodation will be paid direct by the Shire.

### **3.9 Travel Insurance**

The Shire's Travel Insurance Policy provides indemnification against any personal loss an Elected Member may experience when travelling on Shire related business. The Elected Members must immediately upon return provide details of the loss to the CEO and complete an insurance claim form.

The following items are covered under the policy:

Personal Accident & Sickness	Rental Vehicle Excess
Overseas Medical & Evacuation	Kidnap, Ransom, Extortion, Hijack & Detention
Chubb Response 24/7	Personal Liability & Identity Theft
Loss of Deposits, Cancellation & Curtailment	Alternative Employee or Resumption of Assignment
Luggage, Money & Portable Electronic Equipment	Missed Transport Connection & Overbooked Flights
Extraterritorial Workers' Compensation (ETWC)	Political Unrest & Natural Disaster Evacuation
Political Unrest & Natural Disaster Evacuation	Lifestyle Protection Benefits

### 3.10 Support Activities

The Shire will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

### 3.11 Accommodation

The Shire will pay reasonable accommodation costs for Elected Members including the night before and/or after the Conference and Training event where this is necessary because of travel and/or the Conference and Training event timetables which make it unreasonable to arrive at or return home in normal working hours.

Accommodation shall normally be booked at or within walking distance to the Conference and Training venue based on a best value for money approach.

### 3.12 Mode and Class of Travel

Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the Conference and Training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the Shire.

Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements. All air travel must be **economy class**, any upgrades to other classes must be paid by the elected member

If accommodation is at the Conference or Training venue, or in close proximity, taxis or ride-share services should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares, vehicle hire and parking, which are reasonable, required and incurred in attending Conferences and Training, will be reimbursed by the Shire.

Taxi vouchers can be requested for use by Elected Members through the office of the CEO prior to departure.

Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

### **3.13 Extent of Expenses to be reimbursed**

(a) An Elected Member attending a Conference and Training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:

- meals and refreshments for the Elected Member (that are not covered by the conference and Training registration costs);
- dry-cleaning and laundry expenses; and
- reasonable telephone, and internet charges.

(b) Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.

(c) Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:

- for the days of the Conference and Training event only; and
- for the cost of travel to and from the airport to the accommodation to be used for the Conference and Training.

(d) Where a visit is extended, as discussed in paragraph (c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the Conference and Training event. In such situations, the reimbursement of taxi fares will be to the estimated cost of travel between the Conference and Training event's accommodation and the airport.

The Elected Member will be required to pay any greater amount.

(e) Where an Elected Member attends two Conference and Training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than two days, only two days reimbursement can be claimed.

### **3.14 Payment of Expense Reimbursements**

The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time.

Nothing prevents an Elected Member from being reimbursed for any reasonable expense incurred whilst attending conferences or training where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

Reasonable expense may include but are not limited to:

- Meals and drinks for the elected member only
- Transport travel – taxi, Uber or public transport.
- Entry fees

### **3.15 Cash Advances**

The Shire does not pay cash advances to elected members.

### **3.16 Elected Member/Delegate Accompanying Person**

Where an Elected Member is accompanied at a Conference and Training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/ accompanying person and not by the Shire.

The exception to the above being the cost of attending any official Conference and Training event dinner where partners would normally attend.

An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The Shire will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the Shire in advance for the accompanying person.

Where the Shire meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the Shire by the elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the Conference and Training event.

### **3.17 Guidelines for Conference and Training Attendance**

Generally, no more than two Elected Members may attend a particular Conference or Training event outside Western Australia at the same time. The CEO or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.

### **3.18 Attendance at Overseas Conferences**

An Elected Member may, with Council approval, attend an overseas conference. The Council approval must include a specific Council resolution indicating that the conference attendance will be of benefit to the Shire and the Elected Member and detailing any conditions that may apply.

### **3.19 Report**

Upon return from any Conference and Training event as detailed within this policy, where registration and other associated costs are met by the Shire of Dandaragan, the attending Elected Member is required to provide a written or verbal report on their attendance and the benefits to them and the Shire, at the next available Council forum or Council meeting.

## **PART 4**

### **4. A Reimbursement of Expenses**

#### **4.1 Objective**

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their office.

#### **4.2 Cost of Attending Functions**

The Shire will pay for the registration cost or ticket cost for the elected members, plus his or her partner, attending any breakfast, dinner or similar function where invited, provided such function does not fall into the category of a Conference and Training event or is not for an election purposes.

#### **4.3 Child Care:**

In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, childcare costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time for an Elected Member's attendance at a Council Meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.

Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs childcare costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.

Childcare costs are applicable for children, either of natural birth or guardianship determined by legal process.

Childcare 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 Elected Member.

#### **4.4 Travel Expenses**

***Note: This clause also applies to non-elected members***

1. All Elected members and Council appointed delegates (who are not elected members) will be paid the Local Government Officer's Award rate per kilometre for all travelling expenses incurred in attending the following:
  - annual and special and general meetings of electors;
  - officially called civic receptions;
  - visits by Ministers of the Crown to the Council or with it;
  - Council inspection tours;
  - Council authorised meetings with government agencies;
  - other Council called meetings of Councillors and staff;

- committee meetings;
  - community group meetings or meetings with key stakeholders which in the opinion of the CEO or Shire President require a Council member present, and where prior approval has been provided by the CEO or Shire President.
  - official meetings as delegates of Council;
  - ordinary meetings of Council;
  - official locality inspections; and
  - Council authorised conferences / seminars / professional development courses.
2. Reimbursement of travel expenses *will not be paid* where members of Council attend
    - a) social engagements (other Councils' annual dinners, sporting clubs, community groups and other organisations' functions);
    - b) meetings, functions etc where they are not the nominated Council representative; and
    - c) road / locality inspections that have not been convened by a resolution of Council.
  3. Where acting as a Council representative, that requires travel outside of the Shire, and travel by motor vehicle is appropriate, travel should be undertaken by Council vehicle where available and appropriate, otherwise private vehicle use is allowed.
  4. Costs of vehicle hire, taxi fares and parking which are reasonably required and incurred in attending conferences, seminars, training courses, meetings and functions, will be reimbursed by the Council.
  5. Reimbursement of travel expenses are to be paid only on receipt of a formal claim from a member of Council or non-member delegate and are to be calculated on the number of kilometres between the member's principal place of residence or work within the Shire to the venue and return.

**Provisions relating to claims for reimbursement of travel costs:-**

If a council member lives or works in their own local government district or an adjoining local government district, they may be reimbursed the travel costs from either of those locations. It is not a question of determining which of the residence or workplace locations is the furthest or shortest distance and claiming either the greater or lesser amount. For the claim to be legitimate it must relate to the cost actually incurred so:

- if the council member travelled directly from the workplace to the meeting, then that is the travel cost to be claimed;
- if the council member travelled from the workplace to their home and then to the meeting, they would claim from their place of residence to the meeting; or
- the claim might relate to travel from work to the meeting and then home after the meeting.

Provision also exists within the regulations for council members who either live or work in a location that is neither in the district nor in an adjoining district. In such cases:

- if the round-trip journey is less than 100 km, they may claim the actual costs; or

- if the round-trip journey is more than 100 km, they may claim an amount equal to the cost of travelling from the outer boundary of the adjoining district and back to that boundary.

If a council member lives within the district or an adjoining district but works in an outlying area (or vice-versa) it would be possible to claim either:

- on-route from work, from the outer boundary of the adjoining district to the meeting; and
- returning home, from the meeting to the residence; or
- the reverse combination of these.

In all cases, the reimbursement claims must relate to expenses actually incurred. This is clearly a reimbursement, not an allowance. The onus is on the council member to provide sufficient evidence of the expense to satisfy the council (and the auditor).

A suitable claim form will be provided by the Executive Manager Corporate & Community Services upon request.

#### **4.5 Time Limit on Claims and Approval Process**

Elected Members requiring reimbursement of expenses in accordance with the provisions of this Policy should submit the appropriate claim form to the CEO, together with supporting documentation, within three (3) calendar months after the month in which the expenses were incurred, and by 30 June of each financial year, in order to facilitate the finalisation of the Shire's annual financial statements. Any claims exceeding the three (3) month timeframe will not be reimbursed

#### **4.6 Allowances and Limits are exclusive of G.S.T**

Unless otherwise specified in this Policy, all allowances and limits set out in this Policy are exclusive of GST.

#### **4.7 Supporting Documentation**

Documentary evidence is required for all expenses claimed. Original Tax Invoices and receipts are required for audit purposes and to enable G.S.T. to be claimed.

#### **4.8 Other Entitlements**

##### **(a) Elected Member Dinners**

The Shire will provide a meal for all Council meetings and briefing sessions held in the evening.

**(b) Attendance to Staff Christmas Party**

Elected Members and their partners are invited to attend the annual staff Christmas party held in December each year.

**(c) Acknowledgement of Service**

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate gift.

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*

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