

Policy

Elected Members Allowances, Expenses and Gifts



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Legal Authority:	Local Government Act 1995 Sections 2.7, 2.8, 2.10, 5.98, 5.98A, 5.99, 5.99A, and 5.100
Directorate:	City Strategy
Department:	City Strategy
Related documents:	Acts/Regulations Local Government (Administration) Regulations 1996 Part 8 Salaries and Allowances Act 1975 Part 7B. Plans/Strategies Nil Policies Nil Work Instructions D10/3923[v5] – WI 04 – Councillor Expenses

	Other documents Nil
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Note: Changes to References may be made without the need to take the Policy to Council for review.

Policy:

1. Title

Elected Members Allowances, Expenses and Gifts

2. Purpose

To outline the support that is to be provided to Elected Members through the payment of allowances, reimbursement of expenses incurred, insurance cover and supplies provided in accordance with the Local Government Act 1995 while performing the official duties of office.

3. Scope

Elected Members should take care to differentiate between expenditure incurred in their private capacity and expenditure necessary to fulfil their role as an Elected Member. Reimbursement is to be made for expenses outlined in the Policy.

4. Definitions

Nil

5. Policy Statement

5.1 Allowances:

5.1.1 Mayoral Allowance

The Mayor is to receive the maximum annual local government allowance allowed under the Salaries and Allowances Act 1975.

5.1.2 Deputy Mayoral Allowance

The Deputy Mayor is to receive the maximum annual local government allowance allowed under the Salaries and Allowances Act 1975.

5.1.3 Annual Meeting Attendance Fees

The Mayor and Councillors (Elected Members) are to receive the maximum annual local government meeting attendance fee allowed under the Salaries and Allowances Act 1975. This annual fee is provided on the principle that each Elected Member regularly attends meetings of

Council and Committees to which they are appointed and carry out other responsibilities of the office.

5.1.4 ICT Allowance

The Elected Members are to receive the maximum annual local government information and communications technology allowance. As a minimum, Elected Members are to provide:

- at least one telephone access point for City and community access, and a mobile phone, inclusive of voice message recording capacity.
- a fully functioning internet connection which allows them to access emails, perform any necessary research and keep abreast of current and contentious issues in regard to their role as an Elected Member.
- consumables for computer equipment and internet, fax, phone, and mobile usage (such as printing cartridges, paper).

This allowance is designed to meet all Council related call costs and all other relevant telecommunication costs, including relevant hardware to use a telephone, mobile phone, and the internet.

1.5 Payments

The amount of an Elected Members entitlement to an annual attendance fee or annual allowance specified in this Policy shall be apportioned on a pro rata basis according to the portion of a year that the person holds office as an Elected Member and is eligible for the relevant annual attendance fee or annual allowance. All payments will be in arrears and paid monthly on the 5th day of the following month.

5. 2. Information and Communication Equipment

5 2.1 ICT Equipment and Office Supplies

- a) The City is to make available to all Elected Members, for use during their term of office, a suitably equipped laptop or iPad for the conduct of Council related business, which is in line with the standard IT product the City uses within the organisation at the date of request.
- b) The City does not provide other hardware required to meet their communication needs, such as modems, internet sticks, and handsets, as outlined in section 1.4 of this Policy.

A request to purchase a laptop or iPad will be submitted to the Chief Executive Officer, and the purchase must be made by the City. No reimbursement to Elected Members will be made for this hardware. All equipment must be for Council business only.

- c) If the standard equipment provided by the City does not suit the Elected Member requirements, the Elected Member must, at their own expense, purchase the preferred equipment, and maintain the

equipment that will best suit their requirements. No reimbursement can be claimed.

Notes:

Electronic equipment that is provided by the City remains the property of the local government and is to be returned by the Elected Member if no longer required, their term has expired and they are not re-elected, or it requires replacement.

It is expected that Elected Members are to make every effort to utilise their electronic equipment, in lieu of paper documents for attendance at meetings etc.

Personal computers and associated equipment that is provided by the City is to be offered to the Elected Member for purchase at the depreciated value of the equipment at the expiry of their term of office, or at other times as approved by the Chief Executive Officer. No City property is to be disposed of without prior approval of the Chief Executive Officer.

5.2.2 Maintenance of equipment

- a) At all times during an Elected Member's term, the City is to provide and make provision for the ongoing maintenance of the supplied equipment referred to in clause 5.2.1 of this Policy with all maintenance costs being met by the City. The City will not provide ongoing maintenance to equipment that has been purchased by the Elected Member.
- b) In the event of a malfunction of the equipment the Elected Member is to contact, during business hours, the Council Administration Officer, who is to coordinate the attendance of maintenance personnel.
- c) Under no circumstances should Elected Members undertake repairs or maintenance to City equipment without the express permission of the Chief Executive Officer.

5.3. Reimbursable Expenses

5.3.1 Travelling Expenses

Elected Members are to be reimbursed for travelling expenses incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) in the performance of the official duties of their office, subject to:

- 5.3.1.1 Claims being related to travel to a destination from their normal place of residence or work and return in respect to the following:
 - (a) Council meetings, civic functions, citizenship ceremonies or briefings called by either Council, the Mayor and/or the Chief Executive Officer;

- (b) Committees to which the Elected Member is appointed a delegate or in the circumstance an Elected Member deputising for the delegate who is unable to attend, by Council.
- (c) Meetings, training and functions scheduled by the Chief Executive Officer or Directors.
- (d) Conferences, community organisations, industry groups and local government associations to which the Elected Member has been appointed by Council as its delegate or a deputy to the delegate.
- (e) Functions and presentations attended in the role as an Elected Member or whilst deputising for the Mayor, that are supported by a copy of the relevant invitation or request for attendance.
- (f) Gatherings or events (i.e. funerals, local business or community events), approved by the Chief Executive Officer for attendance by the Mayor or the Mayor's nominated deputy as a representative of the City.
- (g) Any other occasion in the performance of an act under the express authority of Council.
- (h) 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).
- (i) In response to a request to meet with a ratepayer/elector, but excluding contact with any relevant to the biennial elections (members to state the time and purpose of the visit and the name and address of the ratepayer/elector on the claim form).

5.3.1.2 Elected Members are to be reimbursed travelling expenses incurred while using their own private motor vehicle in the performance of the official duties of Council. The extent to which an Elected Member of a local government can be reimbursed for travel costs referred to in regulation 31(1)(b) of the Local Government (Administration) Regulations 1996 is –

- (a) if the person lives or works in the local government district or an adjoining local government district, the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
- (b) if the person does not live or work in the local government district or an adjoining local government district, the actual cost, in relation to a journey from the person's place of residence or work and back —
 - (i) for the person to travel from the person's place of residence or work to the meeting and back; or

- (ii) if the distance travelled referred to in subparagraph (i) is more than 100 kilometres, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.

5.3.1.3 All claims for reimbursement being lodged with the Council Administration Officer on the appropriate claim form, on a monthly basis. In submitting claims for reimbursement, Elected Members are to detail the date of the claim, particulars of travel and nature of business, distance travelled, vehicle displacement and the total travelled in kilometres and certify the accuracy of information. This should be accompanied by supporting documentation where applicable.

5.3.1.4 Travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained within Section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011 as at 17 June 2015.

5.3.1.5 Public Transport

In the event that an Elected Member does not have access to a private vehicle, for travel referred to above, or has a preference for public transport, the Elected Member may use the services of the bus and rail public transport system, expenditure for which is to be reimbursed upon completion of a travel claim form and lodgement of receipts. A taxi service is also acceptable where this is considered necessary.

5.3.1.6 Parking Fees

Parking fees incurred as a result of travel to any occasion referred to in clause 3.1.1 of this policy are to be reimbursed upon lodgement of receipts accompanying the associated travel claim form. The cost of 'valet' parking is not to be reimbursed (unless authorised by the Chief Executive Officer).

5.3.2 Child care costs

5.3.2.1 Attending Council Meeting or Meeting of a Committee

Elected Members are to receive reimbursement of the lesser of the actual cost incurred or the maximum amount allowed under the Salaries and Allowances Act 1975 for care of children, of which they are a parent or legal guardian, whilst attending a Council meeting or a meeting of a Committee of which they are a member.

5.3.2.2 Attending Other Meetings While Representing Council

Elected Members are to receive reimbursement of the lesser of the actual cost incurred or the maximum amount allowed under the Salaries and Allowances Act 1975 for care of children, of

which they are a parent or legal guardian, whilst they are representing Council and attending meetings other than a Council meeting or a meeting of a Committee.

5.4. Other support/supplies/gifts

5.4.1 Supplies

The City is to supply the following items to be used only in fulfilling the role of the office of Elected Member:

(a) Briefcase or Similar

A briefcase or similar (i.e. laptop carrying bag) is to be supplied to each Elected Member following their inaugural election to office up to a maximum value of \$200.

(b) Corporate Jacket

A corporate jacket is to be supplied to each Elected Member following their inaugural election to office.

Note: Corporate jackets and brief cases or similar are to be replaced where they are damaged to an extent to be unserviceable through reasonable wear and usage, approved by the Chief Executive Officer. The briefcase or similar and corporate jacket, may be retained by the Elected Member at the expiry of the Elected Member's term of office.

Note: Elected Members should note that any diary used by an Elected Member to record the scheduling or occurrence of activities related to the fulfilment of the office of Elected Members is subject to the requirements of the State Records Act 2000.

(c) Letterhead

Reasonable quantities of personalised Elected Member letterhead is to be supplied and replaced on request.

Elected Members are not permitted to use City of Kwinana letterhead due to legal implications associated with the use of official City stationery.

(d) Business Cards

The City is to provide each Elected Member with a quantity of 500 colour printed business cards for relevant City business use within each term of office.

The Elected Member business card format is to include; photograph, name, bestowed titles and contact information.

Note: Letterheads and business cards and are to be used strictly for official Council business and are not to be used for election purposes under any circumstances.

(e) Name Badges

i. Formal (gold tone) Elected Member name badge.

ii. Formal (gold tone) Elected Member partner name badge.

iii. Plastic informal Elected Member name badge.

Note: The City is to within reason, replace on request any name badge which is lost or irreparably damaged.

(f) Other Council Business Related Expenses

Other reimbursements for Council related expenses include: reimbursement of clothing, footwear, apparel, dry cleaning, and personal presentation, to a maximum cost to the City of

\$1000 per Elected Member and \$2000 for the Mayor per financial year, to fulfil their role as an Elected Member for attending official functions where they are formally representing the City. Where an Elected Member is due for election the maximum amount will be based on a pro rata amount.

5.4.2 Insurance

The City is to insure or provide insurance cover for Elected Members for:

5.4.2.1 Personal Accident following accidental injury whilst engaged in the performance of the official duties of their office. Key benefits of the policy include, but are not limited to lump sum payment for permanent disablement, weekly injury benefit for loss of regular income for a temporary disablement, non-Medicare medical expenses and out of pocket expenses.

5.4.2.2 Corporate Travel following accidental injury or illness whilst undertaking travel in the performance of the official duties of their office, including any incidental travel. Key benefits of the policy include, but are not to limited to lump sum payment for permanent disablement, weekly injury benefit for loss of regular income for a temporary disablement, medical expenses, cancellation and loss of luggage. Cover is extended to accompanying spouses and dependent children.

5.4.2.3 Councillors Liability for third party allegations of a wrongful act whilst engaged in the performance of the official duties of their office. Cover provides for legal representation costs and damages awarded against the Elected Member, however does not cover dishonest or fraudulent acts

5.4.2.4 Public Liability for third party allegations of negligence whilst engaged in the performance of the official duties of their office, which has resulted in property damage or a personal injury.

5.4.3 Medical Expenses

Elected Members are to receive reimbursement of medical expenses not covered by their medical insurance fund, incurred while in the performance of the official duties of their office, upon submission of relevant receipts and medical documentation to the Chief Executive Officer and subject to such reimbursement being limited to the sum of

\$500 without the prior approval of Council. This can include damage to or loss of spectacles, flu vaccine, and other aids.

5.4.4 Gifts from the Local Government

In accordance with Clause 5.100A of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 clause 34AC gifts may only be given to Elected Members upon the occasion of their retirement, following the completion of at least one full four year term of office.

On the retirement of an Elected Member and in recognition of their years of service the following will be presented;

- i. Framed photograph;
- ii. Plaque
- iii. a gift up to the value of \$100 per year of service to a maximum of \$1000 (provided that at least one full 4 year term of office has been served).

5.4.5 Accompanying Person on Official City Business

Where an Elected Member and/or the Chief Executive Officer attends an event, for example receiving an award on behalf of the City, attending stakeholder annual dinners, in an official capacity representing the City, the payment of one accompanying person will be made, and must be approved by the Chief Executive Officer. In the case that it is the Chief Executive Officer is attending in their official capacity representing the City, the payment of one accompanying person will be made, and must be approved by the Mayor.

The City will pay for up to four events per financial year for an accompanying person to attend with an Elected Member or the Chief Executive Officer.

6. Financial/Budget Implications

Specific financial or budget implications associated with this Policy are dealt within the text of clause 5 of this Policy.

7. Asset Management Implications

There are no specific asset management implications associated with this Policy.

8. Environmental Implications

There are no specific environment implications associated with this Policy.

9. Strategic/Social Implications

Corporate Business Plan 2017 – 2022 Objective 5.1 An active and engaged Local Government, focussed on achieving the community's vision.

10. Occupational Safety and Health Implications

There are no specific OSH implications associated with this Policy.

11. Risk Assessment

A risk assessment conducted as part of the Policy review has indicated that the risk to the City by not providing an adequate policy to address the circumstances for which Elected Members allowances, expenses and gifts are dealt with would result in a risk rating of moderate.

It is assessed that the risk rating following the implementation of this policy would result in a risk rating of low.