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| POLICY NO | CP/CNC-3141 | |
| POLICY | Elected Member Allowances & Entitlements | |
| RESPONSIBLE DIRECTORATE | Governance | |
| RESPONSIBLE OFFICER | Chief Executive Officer | |
| COUNCIL ADOPTION | Date: 27/10/2015 | Resolution No: 11155 |
| REVIEWED/MODIFIED | Date: 29/03/2016 | Resolution No: 11296 |
| | Date: 15/09/2016 | Resolution No: 11490 |
| | Date: 26/04/2017 | Resolution No: 11665 |
| | Date: 24/04/2018 | Resolution No: 117940 |
| | Date: 26/03/2019 | Resolution No: 115960 |
| | Date: 24/03/2020 | Resolution No: 118188 |
| | Date: 24/11/2020 | Resolution No: 118344 |
| | Date: 30/03/2021 | Resolution No: 118408 |
| | Date: 22/03/2022 | Resolution No: 118606 |
| | Date: 31/05/2022 | Resolution No: TBC |
| REVIEW DUE | Date: March 2023 | |
| LEGISLATION | <i>Local Government Act 1995, Sections 5.98, 5.98A, 5.99, 5.99A Local Government (Administration) Regulations, Part 8 Salaries and Allowances Act 1975 Determination for Local Government – Elected Council Members Pursuant to Section 7B of the Salaries and Allowances Act 1975</i> | |
| RELATED POLICIES | Code of Conduct for Council Member, Committee Members and Employees | |
| RELATED ORGANISATIONAL DIRECTIVES | Nil | |

PURPOSE:

The purpose of this policy is to provide a clear outline of the support and entitlements available to the Shire's Elected Members.

POLICY STATEMENTS:

1. PROVISION OF SUPPORT

All Elected Members, following election to Council, are entitled to receive:

- a) An email address in the format of firstname.lastname@swek.wa.gov.au;
- b) Personalised business cards using the SWEK business card template;
- c) Personalised SWEK name badge; and
- d) Limited ICT support on a case by case basis with requests made directly to the CEO.

1.1. Office of the Shire President

The Shire of Wyndham East Kimberley will provide to the Shire President, at the Shire's cost, the following:

- a) use of a suitable office with printing facilities;
- b) provision of a suitable laptop (if requested), that will remain the property of the Shire and be returned upon the end of election term.

All Elected Members may utilise the Shire President's office when it's available, and have access to the printing facilities.

2. ATTENDANCE FEES & ANNUAL ALLOWANCES

2.1. Annual Attendance Fees in Lieu of Council Meeting, Committee Meeting and Prescribed Meeting Attendance Fees

The President's Annual Meeting Attendance Fee is 75% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.

The Elected Members Annual Meeting Attendance Fee is 75% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.

2.2. Annual Allowance for the President and Deputy President

The President's Annual Allowance is 75100% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.

The Deputy President's Annual Allowance is 25% of the President's Allowance.

2.3. ICT Allowance

The Elected Members will receive an ICT Allowance of \$2,400.

2.4. Considerations

In setting the fees, the Tribunal takes into account a range of factors including: -

- the time required to prepare adequately for the meetings including consideration of agenda papers, site visits related to agenda items and consultation with council staff and community members;
- the role of the Elected Member or President including, but not limited to, representation, advocacy and oversight and determination of policy and local legislation.
- particular responsibilities associated with the types of meetings being attended;
- responsibilities of the president to preside over meetings; and
- the relative size of the local government as reflected in the Tribunal's government banding model.

The Shire of Wyndham East Kimberley is in Band 2 of the Tribunal's model.

2.5. Conditions Relating to Payment of Fees and Allowances

The payment is applicable to each financial year and is payable in arrears in October, January, April and July.

Payment will be to the account nominated by the Elected Member.

Payment of the allowance is made on the basis that each Elected Member regularly attends Council meetings, Briefing Sessions and meetings as set out in section 5.98(1) and (2A) of the *Local Government Act 1995* and Regulation 30(3A) of the

Local Government (Administration) Regulations 1996, and carries out other normal duties and responsibilities of the office of Councillor for the whole year.

Any taxation liability arising from the payment of meeting fees is the individual responsibility of each Elected Member.

3. REIMBURSEMENT OF EXPENSES

As set out in section 5.98(2)(a) and (3) of the *Local Government Act 1995* and Regulation 31 of the *Local Government (Administration) Regulations 1996* the following expenses are to be reimbursed subject to a statement being certified by the Elected Member concerned that the claim is in respect to costs associated in the course of Shire business.

Claims for reimbursement must be submitted no later than 30 days after the financial year in which the expenses were incurred for: -

- a) Child care costs incurred by an Elected Member because of the member's attendance at a Council meeting or a meeting of a committee of which he or she is also a member. This can be either, actual costs or \$25 per hour whichever is the lesser amount.
- b) Mileage claims incurred by an Elected Member to attend a Council meeting or a meeting of a committee of which he or she is also a member. Calculated on a rate per kilometre payable at the same rate contained in Section 30.6 of the *Local Government Officers' (Western Australia) Interim Award 2011*. Mileage claims will only be reimbursed where a Council vehicle is not available.
- c) The extent to which as council member can be reimbursed for Intrastate or Interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the *Public Services Award 1992* issued by the Western Australian Industrial Relations Commission as at the date of the SAT determination.

In accordance with section 32(1)(c) of the *Local Government (Administration) Regulations 1996*, Elected Members may be reimbursed for the above costs for the following meetings:

- Council briefings and workshops;
- Training and conferences;
- Any meeting whereby the Elected Member has been nominated as a Council representative.

In accordance with section 5.99A(1)(b) of the *Local Government Act 1995*, Elected Members will be provided with an annual ICT allowance, and will not be reimbursed for ICT expenses.

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

4. TRAINING & CONFERENCE/SEMINAR ATTENDANCE

Elected Members are required to attend training that is organised specifically for them and held within the Shire.

Elected Members are encouraged to attend Western Australian Local Government Association endorsed training courses or to participate in regional based, web based or teleconference type training where possible.

Elected Members are encouraged to attend the Western Australian Local Government Annual Conference once during their term.

Elected Members who wish to attend training courses, appropriate conferences or seminars may make application to the Shire President in writing. A decision on attendance will be made jointly by the Shire President and the CEO based on need and budgeted funds being available. The CEO is to authorise all travel requests from the Shire President based on budgeted funds being available.

4.1. Bookings: -

All bookings associated with Elected Members travel will be arranged by the Shire's officer nominated by the CEO and will included:

- Registration fees
- Travel to and from the conference, study, seminar convention etc.
- Accommodation
- Meals and incidentals required.

All travel will be booked at Standard Economy rates whilst ensuring that an appropriate standard is obtained. Any upgrades requested will be at the member's expense. The cost is to be recovered by the Shire by way of invoice.

If the member elects not to stay at the relevant accommodation, then a daily allowance will be paid at the rate that would apply to the relevant accommodation in accordance with the *Public Service Award 1992*, or if the actual costs are less, then whichever is the lesser amount. Receipts will be required.

Meals outside of the accommodation will be claimable at actual costs or at the *Public Service Award 1992*, rate, whichever is the lesser amount. Receipts will be required.

4.2. Partners accompanying Elected Members on civic duties.

Partners, spouses and immediate family members may accompany Elected Members at their own cost. To assist members with bookings these can be made by the Shire on a cost recovery basis.

Any variations to travel arrangements that are at the "option" of the member will be the member's costs. Variations due to operational requirements will be met by the Shire.

4.3. Costs

The following will be reimbursed or paid for approved training/conference/seminar attendance. Where a reimbursement is required, receipts must be provided.

Costs will be reimbursed or paid to allow the Elected Member to arrive at the location one day prior to the start of the training/conference/seminar and to depart the day following the close of the training/conference/seminar.

In the event that an Elected Member wishes to extend their visit for reasons not associated with approved Council business, any extended stay is to be at the cost of the Elected Member.

Claims for reimbursement must be submitted within 14 days of return:

- a) Registration fees and training costs will be paid for the Elected Member. Any fees for an accompanying person are at the cost of the Elected Member.
- b) Domestic standard economy class air travel.
- c) Actual receipted accommodation.
- d) Actual receipted taxi's (to and from the airport, venues, accommodation or other approved places associated with the approved travel).
- e) Actual receipted parking (at the airport, venues, accommodation or other approved places associated with the approved travel).
- f) Actual receipted food and drink costs (alcohol not included).
- g) Mileage costs to travel to and from the training/conference/seminar venue in accordance with the current mileage allowances as established by the *Public Service Award 1992* up to and including an amount equivalent to that which would have been expended had arrangements been made to travel by air.
- h) Hire car if deemed more cost effective by the CEO.

4.4. Sharing of Knowledge

Within a reasonable time (not exceeding three months) from the conclusion of an approved conference or seminar, the Elected Member concerned shall provide a written report or presentation (including copies of conference papers) concerning the conference or seminar for the information of other Shire Elected Members and for the Shire's records.

5. RECOGNITION ON RETIREMENT

The following recognition is provided to retiring Elected Members to acknowledge their contribution to Council and the community:

- a) For service less than 4 years in office – Certificate of Appreciation.
- b) For service more than 4 years in office – Certificate of Appreciation and an appropriate gift bearing the Shire of Wyndham East Kimberley logo to be chosen by the Shire President to a value not exceeding \$200.

6. DISPUTE RESOLUTION

Any disputes in regard to this policy will be referred to the CEO in the first instance. In the event that the Elected Members and CEO cannot reach an agreement, the matter will be reported to the Council for a decision.

EXPLANATORY NOTES:

This Policy ensures:

1. That Elected Members are provided with the appropriate facilities, equipment, material and information to support them in performing their duties of office.
2. The Policy also enables Elected Members to be accessible to the community, their colleagues and the Shire's staff.
3. The Policy also ensures Elected Members are recognised for their service to the community and the significant weight of responsibilities which Elected Members shoulder.

RISK:

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Controls: Implementation of LTFP and Annual Budget.
Policies updated in accordance with schedule and operational requirements.