



COUNCIL ~~MEMBER~~ OR FEES, ALLOWANCES, ENTITLEMENTS & REIMBURSEMENTS

Purpose

To clearly outline ~~the support and fees, allowances, entitlements and reimbursements~~ allowances available awarded to the City of Karratha's Council Members for the purpose of undertaking their role as representatives of the City, in accordance with the provisions of the Local Government Act 1995, and based on determinations from of the WA Salaries and Allowances Tribunal. any "out of pocket" expenses that are incurred in carrying out their function as a Councillor. 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. The Local Government Act 1995 (~~the Act~~) and Local Government (Administration) Regulations 1996 (~~the Administration Regulations~~) provide for Councillor entitlements. The Act provides for sitting fees, allowances and reimbursement of specific expenses related to or incurred in performing the role as a Council Member for the City of Karratha. This policy details the reimbursements that Council Members are entitled to. The Salaries and Allowances Tribunal determine values annually based on the local government category to which the City is allocated. The amounts to be paid within the ranges are then subsequently agreed to by Council for each category of fee and allowance.

The City shall meet ~~provide~~ entitlements and reimburse out of pocket expenses that are reasonably incurred as a Councillor and in accordance with this policy.

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

The Act provides for sitting fees, allowances and reimbursement of specific expenses related to or incurred in performing the role as a Council Member for the City of Karratha. These Council Members are automatically eligible to receive fees and allowances once they make their declaration to office. The value of the fees and allowances generated are determined each financial year following during the adoption of the budget and shall not exceed the values determined by the Salaries and Allowances Tribunal and. They are paid automatically and will not require a Councillor Claim request.

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

2. Fees and allowances for attending meetings

~~All Councillors~~ Council Members who attend Council or committee meetings are entitled to be paid a sitting fee. ~~The fees can be paid based on individual meetings or as an annual fee, in accordance with Section 5.99 of the Act and Regulation 34 of the Administration Regulations.~~

~~The fees are paid in lieu of Council and Committee meeting attendance fees and shall be fixed at the prescribed amounts as set by the Salaries and Allowances Tribunal~~ regardless of the meeting structure in place, or the number of meetings attended by a particular ~~Councillor~~ Council Member.

~~Different rates apply to the Mayor and Deputy Mayor to the rest of the Council Members.~~
~~Councillors are to be paid their attendance fees on a monthly basis in arrears.~~

2.1.1. Mayor and Deputy Mayor Local Government Allowance

The annual local government allowance for the Mayor ~~and the Deputy Mayor is determined by the Salaries and Allowances Tribunal and~~ shall be set by Council on an annual basis, ~~in accordance with Section 5.98(5) of the Act and Regulation 33 of the Administration Regulations.~~

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

~~The allowance to the Mayor shall be paid on a monthly basis in arrears. Where the Mayor does not hold office throughout the payment period, an amount of one twelfth of the annual fee is to be paid for each month or part of a month that the Mayor held office.~~

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

~~2.1 Deputy Mayor Local Government Allowance~~

~~The annual local government allowance for the Deputy Mayor is determined by the Salaries and Allowances Tribunal and shall be set by Council on an annual basis in accordance with Section 5.98A(1) of the Act and Regulation 33A of the Administration Regulations, which is 25% of the annual local government allowance payable to the Mayor.~~

~~The allowance to the Deputy Mayor shall be paid on a monthly basis in arrears.~~

~~Where a Deputy Mayor does not hold office throughout the payment period an amount of one twelfth of the annual fee is to be paid for each month or part of a month that the Deputy Mayor held office.~~

~~The expenditure of the allowance is at the discretion of the Deputy Mayor.~~

2.2 Reimbursement Allowance of ICT Expenses

All Council ~~Members~~ Members are entitled to be paid an annual allowance ~~as determined by the Salaries and Allowances Tribunal in accordance with Section 5.99A of the Act instead of reimbursement under section 5.98(2) for the actual cost related to information and communications technology that might otherwise have been approved for the reimbursement under Regulation 32 of the Administration Regulations.~~

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 ~~the Councillor~~ a Council Member.

~~Councillors are to be reimbursed their annual fees on a monthly basis in arrears.~~

32 ~~Authorised Functions~~Activities

~~For the purpose of Regulation 32(1)(a) of the Administration Regulations express~~ Express authority of the Council is given to Council ~~Members~~ to attend the following ~~functions~~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); City of Karratha civic function to which all Councillors are invited;~~
- ~~e) a citizenship ceremony conducted by the City;~~
- ~~f) any ceremony for the presentation by the City of awards to school students by any Councillor responsible for presentation of the awards;~~
- eg) any meeting of a ratepayer/residents association ~~dealing with the interests of a ward represented by that Councillor;~~
- hf) 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;
- ig) a meeting with the CEO or a Director of the City at the request of the CEO or a Director;
- jh) a meeting with a ratepayer/resident or a local body or group to discuss any local government matter;
- ki) 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~~
- kl) Any other function, meeting or event in their role as a Council ~~Member~~ that is supported by a written invitation.

43 Reimbursement of Expenses

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

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

~~In accordance with Section 5.98(2)(a) of the Act and Regulations 31(1)(b) of the Administration Regulations, A~~ 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~~ ~~M~~member.

Claims ~~to be supported by a tax invoice/receipt or a signed statutory declaration from the Council Member of the expense incurred. must be made on the claim form provided and be accompanied by a receipt or invoice detailing the date, number of hours, rate and function attended and the details of the service provider.~~

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

~~In accordance with Section 5.98 of the Act and Regulations 31(1)(b) of the Administration Regulation, 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 2.2 above) provided that:

1. ~~For the Mayor, the Authorised Function can be within and between towns. For all other Council Members, the~~ 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~~ 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 ~~Executive Assistant to the~~ Chief Executive Officer ~~and Mayor~~ on the appropriate claim form, on a monthly basis, ~~no later than fourteen (14) days after the final day of the period to which the claim relates~~ 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. Parking fees will only be reimbursed if receipts accompany claim. This should be accompanied by supporting documentation where applicable.~~

~~Expenses for the month of June are to be submitted by 15 July.~~

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~~or~~.

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.~~

56 Mayor's Entitlements

The CEO ~~is to~~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.

Consequences

~~This policy represents the formal policy and expected standards of the City of Karratha. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected members and employees are reminded of their obligations under the Council's Code of Conduct to give full effect to the lawful policies, decisions and practices of the City.~~

Roles and Responsibilities

~~Council is required annually at its budget deliberations to agree to maximum allowance limits for the Mayor, Deputy Mayor and Councillors. The limits cannot exceed that prescribed annually by the Salaries and Allowances Tribunal.~~

~~Councillor is required to complete their claim form within a timely manner and present to the Personal Assistant to the CEO and Mayor for processing and payment. Councillors are required to be able to substantiate expenditure at all times where reimbursement is required for out of pocket expenses.~~

~~Executive Assistant to the Chief Executive Officer and Mayor shall ensure that claims are processed promptly. Cross referencing of Councillor's attendance to meetings shall be undertaken to calculate travel claims and expenditure.~~

~~Chief Executive Officer shall ensure that allowances are prepared within agreed timeframes and paid to councillors in a timely manner.~~

Related Documents

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
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Relevant
Delegation
s

Strategies
& Plans

Related
Council
Policies

Procedures ,
Document
s & Forms

Form CE-6-1 "Councillors Claim Form - Travel Expenses"
Form CE-6-2 "Councillors Claim Form - Child Care Expenses"

Policy Owner

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	

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7.0	04.2017	153772	
8.0	07.2019	154387	
9.0	06.2020	154608	
<u>10.0</u>			

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.