

COUNCILLOR FEES, ALLOWANCES & REIMBURSEMENTS

Purpose

To clearly outline the support and allowances available to the City's Councillors within the provisions of the Act to cover any "out of pocket" expenses that are incurred in carrying out their function as a Councillor

Definitions

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.

The **Act** means the *Local Government Act 1995*.

Principles

The *Local Government Act 1995* (the Act) and *Local Government (Administration) Regulations 1996* (the Administration Regulations) provide for Councillor entitlements. This policy details the reimbursements that Councillors 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 entitlements and reimburse out of pocket expenses that are reasonably incurred as a Councillor and in accordance with this policy.

2.1 Eligibility to Fees and Allowances whilst a Councillor

The Act provides for sitting fees, allowances and reimbursement of specific expenses related to or incurred in performing the role of Councillor for the City of Karratha. These are automatically generated each financial year following the adoption of the budget and will not require a Councillor Claim request.

Councillors' fees and allowances shall be payable monthly in arrears. Where a Councillor 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 member held office.

2.1.1 Fees for attending meetings

All Councillors 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.

Councillors are to be paid their fees on a monthly basis in arrears.

2.1.2 Mayor Local Government Allowance

The annual local government allowance for the 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 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 allowance is at the discretion of the Mayor.

2.1.3 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.

2.1.4 Reimbursement of ICT Expenses

All Councillors 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.

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

2.2 Authorised Functions

For the purpose of Regulation 32(1)(a) of the Administration Regulations express authority of the Council is given to Councillors to attend the following functions:

- 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 anybody to which the Councillor 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) 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;
- g) any meeting of a ratepayer/residents association dealing with the interests of a ward represented by that Councillor;
- h) 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;
- i) a meeting with the CEO or a Director of the City at the request of the CEO or a Director;
- j) a meeting with a ratepayer/resident or a local body or group to discuss any local government matter;
- k) a meeting or function of anybody 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;
- l) Any other function, meeting or event in their role as a Councillor that is supported by a written invitation.

2.3 Reimbursement of Expenses

It will be up to the individual Councillor to ensure that they complete a "Claim for Reimbursement of Expenses" form and this is submitted within fourteen (14) days after the close of each month.

2.3.1 Reimbursement of child care expenses as a result of attendance at an authorised function, 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 Councillor who incurs child care costs (where they are a parent or legal guardian) because of the Councillor'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 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 member.

Claims 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.

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

In accordance with Section 5.98 of the Act and Regulations 31(1)(b) of the Administration Regulation, a Councillor who incurs travel expenses because of the Councillor's attendance at a Council meeting or meeting of a committee of which he or she is a member, is entitled to be reimbursed for travel from the person's place of residence or work to the meeting and back.

Councillors 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 Councillors, 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 Councillor, then only that Councillor 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.

2.4 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.

In submitting claims for reimbursement the Councillor 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 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 Councillor.

2.5 Mayor's Entitlements

The CEO is to 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	<i>Local Government Act 1995 (as amended), sections 5.98, 5.98A and 5.99</i> <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: http://www.sat.wa.gov.au/LocalGovernmentElectedMembers/Pages/Default.aspx
Relevant Delegations	
Strategies & Plans	
Related Council Policies	
Procedures, Documents & Forms	Form CE-6-1 "Councillors Claim Form - Travel Expenses" Form CE-6-2 "Councillors Claim Form - Child Care Expenses"
Policy URL	CG06 Councillor Fees Allowances and Reimbursements Policy.pdf

Policy Owner

Directorate	<i>Corporate & Commercial</i>
Department	<i>Governance & Organisational Strategy</i>

Review Management

Next review due:	<i>June 2024</i>
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Version Management

Version	Date	Council Resolution #	Description
<i>1.0</i>	<i>09.2020</i>	<i>151286</i>	
<i>2.0</i>	<i>06.2012</i>	<i>152116</i>	
<i>3.0</i>	<i>08.2012</i>	<i>152174</i>	
<i>4.0</i>	<i>10.2012</i>	<i>152264</i>	
<i>5.0</i>	<i>12.2012</i>	<i>152330</i>	
<i>6.0</i>	<i>04.2015</i>	<i>153109</i>	
<i>7.0</i>	<i>04.2017</i>	<i>153772</i>	
<i>8.0</i>	<i>07.2019</i>	<i>154387</i>	
<i>9.0</i>	<i>06.2020</i>	<i>154608</i>	