

1.5 COUNCIL MEMBER AND INDEPENDENT COMMITTEE MEMBER FEES, EXPENSES AND ALLOWANCES

Responsible Directorate	Corporate Services
Responsible Service Area	Finance
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1. PURPOSE

To provide guidance and clarity with regard to the fees, expenses and allowances that will be paid to council members and independent committee members in accordance with the *Local Government Act 1995* (the Act), *Local Government (Administration) Regulations 1996*, *Salaries and Allowances Act 1975* and the annual determination made by the Salaries and Allowances Tribunal (SAT), to enable them to carry out their required functions as a council or committee member of Shire of Mundaring (the Shire).

2. SCOPE

This policy applies to payments made by the Shire to council members and independent committee members including fees, mandatory superannuation contribution payments, reimbursement of expenses and allowances in accordance with Divisions 8 and 10 of the Act.

3. DEFINITIONS

council member a person elected under the Act as a member of Council. The Shire's council members include the Shire President, Deputy Shire President and Councillors (as defined by the Act).

independent committee member a person who is a committee member but who is neither a council member nor an employee.

For clarity this applies to committees established under section 5.8 of the Act and does not apply to advisory groups, representative meetings and working groups.

4. POLICY

Payments made to council members and independent committee members are made in accordance with relevant legislation and the annual determination by the Salaries Administrative Tribunal.

4.1. Council Member Annual Meeting Attendance Fees

- 4.1.1. Annual meeting attendance fees are determined each year during development of the annual budget and will be set at the maximum level determined each year by the State Administrative Tribunal.
- 4.1.2. Payment of the annual fee is made on the principle that each council member regularly attends Council and committee meetings to which they are appointed, any meeting convened by the CEO or Shire President including but not limited to Council Forums, briefings, workshops, advisory groups, representative meetings etc. and carries out other responsibilities of their office.
- 4.1.3. Any taxation liability arising from the payment of meeting fees is the responsibility of each council member.
- 4.1.4. Payment may be made to a council members superannuation fund if requested.
- 4.1.5. Meeting attendance fees are payable in advance as 12 monthly instalments.
- 4.1.6. Where a council member no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.

4.2. Independent Committee Members Meeting Attendance Fees

- 4.2.1. Meeting attendance fees are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT. Independent committee member fees will comply with section 5.100(2)(b) of the Act
- 4.2.2. Any taxation liability arising from the payment of meeting fees is the responsibility of each independent committee member.
- 4.2.3. Payment may be made to an independent committee members superannuation fund if requested.
- 4.2.4. Meeting attendance fees are payable retrospectively per meeting attended.

4.3. Shire President and Deputy Shire President Annual Allowances

- 4.3.1. Shire President and Deputy Shire President allowances are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.
- 4.3.2. These allowances are paid in advance as 12 monthly instalments.
- 4.3.3. Where the Shire President or Deputy Shire President no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If

payment of the allowance has already been made, the council member is required to reimburse the Shire.

4.4. Superannuation

- 4.4.1. Council Members will receive a superannuation contribution payment into their nominated superannuation fund, the amount of which is to be in accordance with the *Superannuation Guarantee Act 1992*.
- 4.4.2. An individual Council member may choose not to receive superannuation payments by notifying the Shire in writing. They may choose to receive these superannuation payments at a later date but not in the same financial year where they have previously opted out.

4.5. Continual Professional Development Reimbursement

- 1.1.1. Allowances for training and professional development may be paid in accordance with the Council Member CPD Policy adopted under section 5.128 of the Act.
- 1.1.2. All payments, including fees, allowances, reimbursements, and superannuation contributions, shall be recorded in the annual Expenses Register and published in accordance with Regulation 29C.
- 4.5.1. In accordance with *Regulation 37 of the Local Government (Administration) Regulations 1996*, council members are not eligible for payment or reimbursement for CPD activities during the final three months of their term, after giving notice of resignation, or while suspended.
- 4.5.2. However, Council may, by special resolution, approve payment or reimbursement for specific CPD activities (e.g., WALGA Convention) during this period. Such resolutions must be recorded in the minutes and comply with this policy.

4.6. Information and Communication Technology (ICT) Allowance

- 4.6.1. Council Members
 - 4.6.1.1. Council members will receive an ICT allowance as determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.
 - 4.6.1.2. The ICT allowance covers:
 - 4.6.1.2.1. the cost to purchase a laptop or tablet PC (if required);
 - 4.6.1.2.2. telecommunication expenses;

- 4.6.1.2.3. purchase of a printer (if required);
 - 4.6.1.2.4. expenses incurred for the maintenance and repair of the laptop or tablet PC and any consumable supplies; and
 - 4.6.1.2.5. provision of an internet connection or datapl.
- 4.6.1.3. The ICT allowance is paid in advance as 12 monthly instalments.
- 4.6.1.4. Where a council member no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.
- 4.6.2. Independent Committee Members
 - 4.6.2.1. Independent committee members are not eligible to receive the ICT allowance.
 - 4.6.2.2. To assist with the orderly conduct of a Council or committee meeting, a printed, paper copy of the agenda will be provided to the presiding member for all Council related meetings (council member or independent committee member). This does not constitute as part of the ICT allowance.

4.7. Stationery

- 4.7.1. Council Members
 - 4.7.1.1. Council members will be supplied with a formal name badge. Lost or irreparably damaged badges will be replaced on request.
 - 4.7.1.2. Council members will be provided with a quantity of colour printed business cards for relevant Shire business within each term of office.
- 4.7.2. Independent Committee Members
 - 4.7.2.1. Independent committee members are not eligible to receive stationery.

4.8. Insurance

- 4.8.1. Council Members
 - 4.8.1.1. Council members receive insurance cover for:
 - 4.8.1.1.1. Personal Accident and Corporate Travel whilst performing their official duties. Cover does not include ordinary medical expenses.
 - 4.8.1.1.2. Management Liability for matters arising out of the performance of the official duties of their office

provided the performance or exercise of the official duty is, in the opinion of Council, not illegal, dishonest, against the interests of the Shire or otherwise in bad faith.

- 4.8.1.1.3. Public Liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the insurance policy.

4.8.2. Independent Committee Members

- 4.8.2.1. Independent committee members receive limited insurance for non-Medicare medical expenses incurred whilst attending committee meetings they are appointed to.

4.9. Travel

Where a motor vehicle is used, reimbursement of travel expenses is calculated on a cents per kilometre basis payable as prescribed in the *Local Government Officers' (Western Australia) Award 2021*. For council members and independent committee members with electric vehicles, the 1600cc rate will be applied.

If a council member or independent committee member is provided with a Shire vehicle to attend official duties, no travel expenses are claimable.

Reimbursement of travel expenses will be processed upon receipt of the "Travel/Transportation Expenses Reimbursement Form" (Appendix 1).

4.9.1. Council Members

- 4.9.1.1. Council members, while using their own private motor vehicle, are entitled to be reimbursed for travel costs to and from normal place of residence or work incurred for the following purposes:
 - 4.9.1.1.1. To any Council or committee meeting regardless of whether or not they are a member.
 - 4.9.1.1.2. To any meeting convened by the CEO or Shire President including but not limited to Council Forums, briefings and workshops.
 - 4.9.1.1.3. To any community meeting, event or function as a delegate or liaison member as authorised by the CEO or Shire President.
 - 4.9.1.1.4. To meetings of an organisation to which they have been appointed as Council delegate or liaison member.
 - 4.9.1.1.5. To a meeting of a Resident and Ratepayers / Progress Association in their own ward, or any ward if attended by Shire President.

- 4.9.1.1.6. To any training required to be completed under section 5.126 of the Act.
- 4.9.1.1.7. To any continuing professional development consistent with the provisions of section 5.128 of the Act and approved to attend in accordance with the Shire's "Council Member Continuing Professional Development, Training and Professional Memberships Policy".
- 4.9.1.1.8. To any other conference or event that they have been approved to attend in accordance with the Shire's "Attendance by Council Members and CEO at Conferences and Events Policy".

4.9.2. Independent Committee Members

- 4.9.2.1. Independent committee members, while using their own private motor vehicle, are entitled to be reimbursed for travel costs to and from normal place of residence or work incurred for the following purposes:
 - 4.9.2.1.1. To any committee meeting to which they are appointed to by Council.
 - 4.9.2.1.2. To attend in-house training relevant to their role as an independent committee.

4.10. Transportation

Transportation expenses include parking fees, taxi or ride share fares and public transport fares. Reimbursement of transportation expenses will be processed upon receipt of the "Travel/Transportation Expenses Reimbursement Form" (Appendix 1).

4.10.1. Council Members

- 4.10.1.1. Council members are entitled to reimbursement for transportation expenses incurred for the following purposes:
 - 4.10.1.1.1. To any Council or committee meeting regardless of whether or not they are a member.
 - 4.10.1.1.2. To any training required to be completed under section 5.126 of the Act.
 - 4.10.1.1.3. To any continuing professional development consistent with the provisions of section 5.128 of the Act and approved to attend in accordance with the Shire's "Council Member Continuing Professional

Development, Training and Professional Memberships Policy”

- 4.10.1.1.4. To any other conference or event that they have been approved to attend in accordance with the Shire’s “Attendance by Council Members and CEO at Conferences and Events Policy”.

4.10.2. Independent Committee Members

- 4.10.2.1. Independent committee members are entitled to reimbursement for transportation expenses incurred for the following purposes:

- 4.10.2.1.1.1. To any committee meeting to which they are appointed to by Council.

- 4.10.2.1.1.2. To attend in-house training relevant to their role as an independent committee.

4.11. Childcare

Childcare is the expenses for the care of children of which the council member or independent committee members are the parent or legal guardian.

The number of hours claimed shall be limited to the actual length of the meeting, with a nominal time allowance for networking opportunities and travel to and from the place of care.

Payment will be made of the lesser amount of actual child care costs or the hourly rate prescribed by the SAT determination.

Reimbursement of childcare expenses will be processed upon receipt of the “Childcare Expenses Reimbursement Form” (Appendix 2).

4.11.1. Council Members

Council members are entitled to reimbursement for childcare expenses whilst attending a Council meeting or a committee meeting to which they are appointed.

4.11.2. Independent Committee Members

Independent committee members are entitled to reimbursement for childcare expenses whilst attending a committee meeting to which they are appointed.

4.12. Claiming Reimbursement of Expenses

- 4.12.1.1. Within 30 working days of the expenditure, details of reimbursements must be presented with supporting receipts and other supporting documents if available.

4.12.1.2. Only expenses incurred in the council members or independent committee members capacity to fulfil their role representing the Shire will be reimbursed.

4.12.1.3. It is not expected that council members and independent committee members will incur any other expenses in the performance of their duties, other than those listed above. Should a council or independent committee member incur an expense they believe they are entitled to have reimbursed; the matter shall be presented to Council for a determination.

4.13. Loyalty Rewards or Bonus Points

Consistent with the principle of not using public expenditure for private advantage, where possible, purchases that accrue loyalty rewards or bonus points, should not be personally claimed or used for private purposes and where possible be used only for further official purposes.

5. APPENDICES

Appendix 1 - Travel/Transportation Expenses Reimbursement Form

Appendix 2 - Childcare Expenses Reimbursement Form

6. RELATED LEGISLATION

Local Government Act 1995 Divisions 8 and 10

Local Government (Administration) Regulations 1996

Salaries and Allowances Act 1975

7. RELATED DOCUMENTS

Attendance by Council Members and CEO at Conferences and Events

Council Member Continuing Professional Development, Training and Professional Memberships