

# Council Policy

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## Policy Objective

The Elected Member Entitlements Policy (Policy) outlines the allowances, fees and reimbursement of expenses that may be paid to Elected Members.

This Policy is in accordance with the relevant legislation and determinations, being the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and determination of the Salaries and Allowances Tribunal (SAT) for Local Government Chief Executive Officers and Elected Members in accordance with the Salaries and Allowances Act 1975.

The Policy details other support provided by the City of Mandurah (City) to Elected Members to support the delivery of their functions, including equipment and other supplies, insurance cover provided while performing the official duties of office and gifts from the local government.

## Policy Statement

### 1. FEES AND ALLOWANCES

#### 1.1 Annual meeting attendance fee

In lieu of paying Elected Members a meeting attendance fee for Council or Committee meetings, Elected Members shall be paid an annual amount for meeting attendance as determined by Council when adopting the budget, and within the prescribed range as set by the Salaries and Allowances Tribunal (SAT).

#### 1.2 Mayor and Deputy Mayor Allowance

The Mayor and Deputy Mayor shall be paid an annual allowance as determined by Council when adopting the budget, and within the prescribed range as set by the SAT.

#### 1.3 Payment

- a. Meeting attendance fees and the Mayor and Deputy Mayor allowances are to be made on a monthly, quarterly or six monthly pro-rata basis, at the discretion of the Elected Member.
- b. Payments may be made to an Elected Members' superannuation fund, as nominated, in accordance with the Australian Taxation Office requirements.

#### 1.4 Information Communication and Technology Allowance

- a. Elected Members shall be entitled to an annual Information Communication and Technology (ICT) allowance, as determined by Council when adopting the budget, and within the prescribed range as set by the Salaries and Allowances Tribunal (SAT). The allowance covers information and communications technology costs that are a kind of expense for which Elected Members may be reimbursed.
- b. This allowance is designed to meet all Elected Member related call costs and all other relevant telecommunication costs, including relevant hardware to use a telephone, mobile phone, and the internet and consumables for computer equipment (e.g. Internet dongle, printing cartridges, paper, storage devices).

- c. Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT expenses detailed above are to be submitted on the provided claim form.
- d. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Claims must be made by 31 July of that year (31 days after end of the financial year).
- e. Full payment of the ICT allowance will be made in advance at the commencement of the financial year. Where an Elected Member's term of office ceases at the local government election in a financial year, the Elected Member will be paid the ICT expenses on a pro-rata basis up until the local government election. Should the Elected Member be re-elected, the remainder of the annual allowance will be paid following the Election Day.

### 1.5 Conditions of payment

- a. All allowances and fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer in writing that he/she does not wish to claim any or part of those fees and allowances.
- b. The City will not pay attendance or allowance fees in advance prior to the start of the financial year. Payments will not extend to any period beyond the expiry date of the Elected Members' term of office.
- c. Advanced payments are to be repaid by any Elected Member who resigns or leaves office prior to the expiry of their term of office.
- d. The taxation liability arising from these payments is the individual responsibility of each Elected Member and should seek independent financial advice.

## 2. EXPENSES TO BE REIMBURSED

- a. Elected Members will be reimbursed child care and/or travel expenses necessarily incurred while performing their duties so that no Elected Member should be unreasonably financially disadvantaged due to meeting the requirements of their office.
- b. The extent to which an Elected Member can be reimbursed for child care and travel expenses is set out under Regulation 31 of the *Local Government (Administration) Regulations 1996*.

### 2.1 Child Care expenses

- a. Child care expenses incurred by Elected Members as a result of attending Council or Committee meetings will be reimbursed in accordance with the rate set by SAT as the maximum amount or the actual cost, whichever is the lesser.
- b. Child care costs will not be paid where the care is provided by a member of the immediate family or relative living in the same premises as the Elected Member.

### 2.2 Travel expenses

#### 2.2.1 Travel expenses relating to attendance at a Council meeting or meeting of a Committee of Council

- a. Elected Members who incur travel costs while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) because of the Elected Member's attendance at a Council meeting or a meeting of a committee of which he or she is also a member are to be reimbursed at the same rate contained in section 30.6 of the *Local Government Officers' (Western Australia) Interim Award 2011*
- b. As the City of Mandurah is a regional local government, the Elected Member will be reimbursed reasonable travel costs from the Elected Members place of residence or work to the meeting and back.

#### 2.2.2 Travel expenses relating to performance of function in the capacity of an Elected Member

- a. Elected Members who incur travel costs, while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) because the Elected Member is performing a local government function, are to be reimbursed at the same rate contained in Schedule F of the Public Service Award 1992.
- b. Eligible claims for such functions include:
  - i. Citizenship Ceremonies and civic functions.
  - ii. Meetings where an Elected Member has been appointed by Council as its delegate or a deputy to the delegate (except where the other body pays the Elected Member for meeting attendance and/or travel).
  - iii. Any City convened meeting requiring Elected Member attendance, including briefing sessions, workshops, and other forums.
  - iv. Functions where the Elected Member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity. Note: attendance at functions as a matter of personal choice and not representing Council in an official capacity does not give rise to a claim for reimbursement of expenses incurred as a result of attending.
  - v. Training courses, seminars and conferences attended in the capacity of an Elected Member.
  - vi. Meetings in connection with matters relating to local government, including site inspections or meetings with electors/ratepayers.
  - vii. Any other occasion in the performance of an act.

#### 2.2.3 Reimbursement of Actual Expenses Incurred

- a. Where an Elected Member deems to consider it more appropriate to not utilise their own private vehicle to attend a Council related commitment (mentioned above in 2.2.1 and 2.2.3), a taxi/ride hailing company or public transport may be used and the actual cost incurred will be reimbursed.

### 2.3 Claiming expenses

- a. Elected Members are advised that care needs to be taken in making application for claims for reimbursement of expenses and to differentiate between expenditure incurred in their private capacity and expenditure necessary to fulfil their role as an Elected Member.
- b. Reimbursement of expenses is conditional upon adequate evidence of such expenditure in the form of invoices or receipts. A claim for reimbursement for travel expenses must include the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total kilometres travelled.
- c. All claims for reimbursement must be submitted to the Office of the Mayor and Councillors on the provided claim form, on a monthly basis. Final claims relating to the financial year must be submitted by 31 July of that year (31 days after the end of the financial year). No back payment of claims relating to prior financial years will be permitted.
- d. Under no circumstances is any reimbursement to be made in connection with costs incurred for re-election to office.

### 4. MAYOR VEHICLE

- a. In accordance with the *Local Government Act 1995* and regulation 34AD of the *Local Government (Administration) Regulations 1996*, the Mayor is to be provided with a fully maintained local government motor vehicle for the purpose of carrying out the functions of the Mayoral office.
- b. The value of the vehicle will be determined by Council at budget time. The replacement of the Mayor's vehicle will occur once every four years, after the Mayoral Election and in consultation with the newly elected Mayor.
- c. The vehicle use by the Mayor will be in accordance with the terms and conditions of the City's standard private use of motor vehicle responsibilities. The vehicle may be used for personal use by the Mayor subject to reimbursement to the City for the extent of private use and completion of a written agreement detailing the terms and conditions.
- d. Where the Mayor is provided with a vehicle as detailed in 4.a. above, the costs associated with the Mayor's private use of the vehicle is to be reimbursed by the Mayor on an annual basis, using the travel rate contained in Schedule F of the *Public Service Award 1992* and multiplying the private kilometres travelled from the log book information supplied (annualising the private kilometres travelled for the three months). It is expected that the Mayor utilise the log book in the first three months of being elected. The log book should be completed in accordance with the requirements of the Australian Taxation Office. The private kilometres will be annualised and used for the four-year term of office. The Mayor can provide to the City a revised log book, if the private rate from the current log book does not reflect the private usage kilometres being travelled, at any time, during the term of office. Reimbursement by the Mayor can be offset against any remuneration that is due to the Mayor for holding office.
- e. Where the Mayor has exercised the option of using a motor vehicle provided by the City, no further reimbursements for travel costs will be made where such travel can practicably be undertaken in that vehicle.

### 5. EQUIPMENT

#### 5.1 Issue and return electronic equipment

- a. The City is to provide Elected Members with a suitably equipped device i.e. laptop or tablet, for use during their term of office.
- b. The electronic equipment is to be used for Council related business only and the Elected Member is responsible for the safe guarding and protection of the device from misuse.
- c. The electronic equipment will be issued in accordance with the City's supply arrangement in place at the time of the request, with all costs being met by the City.
- d. Consumables for the electronic equipment i.e. sim card or internet access, forms part of the ICT allowance as described in 1.4 of this Policy and are not separately provided or reimbursed.

#### 5.2 Maintenance and replacement of electronic equipment

- a. The City is responsible for the ongoing maintenance of the electronic equipment with all costs being met by the City.
- b. The replacement of the electronic equipment will be in accordance with the City's standard replacement program, which will be every three years, unless determined by the Chief Executive Officer that replacement is required earlier due to performance of electronic equipment.

#### 5.3 Other equipment

- a. Elected Members will be supplied with the following:
  - i. Parking permit for Council related business within specified areas; and
  - ii. Building security access card.

### 6. OTHER SUPPLIES

#### 6.1 Clothing

- a. The City will reimburse Elected Members for expenses relating to suitable professional attire including clothing and footwear, to a maximum cost to the City of \$500.00 per annum per Councillor and \$1,000 for the Mayor per annum. All claims relating to a financial year must be submitted by 31 July (31 days after the end of the financial year) to be eligible for reimbursement.
- b. All claims for reimbursement must be submitted to the Office of the Mayor and Councillors on the provided claim form and must be accompanied by invoices or receipts.

#### 6.2 Home office furniture

- a. The City will reimburse Elected Members for expenses relating to home office furniture including a printer and furniture, to a maximum cost of \$500.00 per Elected Member for each term of office, for relevant Council use.
- b. All claims for reimbursement must be submitted to the Office of the Mayor and Councillors on the provided claim form and must be accompanied by invoices or receipts.

### 6.3 Miscellaneous

The City will provide the following to all Elected Members:

- Name Badge;
- Upon request, a briefcase or satchel for Council business use, for each term of office;
- Elected Member electronic letterhead for relevant Council business use, for each term of office.
- 500 printed business cards per annum, in accordance with the City's style guide, for relevant Council business use.

### 7. INSURANCE

- a. The City will insure or provide insurance cover for Elected Members for the following:
  - i. Councillor's liability to cover losses incurred due to alleged wrongful acts committed whilst acting in official capacity as an Elected Member.
  - ii. Liability protection for third party property damage and/or personal injury allegedly caused by an Elected Member's actions whilst performing official duties.
  - iii. Personal injury is provided in the event of personal injury whilst on Council duties, including direct travel to and from such duties.
  - iv. Motor vehicle coverage for use of private vehicle, when performing official duties.
  - v. Personal property cover is provided for accidental loss or damage to personal property owned whilst an Elected Member is performing official duties.
  - vi. Travel insurance for Council related business trips, including cover for expenses for overseas medical treatment, emergency medical evacuation, flight cancellations, lost baggage and personal effects.
- b. Elected Members must determine whether the benefits and endorsements of the above insurance cover is adequate. Elected Members may wish to obtain their own insurance cover, at their own cost, to ensure the benefits and endorsements are adequate for their individual needs.

### 9. GIFTS FROM THE LOCAL GOVERNMENT

- a. In accordance with section 5.100A of the *Local Government Act 1995* and regulation 34AC of the *Local Government (Administration) Regulations 1996*, 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.
- b. On the retirement of an Elected Member and in recognition of their years of service the following will be presented:
  - i. Gift up to the value of \$100 per year of service to a maximum of \$1000;
  - ii. Framed photograph celebrating the Elected Members time in office.

# Elected Member Entitlements

## POL-GVN 07



### Legislative Context

*Local Government Act 1995:*  
sections 5.98, 5.98A, 5.99 and 5.99A, 5.100A, 5.101A

*Local Government (Administration) Regulations 1996:*  
regulations 34, 34AC and 34AD

*Salaries and Allowances Act 1975:*  
section 7B

*Local Government Officers' (WA) Interim Award 2011:*  
section 30.6

*Public Service Award 1992*  
Schedule F

### Related Documents

Elected Member Expenses Claim Form  
Schedule of Expenses and Allowances

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<b>Responsible Directorate:</b>	Business Services
<b>Responsible Department:</b>	Governance
<b>Reviewer:</b>	Director Business Services
<b>Creation date and reference:</b>	Minute G.45/8/07, 21 August 2007
<b>Last Review:</b>	Minute G.16/3/21, 23 March 2021

Amendments			
Version #	Council Approval Date, Reference	Date Document In force	Date Document Ceased
2	Minute G.39/6/08	18/06/2008	25/05/2010
3	Minute G.26/5/10	26/05/2010	28/02/2012
4	Minute G.57/2/12	29/02/2012	15/07/2013
5	Minute SP.5/7/13	16/07/2013	24/02/2015
6	Minute G.35/2/15	25/02/2015	02/08/2016
7	Minute SP.2/8/16	03/08/2016	17/12/2019
8	Minute G.38/12/19	18/12/2019	26/05/2020
9	Minute G.17/5/20	27/05/2020	23/03/21
10	Minute G.16/3/21	24/03/2021	-