Elected Members Entitlements

Policy Objective

The Shire of Broome's (Shire) Elected Members are required to carry out certain functions and responsibilities under the *Local Government Act 1995* (the Act). In order to assist in the facilitation of their roles, there are entitlements that they must or may be provided in order to be effective in their role.

The objective of this policy is to provide clear guidance on elected member entitlements.

Policy Statement

In recognition of the complexity and demands on Elected Members in undertaking their role, the Shire is committed to ensuring adequate funding is included in the Annual Budget so that elected members are provided with the appropriate resources to support them in performing their duties of office and to enable attendance at Conferences or Professional Development training that has relevance to that role.

1. Payment of Fees and Allowances

1.1 Objective

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

1.2 Annual Meeting Attendance Fees in lieu of Council Meeting and Committee Meeting Attendance Fees:

(a) In lieu of paying the President and Councillors a meeting attendance fee for each prescribed meeting, the Shire will pay an amount within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid annually for Meeting Attendance Fees for the President and Councillors. The amount and timing of payments will be set by Council as part of the adoption of the Annual Budget.

(b) Payments will be made monthly in advance on a pro-rata basis throughout the annual period.

1.3 Annual Local Government Allowances — President and Deputy President:

(a) The Shire will pay an annual allowance within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to the President and Deputy President. The amount and timing of payments will be set by Council as part of the adoption of the Annual Budget.

1.4 Annual Allowance for ICT Expenses

(a) The Shire will pay all Elected Members the maximum annual allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to Elected Members. The amount and timing of payments will be set by Council as part of the adoption of the Annual Budget.

ICT expenses means –
(a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996* (Regulations); or
(b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the Regulations.

1.5 Annual Allowance for Travel and Accommodation Expense

(a) The Shire will pay all Elected Members the maximum annual allowance for Travel and Accommodation expenses as set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to Elected Members. The amount and timing of payments will be set by Council as part of the adoption of the Annual Budget.

Travel and Accommodation expenses means –
(a) travel costs, as prescribed by regulation 31(1)(b) of the *Local Government (Administration) Regulations 1996* (Regulations); or
(b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the Regulations.

1.6 Conditions of Payment

(a) All allowances and fees shall be paid automatically into a nominated bank account unless an Elected Member has advised the Chief Executive Officer (CEO), in writing, that he/she does not want to claim any or part of those fees and allowances.

(b) If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back-paid but accrue from the date of the CEO receiving such a request.

1.7 Claims in Excess of Annual Allowances

Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT or Travel and Accommodation Expenses are to be submitted on a form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.

1.8 Superannuation Payments

(a) If Council decides to pay superannuation payments to Elected Members it will be paid pursuant in accordance with Section 5.99B of the *Local Government Act 1995.*

(b) Payments will be made monthly at the time on a pro-rata basis simultaneous with the payment of the Annual Meeting Attendance Fees and Allowances throughout the annual period.

1.9 Taxation Implications

The taxation liability arising from these payments is the individual responsibility of each Elected Member.

2. Access to Shire Administration Centre, Administration Support and Equipment

2.1 Shire President's Office

The Shire President will have access to a suitable office within the Civic Function area allocated by the CEO.

The Shire President will have access to secretarial support including management of diary and emails, photocopying, drafting official Shire business related responses and for following up on outstanding matters with the CEO.

2.2 Administration Support

Elected Members will have access to:-

(a) Shire Presidents office during business hours when available.

(b) Internet facilities within the Civic Function area and a phone line can be provided upon request.

2.3 Information, Communication and Technology (ICT) Equipment & Use

The following equipment will be issued to Elected Members over and above the annual ICT Allowance detailed in Item 1.4:

- A laptop or mobile device with keyboard or equivalent technology.

Conditions

(i) Any damage or loss of the equipment during that time is the responsibility of the Elected Member to repair and fund.

(ii) The equipment is strictly to be used for Shire purposes only including, researching Council related matters, Shire approved social media, Shire related pictures or filming, receiving and dispatching email correspondence, diary requests and Council meeting agendas.

(iii) Any issue relating to the equipment that requires technical support will only be provided if the issue relates to the usage types listed in 2.3 (ii).

(iv) The CEO, if requested, may provide assistance to Elected Members with user training and support.

(v) All information on Shire issued equipment is subject to Freedom of Information requests.

(vi) A Councillor email address will be created in the form of Councillor.Name@broome.wa.gov.au.

(vii) All emails received and sent through the Councillor.Name@broome.wa.gov.au email account are captured in the Shire's Email Archive System and remain the property of the Shire.

(viii) Any costs associated with upgrades or additional requirements over and above the standard equipment being offered should be met by the Elected Member.

2.4 Shire Office Access

All Elected Members will be issued with a security card for the Chambers area of the Shire Administration Office providing access during business hours. Elected members are not permitted to enter the Administration Office (excluding reception or public meeting rooms) without permission of the CEO.

Elected members are not permitted to request Shire of Broome employees to provide them with access into the Shire Administration Office, or any other Shire facility (with the exception of public Shire facilities) and all meetings with employees should be pre-booked through the CEO or a Director's office and held in the meeting rooms provided in the Chambers area.

2.5 Documentation

Access to the following publications will be provided to Elected Members either via the online portal (Hub) or online publications:-

- *Local Government Act 1995 and associated subsidiary regulations*

- *Strategic Community Plan, Corporate Business Plan and associated documents*
- *Shire of Broome Annual Report*
- *Shire of Broome Local Laws (including Meeting Procedures)*
- *Local Planning Schemes*
- *Policy Manual (including Local Planning Policies)*
- *Register of Delegations of Power or Duty*
- *Code of Conduct*
- *Council Agendas and Minutes*
- *Department of Local Government, Industry Regulation and Safety (DLGIRS) publications*
- *Councillor's Manual by WA Local Government Association (WALGA)*
- *Annual Budget*

Access to Information
Section 5.92 of the Local Government Act 1995, provides:-
A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.

2.6 Other Items

Elected Members are encouraged to wear Shire branded attire when representing the Shire at conferences, meetings or study tours.

The following items will be issued to Elected Members:

- Two name badges
- Business cards
- Two Shire Branded Polo Shirts annually
- One Shire Branded Business shirt annually upon request.

The Shire President and Deputy President may have an allowance of 3 x branded polo shirts and 3 x business shirts issued annually.

2.7 Gifts and Donations

From time-to-time Elected Members may wish to provide stakeholders or community organisations and members with gifts or donations for various reasons. Any request for a gift or donation must be submitted to the CEO in writing stating the purpose of the gift or donation and provide justification as to why the gift or donation is warranted.

The CEO is responsible for approving any such requests for gifts or donations within budget limits and reasonable justification being provided.

2.8 Election Campaigns Excluded

All Shire resources, equipment and facilities subject of this Policy are provided on the absolute understanding that they will not be used for election purposes.

3. Attendance at Conferences, Study Tours, Community Consultation and Training

3.1 Objective

To enable Elected Members to develop and maintain skills and knowledge relevant to their role as a representative of the Shire.

To further develop Councillor's awareness of undertakings by other Local Authorities and to improve their knowledge by way of networking, visiting surroundings districts and consulting with the wider Broome community and to ensure they are not financially disadvantaged in doing so.

3.2 Statement

The role of an Elected Member is complex and demanding and the Shire supports and encourages Elected Members to attend appropriate Conferences, Study Tours and Training to enable them to be more informed and better able to fulfil their duties of Office.

3.3 Conferences and Training That May be Attended

The Conferences and Training to which this Policy applies shall generally be limited to the following:

- West Australian Local Government Association and Australian Local Government Association conferences.
- Special 'one off' conferences called for or sponsored by the West Australian Local Government Association and/or Australian Local Government Association on important issues.
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- Australian Sister Cities Conferences.
- West Australian Local Government Association Elected Member Training and Development.
- Council Member Essentials course required to be completed within 12 months of being elected in accordance with section 5.126(1) of the Act.
- Ongoing professional development activities aligned with the commitment contained in Council's Elected Member Continuing Professional Development Policy.
- Developing Northern Australia Conference.
- Kimberley Economic Forum.

3.4 Approval

The CEO is authorised to approve all requests for each Elected Member per annum to attend any provided Conference or Training within the categories outlined at clause 3.3 providing it is within the funds allocated in the Annual Budget.

All overseas requests will require Council approval.

3.5 Study Tours

A study tour is designed to enable Elected Members (and staff) to travel intrastate, interstate and/or overseas to research and study specific issues fronting Council.

Wherever possible, details of study tours are to be arranged in advance so that suitable provision can be made in each year's budget. When no details of study tours have been arranged, or arrangements are incomplete, an appropriate amount may be included in the budget to cover the cost of an annual study tour.

The CEO in consultation with the Shire President may approve attendance at study tours subject to budget and in accordance with the following guidelines:-

- Attendance at a study tour shall only take place where there are appropriate funds provided in the annual budget
- All Elected Members will be offered to attend study tours however should any issues pertaining to attendance arise the Shire President will make the final determination
- The CEO will have discretion as to the Shire staff permitted to attend Study Tours
- A detailed report including recommendations on each study tour is to be submitted to Council no longer than 2 months following the study tour.

3.6 Community and Other Consultation

In order for Councillors to consult with communities outside the Broome townsite, the Shire will reimburse associated vehicle costs in accordance with Part 47(4) Schedule (F) of the *Public Service Award 1992*, where a Council vehicle is not available, and a Councillor utilises their own vehicle. Additionally, accommodation and meals will be reimbursed at cost.

Elected members are required to prepare a report for presentation to Council, detailing the purpose of the visit and a summary of the outcomes achieved during the consultation process.

3.7 Special Provision

To provide an opportunity to network with Federal Ministers, Members of Parliament and/or Senior Departmental Officers on issues affecting the Shire of Broome, the Shire President (and the CEO) are to attend an appropriate interstate conference that can incorporate a visit to Canberra on an annual basis.

If unable to attend, the Shire President may nominate an Elected Member to represent the Shire of Broome on their behalf, and the Chief Executive Officer may nominate a Director from the Executive Management Group.

3.8 Booking Arrangements

Registration, travel and accommodation for Elected Members will be arranged through the Office of the CEO. In general, all costs including airfares, registration fees, and accommodation will be paid direct by the Shire.

Elected Members may be consulted regarding their preferred travel dates and times and, where practicable, these preferences will be accommodated. In some circumstances, flight options may be recommended to align with conference schedules, approved travel arrangements, operational requirements, or cost considerations. All travel arrangements must comply with the Shire's Travel Policy.

3.9 Travel Insurance

The Shire's Travel Insurance Policy provides indemnification any personal loss an Elected Member may experience when travelling on Shire related business. The Elected Members must immediately upon return provide details of the loss to the CEO and complete an insurance claim form.

The following items are covered under the policy:

Personal Accident & Sickness	Rental Vehicle Excess
Overseas Medical & Evacuation	Kidnap, Ransom, Extortion, Hijack & Detention
Chubb Response 24/7	Personal Liability & Identity Theft
Loss of Deposits, Cancellation & Curtailment	Alternative Employee or Resumption of Assignment
Luggage, Money & Portable Electronic Equipment	Missed Transport Connection & Overbooked Flights
Extraterritorial Workers' Compensation (ETWC)	Search and Rescue Expenses
Political Unrest & Natural Disaster Evacuation	Lifestyle Protection and Corporate Protection Benefits

3.10 Support Activities

The Shire will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

3.11 Accommodation

The Shire will pay reasonable accommodation costs for Elected Members including the night before and/or after the Conference and Training event where this is necessary because of travel and/or the Conference and Training event timetables which make it unreasonable to arrive at or return home in normal working hours.

Accommodation shall normally be booked at the Conference and Training venue or, where unavailable, at a similar-rated accommodation in the vicinity of the Conference and Training venue.

3.12 Mode and Class of Travel

Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the Conference and Training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the Shire.

Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements. All air travel must be economy class, any upgrades to other classes must be paid by the elected member

If accommodation is at the Conference or Training venue, or in close proximity, taxis should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares, vehicle hire and parking, which are reasonable, required and incurred in attending Conferences and Training, will be reimbursed by the Shire.

Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

3.13 Extent of Expenses to be reimbursed

(a) An Elected Member attending a Conference and Training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:

- meals and refreshments for the Elected Member (that are not covered by the conference and Training registration costs);
- dry-cleaning and laundry expenses; and
- reasonable telephone, internet and facsimile charges.

(b) Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.

(c) Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:

- for the days of the Conference and Training event only; and
- for the cost of travel to and from the airport to the accommodation to be used for the Conference and Training.

(d) Where a visit is extended, as discussed in paragraph (c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the Conference and Training event. In such situations, the reimbursement of taxi fares will be to the estimated cost of travel between the Conference and Training event's accommodation and the airport.

The Elected Member will be required to pay any greater amount.

(e) Where an Elected Member attends two Conference and Training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than two days, only two days reimbursement can be claimed.

3.14 Payment of Expense Reimbursements

The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time.

Nothing prevents an Elected Member from being reimbursed for any reasonable expense incurred whilst attending conferences or training where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

Reasonable expense may include but are not limited to:

- Meals and drinks for the elected member only
- Transport travel – taxi, Uber or public transport.
- Entry fees

3.15 Cash Advances

The Shire does not pay cash advances to elected members.

3.16 Elected Member/Delegate Accompanying Person

(a) Where an Elected Member is accompanied at a Conference and Training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/ accompanying person and not by the Shire, except for the following which will be paid or reimbursed by the Shire:

(i) Conference and Training event official dinner, where partners would normally attend; and

(ii) Accommodation, provided there is no increase in accommodation costs in excess of those otherwise incurred by the Elected Member attending the event on their own.

(b) An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The Shire will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the Shire in advance for the accompanying person.Where the Shire meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the Shire by the elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the Conference and Training event.

(c) Where an Elected Member is attending a Conference and Training event and has a 'disability' as defined in the *Disability Services Act 1993*, the Shire will meet the travel, accommodation and registration costs for a carer (as defined by section 3A of the *Disability Services Act 1993)* to accompany that Elected Member where that carer is a person who provides ongoing care or assistance. Costs paid by the Shire will not be deducted from the relevant Elected Member's Annual Conference and Training Expense Allocation.

3.17 Guidelines for Conference and Training Attendance

Generally, no more than two Elected Members may attend a particular Conference or Training event **outside Western Australia** at the same time. The CEO or Shire President may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.

3.18 Attendance at Overseas Conferences

An Elected Member may, with Council approval, attend an overseas conference. The Council approval must include a specific Council resolution indicating that the conference attendance will be of benefit to the Shire and the Elected Member and detailing any conditions that may apply.

3.19 Report

Upon return from any Conference and Training event as detailed within this policy, where registration and other associated costs are met by the Shire of Broome, the attending Elected Member is required to provide a written or verbal report on their attendance and the benefits to them and the Shire, at the next available workshop.

4. Reimbursement of Expenses

4.1 Objective

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their office.

4.2 Child Care

In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time for an Elected Member's attendance at a Council Meeting or a meeting of a committee of which he or she is a member, and the expense is to be claimed on the form provided.

Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred, and original receipts being provided and attached to the claim form.

Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.

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 Elected Member.

4.3 Time Limit on Claims and Approval Process

Elected Members requiring reimbursement of expenses in accordance with the provisions of this Policy should submit the appropriate claim form to the CEO, together with supporting documentation, within two calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the Shire's annual financial statements.

4.4 Allowances and Limits are exclusive of G.S.T

Unless otherwise specified in this Policy, all allowances and limits set out in this Policy are exclusive of G.S.T.

4.5 Supporting Documentation

Documentary evidence is required for all expenses claimed. Tax Invoices and receipts are required for audit purposes and to enable G.S.T. to be claimed.

4.6 Other Entitlements

(a) Elected Member Dinners

The Shire will provide a meal for all Council meetings and briefing sessions held in the evening.

(b) Elected Members and partners will be invited to attend a Christmas meal held after the December Ordinary Meeting of Council.

(c) Acknowledgement of Service

On retirement, Council may acknowledge the service of Elected Members through the provision of an appropriate gift.

The value of any gift provided to a retiring Elected Member is limited to the prescribed amount set out in Regulation 34AC of the *Local Government (Administration) Regulations 1996*.

Document Control Box

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Reviewer:	Manager Governance, Strategy and Risk	**Decision Maker:**	Council

Compliance Requirements:	
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