

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Council Members Allowances & Benefits



“Working with our Rural & Coastal Communities”

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

Responsibility:	Governance
Minutes reference:	I012
Applicable Legislation:	<i>Local Government Act 1999</i>
Related Policies/Procedures:	Code of Conduct – Elected Members GOV-POL-12 – Training, Elected Members
Review Frequency:	Upon Council election

1. INTRODUCTION

The District Council of Lower Eyre Peninsula will ensure that the payment of Council Members' allowances, the reimbursement of expenses and the provision of benefits by the Council is accountable and transparent and in accordance with the *Local Government Act 1999* ("the LG Act") and the *Local Government (Members Allowances and Benefits) Regulations 2010* ("the Regulations").

This Policy sets out the provisions of the LG Act and Regulations in respect of Council Member allowances, expenses and support. This Policy is also provided in accordance with Section 77(1)(b) of the LG Act by specifying the types of expenses that will be reimbursed without the need for specific approval of Council every time a claim is made.

Council Members are paid an allowance for performing and discharging their functions and duties on Council. Section 59 of the LG Act provides (in part) that the role of a Council Member, as a member of the governing body of the Council, is to:

- (i) participate in the deliberations and civic activities of the Council;
- (ii) keep the Council's objectives and policies under review to ensure that they are appropriate and effective; and
- (iii) keep the Council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review.

This Policy also explains the information that must be recorded within the Council's Register of Allowances and Benefits to ensure compliance with section 79 of the LG Act.

This policy, in its entirety, will automatically lapse at the next general election of this Council.

2. POLICY PURPOSE

- To permit expense re-imburement without the need for special approval of Council on every occasion
- To set out process for payment of member annual allowances
- To set out provision of facilities and support to Members

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

3. POLICY STATEMENT

This Policy is underpinned by the following principles:

- Council Members should not be out-of-pocket as a result of performing and discharging their Council functions and duties.
- To assist Council Members in performing or discharging their official functions and duties they are entitled to be provided with a range of necessary facilities and support and to be reimbursed for expenses as specified in this policy.
- Any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties, which will be assessed according to the role of a Council Member under the LG Act.
- Council encourages continued professional training and development for Council Members. This is seen as being necessary in terms of good governance and to the improved performance of their functions and duties.
- The accountability of the Council to its community for the use of public monies.

4. ROLES & RESPONSIBILITIES

This Policy applies to all Council Members, who each have an obligation to abide by this Policy.

The Council's Chief Executive Officer has the duty to:

1. maintain the Register of Allowances and Benefits;
2. initiate a Consumer Price Index ('CPI') review of allowances paid to Council Members (to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the CPI under the scheme prescribed by the Regulations); and
3. ensure copies of this Policy are available for inspection by the public at the principal office of the Council.

In addition, the Chief Executive Officer is responsible for:

4. implementing and monitoring expense reimbursement procedures in accordance with the LG Act, the Regulations this Policy and any associated procedure; and
5. ensuring a copy of this Policy is provided to all Council Members.

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

5. DEFINITIONS

5.1 Prescribed Meeting

- Council or committee meeting
- Informal gathering, discussion, workshop, briefing or training course directly or closely related to the roles or duties of the Elected Member.

5.2 Eligible Journey

- A journey between the principal place of residence, or a place of work, of a member of the council, and the place of a prescribed meeting

5.3 Function or Activity of Council

Includes but is not limited to:

- Mayoral reception
- Opening ceremony
- Official Dinners
- Citizenship Ceremonies
- Official visits
- Site inspection (Council or Council Committee related and arranged)
- Community Groups & organisations as an appointed Council representative

6. ALLOWANCES

Council Member allowances are determined by the Remuneration Tribunal on a 4 yearly basis before the designated day in relation to each set of periodic elections held under the *Local Government (Elections) Act 1999*.

An allowance determined by the Remuneration Tribunal will take effect from conclusion of the relevant periodic election. Council Member allowances are to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the Consumer Price Index (“CPI”) under a scheme prescribed by the Regulations.

In accordance with regulation 4 of the Regulations, (and for the purposes of section 76 of the LG Act), an allowance may be paid in instalments up to 3 months in advance or 3 months in arrears of each month in respect of which an instalment is payable.

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

6. ALLOWANCES (cont'd):

An additional allowance in the form of a sitting fee is also payable for Councillors who are presiding members of other committees (who are not deputy mayors, deputy chairpersons or presiding members of prescribed committees).

In accordance with the Remuneration Tribunal Report and Determination No.8 of 2018 – Members of Local Government Councils, the following allowances have been determined for elected Members of the District Council of Lower Eyre Peninsula from the commencement of the new Council.

Office	Allowance
Member	\$ 9,900.00
Deputy Mayor	\$12,375.00
*Presiding Member of at least one Prescribed Committee (other than Mayor or Deputy Mayor)	\$12,375.00
Sitting Fee – Presiding Member of a committee that is not a Prescribed Committee (other than the Mayor or Deputy Mayor)	\$110.00 per meeting
Mayor	\$39,6400.00

**Prescribed Committee means the following*

- *Audit Committee*
- *Chief Executive Officer Performance Review*
- *Corporate Services*
- *Finance*
- *Governance*
- *Infrastructure & Works*
- *Risk Management*
- *Strategic Planning & Development*

NOTE: A member of a council who holds an office for part only of the period in respect of which an allowance is payable is entitled to the proportion of the allowance that the period for which the member held the office bears to the total period. (s.76(11) of the *LG Act*)

An allowance under this section is to be paid in accordance with any requirement set out in the regulations (unless the member declines to accept payment of an allowance). (s.76(12) of the *LG Act*).

Council Members finishing their term of office should receive their allowances until their term expires – this is at the conclusion of the elections (i.e. when the Electoral Commission of SA makes the final declaration of the results of the elections).

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

7. REIMBURSEMENTS

7.1 Expenses Relating to Prescribed Meetings (Mandatory Member Reimbursements under Section 77 (1)(a) of the LG Act)

- Travel for eligible journeys within the Council area to prescribed meetings
 - Private vehicle (rate per kilometre)
 - Taxi, bus or other transport means
 - Child/Dependent Care expenses

Travel Time Payment:

Pursuant to the determination made by the Remuneration Tribunal, a travel time payment will be made to elected members (excluding the Principal Member) in accordance with the distance from their usual place of residence to the Council's principal office as follows (via the nearest route by road):

At least 30km, but less than 50km	\$410 p.a.
At least 50km, but less than 75km	\$700 p.a.
At least 75km, but less than 100km	\$1,050 p.a.
100km or more	\$1,120 p.a.

7.2 Other Member Reimbursement (Expenses / reimbursements that are covered by this Policy to avoid Council having to deal with these on a case by case basis under Section 77(1)(b) of the LG Act)

Pursuant to section 77 (1)(b) of the LG Act the Council approves reimbursement of:

- Travel for an eligible journey outside Council area
 - Car vehicle (rate per kilometre) or airfare (the lesser of)
- Travel to attend an approved Function or Activity of Council (Inside or Outside the Council area)
 - Car vehicle (rate per kilometre)
 - Car parking fees
 - Taxi, bus, plane or other transport
 - Child care costs
- Expenses to attend an approved Conference, Seminar or Training course
 - Car vehicle (rate per kilometre)
 - Commercial accommodation
 - Private accommodation (\$60 Per diem)
 - Meals
 - Taxi, bus, plane or other transport
 - Car parking fees

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

7. REIMBURSEMENTS cont'd:

7.3 Other Member reimbursement not covered by Policy

Any other expense reimbursement not covered by this policy or Section 77 (1)(a) of the Act requires a resolution of Council.

8. COUNCIL FACILITIES AND SUPPORT

8.1 Facilities and Support available to all Council Members:

- Elected Member email addresses
- iPads with internet access
- Business Cards

The provision of these facilities and support are made available to all Council Members (including the Principal Member) on the following basis:

- they are necessary or expedient for the Council member to perform or discharge his/her official functions or duties;
- the facilities remain the Council's property regardless of whether they are used off site or not; and
- they are not to be used for a private purpose or any other purpose unrelated to official Council functions and duties, unless such usage has been specifically pre-approved by the Council and the Council Member has agreed to reimburse the Council for any additional cost or expenses associated with that usage.

In addition, the Council has determined that the provision of the above facilities and support are made available to Council Members on the following terms:

- each Council Member is solely responsible for those facilities released into their care and/or control for the duration of their term in office;
- all facilities must be returned to the Council at the end of each term in office, upon the office of a Member of a Council becoming vacant, or earlier at the request of the Chief Executive Officer;
- if the facilities provided to the Council Member are damaged or lost the Council Member must lodge a written report with the Manager Corporate Services.

NOTE: COUNCIL FACILITIES AND SUPPORT IS NOT MADE AVAILABLE FOR ELECTION CAMPAIGN PURPOSES

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

9. REGISTER OF ALLOWANCES AND BENEFITS

Pursuant to section 79(1) and (2) of the LG Act, the Chief Executive Officer must maintain a Register in which he or she shall ensure that a record is kept of—

- (a) the annual allowance payable to a Council Member under S79(1)(a) of the LG Act;
- (b) any expenses reimbursed under section 77(1)(b) of the LG Act;
- (c) any other benefits paid or provided for the benefit of the Member by the Council (in the case of section 79(1)(c)); or
- (d) to make a record of the provision of a reimbursement or benefit not previously recorded in the Register (in the case of section 79(2)(b)),

on a quarterly basis.

Reimbursements paid under section 77(1)(a) of the LG Act are not required to be recorded in the Register.

The Chief Executive Officer is required to record in the Register any changes in the allowance or a benefit payable to, or provided for the benefit of, Council Members.

Accordingly, the Chief Executive Officer will update the Register each quarter and therefore each Council Member is required to provide his or her claim form for reimbursement to Accounts Payable prior to the last business day of each quarter.

The Register of Allowances and Benefits is available for inspection by members of the public, free of charge, at the Cummins Council office during ordinary business hours or on Council's website. Copies or extracts of the Register are available for purchase upon payment of a fixed fee.

10. FURTHER INFORMATION

Members of the public may inspect this policy on Council's website www.lowereyrepeninsula.sa.gov.au and at the principal office of the District Council of Lower Eyre Peninsula at 32 Railway Terrace, Cummins, SA **OR** email mail@dclep.sa.gov.au **OR** phone 8676 2106.

On payment of a fee, a copy of this policy may be obtained from the Council, or otherwise may be downloaded for free from the Council's website.

Any queries in relation to this policy should be directed to the Chief Executive Officer.

	GOV-POL-04 – COUNCIL MEMBER ALLOWANCES & BENEFITS	Version No:	2.0
		Issued:	November 2018
		Next Review:	November 2022

11. REVIEW

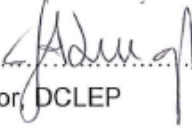
This Policy will lapse at the next general election at which time the newly elected Council will be required to adopt a new policy dealing with Council Member's allowances, reimbursements and benefits for their term in office (section 77(2) LG Act).

The Council may at any time alter this policy, or substitute a new policy.

SIGNED: 

CEO

Date: 23 / 11 / 2018



Mayor, DCLEP

Date: 23 / 11 / 2018