



ELECTED MEMBER ALLOWANCES AND BENEFITS POLICY

<i>Responsible Officer/s</i>	Director Commercial & Community Services Executive Assistant
<i>Relevant Legislation / Documents</i>	Local Government Act 1999 Local Government (Members Allowances and Benefits) Regulations 2010 Caretaker Policy Elected Member and Employee Access to Council Vehicles procedure Electronic communication policy
<i>Adopted</i>	23 June 2000
<i>Reviewed</i>	18 October 2023
<i>Next Review</i>	18 October 2024 – annual review

A. Purpose

This policy developed and adopted primarily to accommodate Section 77 of the Local Government Act 1999 (the Act), and Local Government (Members Allowances and Benefits) Regulations 2010, is to ensure that District Council of Loxton Waikerie payments of Elected Member allowances and the reimbursement of expenses is accountable and transparent.

B. Objective

To ensure that District Council of Loxton Waikerie payments of Elected Member allowances and the reimbursement of expenses is accountable and transparent, and in accordance with the Local Government Act 1999 and Local Government (Members Allowances and Benefits) Regulations 2010.

C. Scope

This policy applies to the Allowances and Support to the Council Members of the District Council of Loxton Waikerie. The policy summarises the provision of the Act and Regulations in respect to Council Members allowances, the provision of facilities and support, the different types of expenses, the circumstances in which those expenses will be or can be reimbursed and what benefits Council Members receive that must be recorded for the purpose of maintaining the Register of Allowances and Benefits

D. Policy

1. **Policy Statement**

The District Council of Loxton Waikerie will ensure that the payment of Council Member allowances, the reimbursement of expenses and the provision of facilities and support is accountable and transparent.

Council Members are paid an allowance for performing and discharging the function and duties of the office as a Member of the elected body of the Council. Section 59 (in part) that the role of a Council Member, as a member of the governing body of the Council, is:

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

2. **Principles- Allowances and Reimbursements**

Elected members should not be out-of-pocket as a result of performing and discharging their Council functions and duties.

Any reimbursement claimed by Elected Members must be for expenses actually and necessarily incurred in performing and discharging their official functions and duties.

Elected Members are entitled to receive:

- An annual allowance as provided in section 76 of the Act and Regulation 4;
- Reimbursement of prescribed travelling and child/dependent care expenses associated with attendance at Council/Committee meetings, pursuant to Section 77(1) (a) of the Act and Regulation 5.
- Reimbursement of certain prescribed expenses pursuant to 77(1) (b) of the Act and regulation 6

2.1 Principles- Facilities and Support

Council will provide Elected Members with facilities and support to assist them in performing and discharging their functions and duties pursuant to Section 78 of the Act.

2.2 Roles and Responsibilities

This policy will apply to all Elected Members who have an obligation to follow the process and procedures set by this policy

The Chief Executive Officer is responsible for:

- Implementing and monitoring expense reimbursement procedures in accordance with the Act and this policy;
- maintain the Register of Allowances and Benefits as prescribed in Section 79 of the Act and Regulation 7;
- adjusting on the first, second and third anniversaries of the relevant periodic

elections to reflect changes in the Consumer Price Index under a scheme prescribed by Section 76 of the Act and Regulation 4(2)

- ensuring a copy of this policy is available for inspection by the public.

2.3 Annual audit

All Elected Members will be audited once during their term of office.

2.4 Entitled Allowances and Reimbursements

2.4.1 Allowances

Elected Members are entitled to receive annual allowances as determined by the Remuneration Tribunal pursuant to Section 76 of the Act to help cover the cost of performing and discharging their official functions and duties.

Section 76 (9) of the Local Government Act provides for allowances to be adjusted on the first, second and third anniversaries of periodic elections to reflect changes in the Consumer Price Index (CPI) under a scheme prescribed by the regulations.

For the purposes of section 76 of the Act, an allowance may be paid in instalments up to 3 months on advance or 3 months in arrears of each month in respect of which an instalment is payable.

The policy of council is that the Mayoral Allowance, the Deputy Mayoral Allowance and the Elected Members Allowance be paid in instalments of 1 month in arrears.

The allowances were set by the Remuneration Tribunal in the Report and Determination no. 2 of 2022 Allowances for Members of Local Government Councils.

2.4.2 Travel and Dependent Care Expenses

In addition to any allowance paid under Section 76 of the Act, Elected Members are entitled to receive reimbursement for traveling within the area of Council and dependent care expenses associated with attendance at Council and Committee meetings pursuant to Section 77(1) (a) of the Act

Reimbursement is restricted to “eligible journeys” (as defined in Regulation 3) by the shortest or most practicable route and to the part of the journey within the Council area.

- Where a Council Member travels by private motor vehicle, the rate of reimbursement is as prescribed under Section 28.25 of the Income Tax Assessment Act 1997.
- Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred but is still limited to “eligible journeys” by the shortest or most practicable route and to the part of the journey that is within the Council area.

In addition to the allowances as determined by the Remuneration Tribunal a travel time payment has been granted to eligible elected members, under part 9 of the determination. The non-metropolitan council members travel time allowance will be payable in addition to any entitlement to reimbursement of expenses actually incurred.

Where child/dependant care expenses are actually or necessarily incurred by the

Council Member as a consequence of the Council Member's attendance at a prescribed meeting of the Council or Council Committee. Child/dependent care expenses are not reimbursed if the care is provided by a relative of the member who ordinarily resides with the member. A definition of "relative" is contained in Section 4 of the Act.

2.4.3 Travelling Expenses

In addition to eligible journeys (as defined in Regulation 3), Council Members are entitled to receive reimbursement for expenses actually and necessarily incurred in travelling to official functions or activities on the business of Council. The following conditions apply to these expenses:

- Travel must be incurred by the Member as a consequence of attendance at official functions or activities on the business of Council, including Mayoral receptions, dinners, citizenship ceremonies, attendance at meetings of community groups and organisations as a Council appointed delegate (but not to attend meetings of community groups or organisations when fulfilling the role of local representative).
- Reimbursement is restricted to the shortest or most practicable route.
- Where a Council Member travels by private motor vehicle, the rate of reimbursement is as prescribed in Section 28.25 of the Income Tax Assessment Act 1997.
- Travel by taxi, ride share, bus or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred but is still limited to the shortest or most practicable route

3. Elected Member Access to Council Vehicles

Privately owned vehicles will be authorised for Council business use as a last resort where either a Council owned vehicle is not available or Council can not efficiently make available alternate transport (ie hire car, taxi etc).

Elected Members have access to council vehicles, if available, for the purpose of attending meetings, training and conferences as required by Council. In all circumstances the council owned vehicles are only to be used for business purposes.

Elected Members are responsible for the payment of any fines for traffic infringements incurred whilst driving a council vehicle.

Please see the Elected Member and Employee Access to Council Vehicles Procedure for the booking process.

Additional Reimbursement and Support

Pursuant to Section 77(1)(b) of the Act, Council also approves the reimbursement of expenses and support to Elected Members if a Council vehicle is not available or it is considered impractical to utilise a Council vehicle.

4. Training Expenses

The Chief Executive Officer will submit a report to Council where the course fee is in excess of \$1500 which will outline the aims and objectives of the course.

- Where attendance at any course is approved by Council, the cost of traveling and accommodation will be met by council.
- All training or attendance at Conferences and Seminars for Elected Members and for which re-imbursement is sought must be approved Per the direction of the Training and Development Policy and Plan for Elected Members.

5. Other Expenses

Pursuant to Section 77 (1) (b) of the Act Council approves reimbursement of other expenses that elected members may incur:

Expenses will only be reimbursed for attendance at conferences, seminars, etc which have been approved by Council.

Expenses incurred by a member as a consequence of the Council Member's attendance at a conference, seminar, training course or other similar activity that is directly or closely related to the performance or discharge of the roles or duties of the member.

Expenses will only be reimbursed for attendance at conferences, seminars, etc which have been approved by Council.

Reasonable out of pocket expenses such as meals, taxi fares and car parking fees will be reimbursed.

No reimbursement will be made without receipts.

6. Mayor Credit Card

The Mayor is issued a corporate credit card to support expenditure outlined within this policy.

The Mayor will adhere to Council's credit card policy and procedure. Tax invoices must be submitted for all transactions, with the Chief Executive Officer to approve via Council's corporate software system.

7. Facilities and Support

All Elected Members are provided at the commencement of term with an ipad as the standard issue.

Connection and monthly access

- Application to ensure that users are able to check monthly usage and download limits
 - Training for the use of the Ipad and related software
- External help desk support—90 day free telephone support & staff support offered

Reasonable personal use of the Ipad is permissible. However, personal use is a privilege, which needs to be balanced. Personal use must be appropriate, lawful, efficient, proper & ethical and in accordance with any council direction or policy.

In addition to the facilities and support that are available to all elected members, pursuant to Section 78 of the Local Government Act, Council has resolved to make available to the Principal Member the following facilities and support to assist in performing and

discharging official functions and duties:

Internet access, mobile telephone, , motor vehicle, office space, personal assistance.

These facilities and services are made available on the following basis:

That they are necessary or expedient for the Principal Member to perform or discharge his/her official functions or duties,

That the facilities remain the property of Council and will not be used for a purpose unrelated to official functions and duties unless the use has been approved by Council and the Member has agreed to reimburse Council for any cost associated with that use.

It is also noted that the Principal Member has been granted limited private use of the Council vehicle within South Australia, subject to the keeping and presenting as required, a vehicle log book.

8. Expenses and Support Requiring Council Approval

All other expenses, reimbursements and support not detailed above will require approval by Council on a case by case basis.

E. Review

Elected Member benefits will be reviewed annually, allowances will be reviewed at the determination of the remuneration Tribunal.

F. Availability

This Policy will be available for inspection at the Council Offices at Loxton or Waikerie during ordinary business hours at no charge.

Copies of this Policy will also be available from Councils website:

www.loxtonwaikerie.sa.gov.au or postal copies may be obtained from the Council Office free of charge.

G. Document history and version control

Date	Version	Authorisation	Amendment Details
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Date	Version	Authorisation - Council/ Committee/ Senior Management Team	Amendment Details
23/06/2000	1.0	Council	First version
15/06/2001	1.1	Council	Reflects councils resolution in regard to allowances
16/08/2002	1.2	Council	Reflects councils resolution in regard to allowances
20/02/2004	1.3	Council (resolution at the meeting of 23 May 2003)	Reflects councils resolution in regard to allowances
2005	1.3		No change noted
20/11/2006	1.3	Council	No change noted
16/02/2007	1.3	Council	No change noted

21/08/2009	2.0	Council	Approved full private use of a vehicle for the Mayor
29/11/2010	3.0	Council	Reflects the determination of the Remuneration Tribunal gazetted Thursday 26 August 2010; allowances are determined by the Tribunal, only benefits are now the subject of review
25/11/2011	4.0	Council	Elected Members granted use of an iPad and the Mayor granted limited access to a vehicle
15/02/2013	4.0	Council	No changes noted, allowances adjusted as per S76(9) of the Local Government Act which provides for the allowances to be adjusted on the first, second and third anniversaries of periodic elections (CPI)
21/11/2014	4.0	Council	No change noted other than CPI increase to the allowances
18/12/2015	4.0	Council	No change noted other than CPI increase to the allowances
17/11/2017	5.0	Council	CPI increase to the allowances noted, removal of notation of payment to the Principal Member of the following: computer, printer, phone/fax machine. Noted the direction of council within the Training and Development Policy and Plan for Elected Members. Noted the direction of the Council meeting of 15 September 2017
18/10/2023	6.0	Council	Update onto new template format, Legislation update where required, Added to the Travel and Dependent Care Expenses Inclusion of Mayor Credit Card in policy