

Elected Members Entitlements Policy

Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit/s	Governance and Strategy
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Financial Services Governance and Organisational Planning and Development
Document Ref	4705085

Purpose

1. To provide clarity around the entitlements available to Elected Members and determine the method and timing of payments to Elected Members in accordance with the *Local Government Act 1995* (the Act).

Policy Statement

Annual Attendance Fees and Allowances

2. Elected Members, including the Mayor and Deputy Mayor, shall be paid an annual attendance fee in accordance with the maximum amounts determined by the Salaries and Allowances Tribunal.
3. The Mayor and Deputy Mayor shall be paid an annual allowance as established in Council's Annual Budget in accordance with the determination by the Salaries and Allowances Tribunal.

ICT Allowance and Issue of Devices

4. Elected Members including the Mayor and Deputy Mayor shall be paid the maximum ICT allowance determined by the Salaries and Allowances Tribunal.
5. An appropriate device/s may be requested from the City, or the Elected Member may choose to purchase their own device
6. Where the device is purchased by the City, the cost of the device will be deducted from the Elected Member's ICT allowance. The device will be the property of the elected member. If a replacement device is required, the cost will be deducted from the Elected Member's allowance. The Elected Member can choose whether the device is deducted from their ICT allowance over a one or two-year period.
7. IT support and maintenance shall be provided by the City for City provided equipment and software, as appropriate. Care of the device and personal data is the responsibility of the Elected Member.

Payment

8. The attendance fees and the ICT allowance are to:
 - (a) Be paid on a monthly basis.
 - (b) Generally, be paid in arrears on the first day of the month.
 - (c) Be calculated on a daily pro rata basis.

Taxation

9. The taxation liability arising from payments received from the City is the individual responsibility of each Elected Member.
10. The City will provide an annual payment summary to each Elected Member for the preceding financial year by the end of July each year.

Superannuation

11. In accordance with the Council decision of 25 February 2025 (Item 10.1.2 refers), Elected Members may be paid superannuation contributions under S 5.99B of the Act.
12. Superannuation contributions for Elected Members are payable with, and at the same time as attendance fees and allowances.
13. Superannuation contributions are payable on attendance fees and allowances and do not apply to the ICT allowance or amounts paid in reimbursement of expenses.
14. Individual Elected Members may choose to opt out of receiving superannuation contributions by providing written notice to the CEO. The Elected Member may opt back in by providing written notice to the CEO revoking the opt-out notice.
15. Elected Members who wish to receive superannuation contribution payments must nominate a superannuation account from scheme or fund to which the Superannuation Guarantee (Administration) Act 1992 applies.

Reimbursement of Expenses

16. In accordance with Regulation 32(1), the following kinds of expenses may be approved for reimbursement:
 - (a) An expense incurred by a council member in performing a function under the express authority of the Council;
 - (b) An expense incurred by a council member to whom subclause 6(a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
 - (c) An expense incurred by a council member in performing a function in his or her capacity as a council member.
17. Reimbursement of Elected Members' expenses in excess of the annual allowances made under this policy are required to be substantiated by the claimant through the production of receipts or the keeping of a logbook before such claims are paid.
18. Requests for reimbursement must be made no more than 7 days after the end of the financial year to which the claim relates. Requests for reimbursement are to be emailed to governance@bayswater.wa.gov.au, and must include a copy of the tax invoice for the expense.

Reimbursement of Childcare Expenses

19. Child-minding fees incurred by Elected Members whilst attending Council or Committee meetings of which that Elected Member is a member, or in performing any of the functions described under clause will be paid at the maximum hourly allowance provided for by the Salaries and Allowances Tribunal or the actual cost per hour, whichever is the lesser amount.
20. The number of hours claimable are limited to the length of the meeting plus a reasonable time allowance for travel to and from the place of care.
21. Receipts for childcare expenses must accompany the reimbursement claim form, detailing the date, number of hours, rate and meeting attended and the details of the service provider, signed by the service provider.
22. Child minding fees 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.

Reimbursement of Travel Expenses

23. Elected members are eligible for reimbursement of travel expenses incurred:
 - (a) Because of a Council Meeting or a Meeting of a Committee of which he or she is also a member; or
 - (b) In performing any of the functions described in Clause 11 of this policy.
24. Travel expenses will be reimbursed to the extent provided for in the annual determination of the Salaries and Allowances Tribunal.

Attendance at Conferences, Seminars, Training and Professional Development

25. Selection and determination of attendance at conferences, training and seminars will be made by the individual Councillor in relation to their particular interests.
26. The amount payable by the City of Bayswater (the City) for attendance at such events will be capped at \$15,000 for each Councillor, and \$30,000 for the Mayor, for the four-year period of their election. This maximum allowance is contingent on budget allocations.
27. The City will not fund attendance at overseas conferences, other than New Zealand.
28. The City will fund attendance by elected members at interstate conferences.
29. Attendance at interstate and New Zealand conferences will be limited to a maximum of three Councillors per event.
30. At the first Ordinary Council Meeting following the attendance by a Council member at any City funded conference, seminar or training event a written report will be tabled which provides a summary of the reasons for attendance, the cost to the City and any information or documentation of particular importance to Council, the City, or ratepayers and residents. This attendance information will also be published on a publicly available register on the City's website no later than 10 days after the Ordinary Council Meeting.

31. 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:
 - (a) meals and refreshments for the Elected Member that are not covered by the registration costs;
 - (b) dry-cleaning and laundry expenses.
32. Elected members will not be reimbursed for the cost of meals or refreshments for other people, excepting when the meal or refreshment provided to another person is in response to a meal or refreshments previously received from that person.
33. Expenses will be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home.
34. 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:
 - (a) For the days of the Conference and Training event only; and
 - (b) For the cost of travel to and from the airport to the accommodation to be used for the Conference and Training.

Issue of Stationery

35. An Elected Member shall be eligible to an issue of the following stationery:
 - (a) Up to 4,000 (in lots of 500) letterheads, envelopes (postage costs shall be at the Elected Members' expense); and business cards as required during their term of office. The stationery may include a photograph of the Elected Member.
 - (b) 50 City of Bayswater Christmas cards, envelopes and postage.
 - (c) Name Badge. Replacement name badges shall be supplied if the equipment is lost, stolen or damaged.

Civic Centre Access

36. Elected Members are to be provided with an access key and security card allowing access to the civic areas of the Civic Centre including the Basement Car Park, Councillors Lounge, Councillors Office and Council Chamber and Foyer.
37. The access key and security card will be issued as soon as possible following election to office.
38. Elected members are to return the access key and security card to the Chief Executive Officer immediately upon the expiration of the Elected Member's term.
39. Elected Members can access the administration area in the Civic Centre by contacting either the Chief Executive Officer and/or Directors.

Parental Leave

40. In accordance with Part 2, Division 5, s2.25(5B) of the Act, elected members are entitled to six months of parental leave, beginning on the day on which the council member, or their spouse or de facto partner, gives birth, adopts a person under 16 years of age or becomes the guardian or foster parent of a child under 16 years of age.

Retirement

41. Retiring elected members will be recognised for their service to the City of Bayswater with the following gifts:
- (a) A certificate of service
 - (b) A name plate, similar to the Elected Members' name plates in the Chambers, shall be prepared with details of the years of service engraved on the plate below the Elected Member's name.
42. The gifts will be presented to the retiring Elected Member at an informal farewell as determined by the Mayor.
43. The above presentation can be made posthumously to the spouse or designated family member of the Elected Member.

Reporting

44. In accordance with Section 5.96A of the Act and Regulations 29C(2)(f)&(6), a report will be prepared annually on any fees, expenses or allowances paid to each council member during a financial year, beginning 1 July 2020. The report will be published on the City's website on or before 14 July immediately following the end of the financial year to which the information relates.

Definitions

"Act" means the *Local Government Act 1995*

"Council" means the City of Bayswater Council

"ICT expenses" means

- 1. 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*; or
- 2. 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 *Local Government (Administration) Regulations 1996*.

Or

- 3. any expenses, including the purchase costs, of ICT hardware provided to elected members.

"Regulations" means the *Local Government (Administration) Regulations 1996*.

Related Legislation

- Local Government Act 1995*
- Local Government (Administration) Regulations 1996*
- Salaries and Allowances Tribunal Annual Determination*
- Superannuation Guarantee (Administration) Act 1992 (Cwlth)*

Related Documentation

- Attendance at Events Policy*

Relevant Delegations	Nil.
Risk Evaluation	Moderate
Council Adoption	6 May 2024 (meeting adjourned from 30 April 2024).
Reviewed/Modified	17 March 2025 (consequential changes made to reflect changes in legislation and Council’s decision to pay superannuation to Elected Members at its Ordinary Meeting of 25 February 2025, item 10.1.2 refers).