COUNCIL POLICY

Elected Member Entitlements, Facilities, Services and Expenses

Policy Number:	PO089		
Strategic Plan Objective	5 Responsible Governance 5.2 Effective Leadership and informed decision making 5.3 Meet all legislative requirements and compliance with Council's internal controls		
Policy Owner:	Director Corporate & Community Services	**Container Number:**	SC16/1482
Responsible Officer:	Manager Financial Services	**Minute Reference:**	025/2019 (13/02/2019)
Date Adopted:	13/02/2019	**Next Review Date:**	February 2022

1. POLICY OBJECTIVES

To ensure all Elected Members (including the Mayor) are provided with entitlements, facilities, services and reimbursement of expenses appropriate and necessary to the performance/discharge of official functions/duties on a uniform basis that is accountable and transparent in accordance with the Local Government Act 1999 and the Local Government (Members Allowances and Benefits) Regulations 2010.

2. SCOPE

This policy applies to all Elected Members, including the Mayor, of the Yorke Peninsula Council.

3. DEFINITIONS

ABN	Australian Business Number
ATO	Australian Taxation Office
CEO	Chief Executive Officer
EA to the CEO and Mayor	Executive Assistant to the CEO and Mayor
Incidentals	An incidental travel expense can be claimed via the claim reimbursement process. An incidental is only permitted where travel involves at least one night away from home. Examples of the types of incidentals that may be claimed up to the daily limit are: newspapers, morning and/or afternoon tea expenses and snacks.

4. POLICY STATEMENT

4.1 Facilities and Services

Council have determined that Information Technology Services and Equipment supplied and used in accordance with PO088 Elected Members use of Council Supplied Electronic Equipment Policy is appropriate and necessary to assist Elected Members and the Mayor in performing/discharging their official functions/duties:

Elected Members and the Mayor will be provided with Information Technology Services and Equipment for the duration of their term of office. These Information Technology Services and Equipment, determined by the Leader Systems and Technology (in consultation with the CEO), comprise:

- a personal computing device and associated software;
- electronic communications services, including Email and Internet access;
- technical and maintenance support.

4.2 Office of the Mayor - Additional facilities/services

Some additional facilities and services are provided for the Office of the Mayor.

The Mayor will be provided with a suitable Council owned and maintained vehicle to be used to undertake official Council business, attend functions and other meetings in performance of duties of the Mayor, a mobile phone, internet access, office space, provision of executive clerical support and provision of media and communications support. The Council acknowledges the geographical area of our Council will involve incidental, minor, infrequent and irregular limited private use of the Council vehicle within South Australia when on Council business.

The use of these facilities is only for performing or discharging official functions and duties. They must not be used for campaign or election purposes as this is not permitted on the basis that it is not necessary or expedient to the performance or discharge of Council Member official functions or duties under the Act and would be a breach of Section 78 (3) of the Act.

4.3 Elected Members Allowances and Travel Time Allowance

Elected Members and the Mayor are provided with an annual allowance in accordance with the determination made by the independent Remuneration Tribunal pursuant to Section 76 of the Local Government Act 1999. Yorke Peninsula Council forms part of Council Group 3.

In addition a travel time allowance is provided for Members of Non-Metropolitan Councils (excluding principal members) in relation to the distance between the member's usual place of residence within the Council area and the Council's principal office at Maitland, via the most direct route. This allowance is in addition to any entitlement to reimbursement of expenses actually incurred.

4.4 Approval and Booking Process

All travel and accommodation that incurs expenses must be approved prior to the travel/accommodation being booked and/or undertaken. The CEO must approve all intrastate travel. Council must approve all interstate and international travel taking into account PO135 Elected Members Training and Development Policy for training requests.

All approved travel and accommodation must be booked through the EA to the CEO and Mayor, who will ensure that the travel is booked in an economical manner and accommodation is in line with the following limits:

City	Maximum Limit per person
Adelaide	$172.70
Brisbane	$225.50
Canberra	$184.80
Darwin	$237.60
Hobart	$145.20
Melbourne	$190.30
Perth	$256.30
Sydney	$203.50
Rural	$145.20

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If suitable accommodation is unable to be sourced through the EA to the CEO and Mayor within these rates, approval will be sought from the CEO to book the higher priced accommodation with the reasons/rationale noted for reference.

4.5 Meals and Incidentals

Council will reimburse reasonable expenses incurred by Elected Members as a consequence of the Elected Member's attendance at a conference, seminar, training course or similar activity which is directly related to the performance or discharge of the roles and duties of Elected members.

Council will reimburse expenses for meals, refreshments and incidentals where Elected Members are attending approved meetings, conferences and seminars where meals are not provided. Receipts must be provided as outlined in 4.5.

The maximum daily limits for meals are:

Breakfast:	$20.00
Lunch:	$25.00
Dinner:	$40.00
Incidentals:	$15.00

These Accommodation and Meal Limits are roughly based on the guidelines set out in the ATO's Taxation Determination TD2018/19 and should be revised annually. If an Elected Member decides to stay at a higher priced establishment without the approval of the CEO, then they are responsible for those extra costs - Council should not be charged for these additional costs at any time.

4.6 Travel Expenses

Elected Members are provided with reimbursement of travel expenses relating to the performance and discharge of official functions as follows:

a) the costs incurred in travelling to or from a Council or Committee meeting, where travel is between the place of the meeting and principal place of residence or the Members' place of work;
b) travel expenses incurred while attending an official function or activity on the business of Council;
c) expenses incurred while attending an approved conference, training course or seminar or other similar activity;
d) expenses incurred where the Member has been invited or officially appointed as the Council's delegate or as a representative of Council.

Elected Members intending to claim travel reimbursement, must note the requirement to complete the SF095 Record of Elected Members Official Council Business Travel Claim form and sign the declaration at the bottom of the page.

Elected Members retain responsibility for submitting these claim forms and they must be received by Council for processing each quarter, to tie in with budget and budget review requirements.

Every travel related expense must be supported by a tax invoice/receipt that meets ATO requirements. These requirements are outlined below:

1. the receipt is intended to be a tax invoice – i.e. it should have the words Tax Invoice printed on the document;
2. the sellers identity is clear;

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3. the seller's Australian Business Number (ABN) is clear;
4. the date the invoice was issued is clear;
5. a brief description of the items or services sold, including the quantity (if applicable) and the price;
6. the GST amount (if any) payable, this can be shown separately, or, if the GST amount is exactly one-eleventh of the total price, a statement such as 'total price includes GST' is acceptable;
7. the extent to which each sale on the invoice is a taxable sale (that is, the extent to which each sale includes GST); and
8. for sale amounts over $1,000, Council's identity and/or ABN should be reflected on the invoice.

If the supplier is not registered for GST, such as a charity or overseas supplier, then a general receipt outlining date, seller's identity, purpose and amount is sufficient.

EFTPOS receipts are not acceptable at any time as a Tax Invoice. If a receipt is given that is just an EFTPOS printout, the Elected Member must request a proper tax invoice that reflects the ATO requirements listed above. Unclaimed travel expenses cannot be offset against some other expense or facility.

Elected Members are to make a reasonable attempt to use Council vehicles as a priority when attending official functions and duties or car pool with other Elected Members/staff utilising Council vehicles.

Airline tickets are not transferable and cannot be used to offset any other costs, including the cost of other persons accompanying the Elected Member.

4.7 Insurance

Elected Members are covered for the following while discharging their official duties, including attendance at meetings of external bodies as Council's representative:

a) Personal Accident Insurance – Elected Members (and their accompanying partners/spouse) are provided with benefits should they sustain bodily injury;
b) Civil Liability;
c) Personal Effects Property Cover – provides cover for damage to property and personal effects whilst Elected Members are engaged on Council business;
d) Corporate Travel – covers Members and their partners/spouses whilst engaged on any overseas delegation.

Cover is subject to policy limitations and applicable excess(s).

4.8 Register of Allowances and Benefits

A record of the annual allowances paid to Elected Members, expenses reimbursed and any other benefits paid or provided will be maintained by the CEO to ensure compliance with Section 79 of the Local Government Act 1999.

5. COMPLAINTS

Complaints under this policy must be in writing to the CEO (including any person acting in the office of CEO) and will be managed in accordance with the Process for Managing Complaints and Breaches under the Code of Conduct for Council Members.

6. REVIEW

This policy will be reviewed within 12 months of each periodic election and every three years. The policy will also be reviewed as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

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7. TRAINING

Elected Members are provided with appropriate training to enable them to meet the requirements of this policy. Training needs will be reviewed annually as part of Council's Elected Member Training Plan and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

PO015 Code of Practice for Access to Council and Committee Meetings
PO088 Elected Members Use of Council supplied electronic equipment
Statutory - Code of Conduct for Council Members
PO135 Elected Members Training and Development Policy
PFC 123 Process for Managing Complaints and Breaches under the Code of Conduct for Council Members

9. REFERENCES AND LEGISLATION

Local Government Act 1999
Local Government (Member's Allowances and Benefits Regulations) 2010
Freedom of Information Act 1991

10. COUNCIL DELEGATION

Delegate:	Chief Executive Officer
Sub Delegate:	Director Corporate and Community Services

11. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Provision of Facilities and Services to Elected Members	PO089	03/11/2003	08/06/2010
Provision of Facilities and Services to Elected Members	PO089	13/06/2012	13/06/2012
Elected Members Travel	PO110	14/09/2005	08/06/2010
Elected Member Facilities Services and Expenses	PO089	08/05/2013	13/05/2015
Elected Member Facilities Services and Expenses	PO089	13/05/2015	13/07/2016
Elected Member Facilities, services and Expenses	PO089	14/12/2016	29/03/2018
Elected Member Facilities, services and Expenses	PO089	11/04/2018	13/02/2019
Elected Member Facilities, services and Expenses	PO089	13/02/2019	

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