

# Council Member Support Policy

Policy Author	General Manager – Strategy & Corporate
Date of next review	November 2024

## 1. Statement of Intent

The Council will ensure the payment of Council Member allowances and the reimbursement of expenses is accountable and transparent, and in accordance with the *Local Government Act 1999* and the *Local Government (Members Allowances and Benefits) Regulations 2010*.

This Policy, together with the Council Member Support Procedure and Mayor Support Procedure, outlines:

- Provisions of the Act and Regulations in respect to Council Member allowances, expenses and support.
- Type of expenses and the circumstances in which those expenses will be reimbursed.
- Various support provided to Council Members to undertake their role.
- Council Member recognition provisions to acknowledge the contribution and service of Members.

This Policy is underpinned by the following principles:

- Council Members should not be “out-of-pocket” as a result of performing and discharging their official Council functions and duties.
- Any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties.
- Council Members are entitled to receive:
  - An annual allowance as provided in Section 76 of the Act and Regulation 4 as set by the Remuneration Tribunal of South Australia
  - Reimbursement of travelling and child/dependent care expenses associated with attendance at Prescribed Meetings, pursuant to Section 77(1)(a) of the Act and Regulation 5
- Council has also agreed to:
  - Reimburse certain prescribed expenses pursuant to Section 77(1)(b) of the Act and Regulation 6
  - 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
- Ensuring allowances, expenses and support provided to Council Members is accountable and transparent.

This Policy will be reviewed within 12 months of a general election. In accordance with section 77(2) of the *Local Government Act 1999*, a policy regarding the reimbursement of certain prescribed expenses adopted under 77 (1) (b) will lapse at a general election. All other provisions, contained within this Policy and associated procedures will continue following the general election.

## 2. Scope

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

Accompanying this Policy, is the Council Member Support Procedure that applies to all Council Members and the Mayor Support Procedure which specifically applies to the role of Mayor. These Procedures are to be followed to ensure the application of the Council Member Support Policy and may be amended from time to time to meet operational needs and the need of Council Members.

## 3. Legislation and References

This Policy should be read in conjunction with the Council Member Support Procedure and Mayor Support Procedure.

- *Local Government Act 1999*
  - Section 76-80 outlines the type of support, benefits and resources that Council can provide to Council Members.
  - Section 76 outlines the requirements of the annual allowance and role of the Remuneration Tribunal.
  - Section 77 provides that Council may approve the reimbursement of certain prescribed expenses incurred by Council Members, either on an individual basis or under a policy adopted by Council.
  - Section 78 states Council will provide Council Members with additional facilities and support to assist them in performing and discharging their functions and duties pursuant.
  - Section 79 outlines the requirements for recording all allowances, reimbursements and benefits paid or provided to Council Members in the Register of Allowances and Benefits.
  - Section 80 outlines the requirement of Council to take out a policy of insurance to insure Council Members against risks associated with the performance or discharge of official functions or duties.
- *Local Government (Members Allowances and Benefits) Regulations 2010*
  - Regulation 5 of the *Local Government (Members Allowances and Benefits) Regulations 2010* outlines the type of support, benefits and resources that Council is required to provide to Council Members, under Section 77.
  - Regulation 6 of the *Local Government (Members Allowances and Benefits) Regulations 2010* outlines the type of support, benefits and resources that Council can provide to Council Members, under Section 77.
- *Local Government (General) Regulations 2013*
  - Section 8 AAA prescribes that conflict of interest provisions do not apply to a matter of ordinary Council business regarding the preparation, discussion, adoption and

revision of a policy relating to allowances and benefits payable to members if the policy relates to the allowances and benefits payable equally to each member

- *State Records Act 1997*
  - Section 13 states that every agency must ensure that official records in its custody are maintained
- Code of Conduct for Council Members
- Caretaker Policy
- Council Member Training and Development Policy
- Council Member Training and Development Procedure
- Behaviour Management Policy ICT Acceptable Use Procedure
- City of Playford Global Glossary

This Policy should not be considered as the only document that may relate to Council Member support, other tiers of government, agencies or organisations may have legislation or policies that also apply.

## 4. Application

Council	Adopt a Policy outlining the allowances, benefits and support provided to Council Members.
Council Members	Maintain a thorough understanding of the Council Member Support Policy and Council Member Support Procedure to ensure obligations and requirements regarding allowances and benefits are fulfilled.
Chief Executive Officer	Ensure allowances, expenses and support provided to Council Members is in accordance with the <i>Local Government Act 1999</i> and the <i>Local Government (Members Allowances and Benefits) Regulations 2010</i> ; is accountable and transparent and is recorded in the Register of Allowances and Benefits.  Ensure any annual adjustments to Council Member allowances are made in accordance with any Remuneration Tribunal of South Australia determinations.
Governance Team	Maintain, review and update the Council Member Support Policy, Council Member Support Procedure and Mayor Support Procedure.  Assist Council Members in the administration of this Policy, Council Member Support Procedure and Mayor Support Procedure.
Executive Assistant to Mayor and Councillors	Assist Council Members in the administration of this Policy, Council Member Support Procedure and Mayor Support Procedure.

## 5. Relevance to Risk Appetite Statement

## Financial Sustainability

The City of Playford has a **LOW** appetite for short-term financial risk that adversely impacts on the delivery of the Long Term Financial Plan (LTFP) and the City of Playford's overall financial stability and sustainability.

This policy addresses the risk to financial sustainability by outlining the allowances, reimbursements and supports provided to Council Members to ensure payments and provision of services is in accordance with legislation and budgets are not exceeded.

## Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation.

This policy addresses the risk to reputation by prescribing the allowances and benefits provided to Council Members in accordance with legislation, also ensuring transparency and accountability for the community regarding the allowances, reimbursements and supports Council Members may receive.

## Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation.

This policy addresses the risk to regulatory compliance by meeting the requirements of Part 5, Allowances and Benefits of the *Local Government Act 1999* and the *Local Government (Members Allowances and Benefits) Regulations 2010*.

## 6. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to [governance@playford.sa.gov.au](mailto:governance@playford.sa.gov.au) or by calling the Customer Contact Team on 8256 0333.

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### Administration use only

ECM document set no. 3931129

Version no.

Procedure link Council Member Support Procedure

Policy author General Manager – Strategy & Corporate

Endorsed by Council

Resolution no. 5215

Legal requirement *Local Government Act 1999 and Local Government (Members Allowances and Benefits) Regulations 2010.*

Review schedule 2 Years

Date of current version November 2022

Date of next review            November 2024

### Version history

Version no.	Approval date	Approval by	Change
2	27 November 2018	Ordinary Council – Resolution No. 3365	Amended and reviewed in preparation for the new Council term.
3	25 May 2021	Ordinary Council Resolution No. 4630	
4	29 November 2022	Ordinary Council Resolution No. 5215	Amended and endorsed by Council.

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