



Elected Member Support Policy

Elected Member Support Policy

This policy is set by Council for use by the community and council administration

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Date of Current Version 18 December 2018

Responsible Team Governance

Other Key Internal Stakeholders

Initial Date of Adoption 26 July 2016

Last Reviewed 18 December 2018

Authorised By Council

Resolution No.: 3365

Legal Requirement

Date of Next Review February 2020

1. Purpose

The City of Playford (the Council) will ensure that the payment of Elected Members' allowances and reimbursement of expenses incurred in performing or discharging official functions and duties occurs. The Council will also ensure the provision of benefits to Elected Members is accountable, transparent and in accordance with the *Local Government Act 1999* and the *Local Government (Members Allowances and Benefits) Regulations 2010*. This Policy has been developed in accordance with Section 76, 77, 78, 78A, 79 and 80 of the *Act* and *Local Government (Members Allowances and Benefits) Regulations 2010*.

2. Scope

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

Accompanying this Policy is a set procedural guidelines for all Elected Members and guidelines specific to the role of Mayor, outlining how the Policy is to be applied. These procedural guidelines are to be followed to ensure the application of the *Elected Member Support Policy* and may be amended from time to time to meet operational needs and the need of the Mayor and Elected Members.

This Policy, as per Section 77(2) of the *Local Government Act 1999*, will be required to be reviewed within twelve (12) months of the general election.

3. Legislation and References

- *Local Government Act 1999 Section 76-80 and the Local Government (Members Allowances and Benefits) Regulations 2010* outline the type of support, benefits and resources that Council can provide to Elected Members.
- Section 76 of the Act outlines the requirements of the annual allowance and role of the Remuneration Tribunal.
- Section 77 of the Act provides that Council may approve the reimbursement of certain prescribed expenses incurred by Elected Members, either on an individual basis or under a policy adopted by Council. 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 Elected 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 Elected Members, under Section 77.
- Council will provide Elected Members with additional facilities and support to assist them in performing and discharging their functions and duties pursuant to Section 78

of the Act.

- Section 78A of the Act states a Elected Member may obtain legal advice at the expense of Council, relating to performing or discharging of official functions and duties. Legal advice available to Elected Members is outlined in the Guidelines associated with this policy.
- Section 79 of the Act outlines the requirements for recording all allowances, reimbursements and benefits paid or provided to Elected Members in the Register of Allowances and Benefits.
- Section 80 of the Act outlines the requirement of Council to take out a policy of insurance to insure Elected Members against risks associated with the performance or discharge of official functions or duties.
- Local Government (General) Regulations 2013, Section 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.
- Elected Member Support Policy: Guidelines
- Mayor Support Policy Guidelines
- Council Member Training and Development Policy
- Council Member Training and Development Policy: Guidelines
- Code of Conduct for Council Members
- Code of Conduct for Council Members: Complaints Handling Procedure

4. Definitions

Act for the purpose of this policy the “Act” means the *Local Government Act 1999*.

Elected Member means the Principal Member or a Councillor elected by the electors of a particular ward, as a representative of the ward in the City of Playford.

Independent Members are members on a committee or panel who are not elected but have been appointed by the Council to undertake a similar role as Councillors on Council’s Section 41 Committees or the Council Assessment Panel. They are external appointees.

Mayor is the person elected as the Principal Member of the Council to represent the local

government area as a whole.

Staff includes Council staff, contractors, volunteers and all others who perform work on behalf of Council.

5. Policy

5.1. In setting this policy and associated guidelines, Council has taken into consideration the overall support provided to Elected Members, including annual allowances paid, expenses reimbursed and facilities/services provided pursuant to Sections 76, 77, 78, 78A and 79 of the Act. This policy and guidelines summarises the:

- 5.1.1. Provisions of the Act and Regulations in respect to Elected Members expenses and support.
- 5.1.2. Type of expenses and the circumstances in which those expenses will be reimbursed.
- 5.1.3. Type of support provided to Elected Members to undertake their role.

6. Responsibilities

6.1. Council's Chief Executive Officer has the duty to:

- ensure the maintenance of the related registers, as outlined in the accompanying Guidelines;
- ensure that any annual adjustments to allowances are made in accordance with the Remuneration Tribunal;
- ensure this policy and guidelines is available for inspection by the public at the principal office of the Council and on the Councils website.

6.2. In addition, the Chief Executive Officer is responsible for ensuring the *Elected Member Support Policy: Guidelines and Mayor Support Policy: Guidelines* are implemented and sufficient in monitoring expense reimbursement procedures in accordance with the Act and the Local Government (Members Allowances and Benefits) Regulations 2010.

7. Relevance to Strategic Plan

1: Smart Service Delivery Program
Outcome 1.2 Improved service delivery

8. Accessibility

This Policy can be located on the City of Playford website as well as internally on Click in the Corporate Policy Library.

9. Feedback

We invite your feedback on this policy which can be directed to Manager - Governance to playford@playford.sa.gov.au.

10. Approval and Change History

| Version | Approval Date | Approval by | Change |
|---------|------------------|-------------------------------|---|
| 1.0 | 26 July 2016 | Council | New Policy |
| 2.0 | 18 December 2018 | Council – Resolution No. 3365 | Amended and reviewed in preparation for the new Council term. |