

## Upper Macquarie County Council

### **POLICY: UMCC\_2018/07**

#### **MEMBER FEES, EXPENSES & FACILITIES POLICY**

#### ***Payment of Fees and Expenses, and Provision of Facilities to Members on official duty.***

Adopted by: Upper Macquarie County Council

Date: 2<sup>nd</sup> November 2018

Review Date: Every 3 years or as required

Next Due: 2<sup>nd</sup> November 2020

*[Next review is required no later than between September 2020 and August 2021 to meet the requirements of Section 252(1) of the LGA (1993)]*

Policy Document Approved by:

*David Young*

David Young  
General Manager

Date: 26<sup>th</sup> October 2018

## 1. Policy Purpose

Upper Macquarie County Council (the Council) recognises that a person in carrying out their role as a member of the County Council may be entitled to payment of fees, payment or reimbursement of expenses, and / or provision of facilities.

This Policy seeks to set out the circumstances and the extent to which County Council Members are entitled to have fees, expenses and facilities paid or provided to them.

Sections 248 to 251 of the Local Government Act (1993) set out the requirements for fixing and payment of an annual fee to a Member.

Sections 252 to 254 of the Local Government Act (1993) set out the requirements for payment of expenses and provision of facilities. Including the requirement for a publically exhibited policy on the matter.

## 2. Scope of Policy

This policy applies to all Members of the County Council.

## 3. Policy Statement

It is Council Policy that Members that are performing their official duties will be entitled to an annual fee and the payment for expenses and provision of facilities in accordance with the provisions of Part 2, Division 5 of the of the Local Government Act (1993) and the provisions of a publically exhibited *Member Expenses and Facilities Policy* and not otherwise.

## 4. Annual Fees

The Council must pay each Member an annual fee. The annual fee will be no less than the appropriate minimum fee determined by the NSW Remuneration Tribunal (as adjusted from time to time).

The annual fee to be paid to each Member will be the same.

The Chairperson of the Council will be paid the same fee as each Member AND in addition be paid no less than the appropriate minimum fee determined (for a Mayor/ Chairperson) by the NSW Remuneration Tribunal (as adjusted from time to time).

The Deputy Chairperson of the Council will be paid the same fee as each Member AND in addition [only when acting as the Chairperson] be paid the appropriate pro-rata minimum fee determined (for a Mayor/ Chairperson) by the NSW Remuneration Tribunal (as adjusted from time to time). *[Note: The fee paid to the Deputy Chairperson while acting as Chairperson is deducted from the fee payable for the year to the Chairperson.]*

The Council will fix the annual fee each year in conjunction with the adoption of the annual operating plan, and if not fixed each year it will as applicable be paid at the minimum rate or remain at the same rate as last fixed by the Council if that fixed rate was greater than the minimum rate.

**Note1.** As required by Section 250 of the Act, fees are payable on a monthly basis in arrears for each month or part of a month for which the Member holds Office.

## **5. Expenses - Conferences, Seminars, Meetings and Inspections**

The Council will pay expenses or refund expenses as applicable for a Member, the Chairperson, or Deputy Chairperson - subject to prior Council approval, or prior approval by the County Chairman, if insufficient time for Council approval.

Expenses reasonably incurred by Members are in addition to the Annual Fee payable to the Chairman and Members and reimbursement of expenses and the facilities that may be provided under this Policy shall be provided without a reduction of the Annual Fees.

Reimbursement of expenses to the Chairman and Members will only be made upon completing an Expense Claim Form and with relevant receipts. Expenses paid will be in accordance with this Policy.

The Chairman and Members may request payment in advance for expenses to be incurred in attending Conferences, Seminars and training. Members may also request an advance payment for the cost of any other service or facility covered by this Policy. The Chairman and Members must fully reconcile all expenses against the advance payment within 30 days.

Monetary limits are set in this Policy, providing a maximum amount to be claimed by the Chairman and Members. Any additional cost incurred by the Chairman and Members in excess of any limit set shall be considered a personal expense that is the responsibility of the Member. All monetary amounts stated are exclusive of GST.

### **a) Travel for Conferences and Seminars**

Requests for travel involving Conferences and Seminars for Council business must be made in writing to the Chairman. Requests should include full details of the proposed travel, including itinerary, costs and reasons for the travel. The General Manager will arrange for the report to be put to the next available Council meeting without delay.

For Approved Travel:

- a) Registration - including official luncheons, dinners and tours relevant to the conference. Refund of actual cost or paid in advance by the Council as applicable.
- b) Accommodation – including meals not covered in registration fees. Refund of actual cost or paid in advance by the Council as applicable. Allowances are not paid at pre-determined rates.
- c) Accommodation will be provided for the night before or after the conference where necessary.
- d) Delegates Accompanied by Spouse/Partner - Equivalent of Single Accommodation cost to be met by Council with additional accommodation cost to be met by the delegates spouse / partner. All additional costs to be met by the delegates spouse /

partner unless such is directly related to the official capacity of the delegates (e.g. partner accompanying to a formal conference dinner).

## **(b) Travel Only Expenses**

Requests for travel outside the county district for Council business must be made in writing to the Chairman. Requests should include full details of the proposed travel, including itinerary, costs and reasons for the travel. The General Manager will arrange for the report to be put to the next available Council meeting without delay.

No overseas or interstate travel for Council business should be required, either by the Chairman or any Member, except if under extenuating circumstances it is approved by the Council.

For Local Travel:

- a) Travelling to and from meetings of the Council or the meetings of any Committee of Council. Expenses for use of a private motor vehicle will be based on the relevant kilometre rate set out in Table 2 [REF Clause 16 A(i)] of the Local Government (State) Award (2017).
- b) For Local Travel When acting for the County Chairman in civic duty. Any expenses including travel expenses to be reimbursed on an out-of- pocket basis (as opposed to a c/km basis) by the Chairman directly to the Member involved.
- c) Attendance at Meetings representing Council in capacity of Chair of a Council Committee. Expenses for use of a private motor vehicle to be based on the relevant kilometre rate set out in Table 2 [REF Clause 16 A(i)] of the Local Government (State) Award (2017).
- d) Conferences and Seminars. Members using private vehicles to be reimbursed according to the relevant kilometre rate set out in Table 2 [REF Clause 16 A(i)] of the Local Government (State) Award (2017). [Subject to the total cost not exceeding the economy class airfare as applicable and appropriate
- e) Travelling by air (when required) is to be in economy class.

## **6. Facilities**

The Council will pay the expense or refund the expense for the Chairperson and a Member as follows:

### **(a) Members**

Members may receive the benefit of the following Council facilities:

- a) Meeting Meals and Refreshments - provision of meals and refreshments associated with Council, Committee and Working parties/Special Committee meetings.
- b) Travel - provision of Council motor vehicle [when available - as an alternative to use of a private vehicle according to section 5 of this Policy] for travel to Conferences, Seminars, etc. when on Official Council Business.

- c) Meeting Rooms - Provision of meeting facilities for the purpose of Council, Committee and Working Parties/Special Committee meetings (and for meeting with constituents).
- d) Photocopier - provision of photocopying facilities at Council's Office for official purposes.

## **(b) County Chairman**

In addition to those facilities provided to the Members, the County Chairman may receive the benefit of : -

- a) Secretarial Services - word processing and administrative support provided by the General Manager.
- b) Administrative Support - assistance with functions, organisations, meetings, and the like for official purposes.
- c) County Chairman Office Refreshments - at the discretion of the General Manager for official purposes up to a maximum of \$500 p.a.
- d) Fax Machine - to be maintained by Council at the County Chairman's place of residence (if required).
- e) Deputy County Chairman – In addition to those facilities provided to the Members, the Deputy County Chairman is to receive the benefits of the County Chairman when acting in the Office of County Chairman.

## **7. Public Exhibition**

In accordance with Section 253 of the Local Government Act (1993) the Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities. The Council must allow at least 28 days for the making of public submissions, and before adopting or amending the policy, must consider any submissions made and make any appropriate changes to the draft policy or amendment.

Notwithstanding, other than when proposing to adopt a policy in accordance with section 252 (1) of the Act (*i.e. in the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Chairman, and the other Members in relation to discharging the functions of civic office.*) the Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.

## **8. Reporting**

The total cost of expenses and the provision of facilities for the Mayor and all Members will be listed in the Council's Annual Report and will include (where applicable):

- a) Cost of phone calls including mobiles.
- b) Spouse, partner, or accompanying person expenses.

- c) Conference and seminar expenses.
- d) Training and skill development expenses.
- e) Interstate travel expenses, and overseas travel expenses.
- f) Carer and other related expenses.
- g) The cost of providing dedicated office equipment allocated to Members on a personal basis such as iPads, telephones, and facsimile machines.

The Annual Report will include a copy of this Policy, which will be placed on Council's website.

## **9. Review**

The General Manager will be responsible for determining whether all claims are reasonable and within the guidelines as set by the policy adopted by Council. Any Member dissatisfied with the determination can request the matter be submitted to Council for Consideration.

This Policy is to be approved by the General Manager and subsequently adopted by the Council before it comes into effect.

## **10. Further Assistance**

The Policy should be read in conjunction with *Part 5 'Personal Benefit'* of the NSW Office of Local Government Model Code of Conduct for Local Councils (2015)

Any Member who requires assistance with this Policy should contact The General Manager. Any staff member or agent of the Council who requires assistance with this Policy should in the first instance consult their supervisor or Council contact officer.