

POLICY NO: 4.1.10

EXECUTION OF DOCUMENTS POLICY

OBJECTIVES

To execute documents in a consistent and transparent manner.

APPLICATION

This Policy applies to all City of Vincent Officers who have been authorised through the provisions of this policy to execute documents on behalf of Council.

This Policy ensures that the City's common seal is utilised and documents executed in accordance with the provisions of the *Local Government Act 1995* (the Act).

According to the Act, s9.49A, a document is duly executed by a local government if the common seal is affixed to it or it is signed by an officer authorised to do so.

Executing documents through the use of the common seal or by signing a document does not constitute the decision to undertake a particular course of action. A Council resolution or a decision under delegated authority is required prior to executing documents pertaining thereto.

In the case of:

1. Legislation;
2. The formal requirements of a Commonwealth or State department, authority or agency (as described in a Policy or procedure); or
3. A Council decision;

expressly specifying a particular way in which a document is to be executed, that course of action is to take precedence over this policy.

Category 1(A) Documents

Category 1(A) documents require a specific resolution of Council to sell, lease or enter into an agreement as well as an authority to affix the seal.

These documents will be executed by having the common seal affixed under the authorisation of Council with the affixing of the seal in the presence of and being attested to by the Mayor and CEO or pursuant to s9.49A(3)(b) of the Act, the Mayor and a senior employee authorised by the CEO to do so.

The following is a list of documents of Category 1(A) documents:

1. Deeds of Agreement and Release in respect to sale, purchase or other commercial dealing relating to City assets including equitable interests;
2. Local Planning Schemes and Amendments;
3. Lease documents. This category includes, but is not limited to:
 - Variation of Lease;
 - Assignment of Lease; and
 - Surrender of Lease;except where granted under delegated authority;
4. Local Laws; and
5. Licence documents.

Category 1(B) Documents

Category 1(B) documents are those of a general form or category and which may be subject to time constraints for execution. These documents are to be sealed as part of a "class of documents" authorised by Council to be executed under the common seal without a specific Council resolution to affix the seal. Please note that the document may not require a Council resolution (being a Category 1(B) document) however the decision to undertake a particular course of action may still require Council approval.

The following list of documents are Category 1(B) documents.

1. Agreements relating to grant funding, when the funder requires that the agreement be signed under seal;
2. Debenture documents for loans which Council has resolved to raise;
3. General Legal and Service Agreements not already listed in this policy; and
4. Extension of Lease under original lease clause or provision;
5. Sub Lease of a portion of the premises by the Lessee;
6. Minor Variation of Lease provided it does not alter the substantive terms of the Lease approved by Council (for example, changes a process within the lease).

Category 2 Documents

Category 2 documents do not require the seal to be affixed.

Under section 9.49A(4) Council authorises the Officers listed in the Table below to sign documents on behalf of the City of Vincent. Directors only have authority where the documents are related to their area of responsibility.

The following is a list of Category 2 documents:

Description	Authority to Execute
Documents required in the management of land as a landowner.	CEO; Director Corporate Services <i>*NOTE – CEO approval is required for Development Applications relating to Crown Land pursuant to Minister for Lands Instrument of Authorisation dated 2 June 2016).</i>
Documents required to enact a decision of Council or the Development Assessment Panel (i.e. contractual documents resulting from a tender process, transfer of land forms, notification on title as required by a condition of approval, memorandum of understanding etc.).	CEO; The Responsible Director.
Documents required to enact a decision made under delegated authority or as a condition of approval given under delegated authority.	CEO; The Responsible Director; The City Officer exercising the delegated authority.

Category 3 Documents

Category 3 documents are created in the normal course of business and are consistent with the City's policies and procedures. Category 3 documents are to be executed by a Director or Manager, or a City officer where the authority has been extended through a policy or procedure.

These documents include but are not limited to the following:

1. Agreements in the normal course of business for the purchase of goods or services identified within the service unit's budget (other than for tenders) and conforming to the requirements of the City's Purchasing Policy and other relevant policies.
2. General correspondence required to discharge the duties of your position;
3. Contracts for grant funding conducted in accordance with the City's Policies;
and
4. Regular Hire Arrangements.

Date Adopted:	4 November 2003
Date Amended:	7 March 2017, 6 March 2018
Date Reviewed:	22 April 2008, 26 February 2013, 7 March 2017, 6 March 2018
Date of Next Review:	March 2023²



CITY OF VINCENT

**COUNCIL MEMBERS – ALLOWANCES,
FEES AND REIMBURSEMENT OF
EXPENSES**

POLICY NO. 4.2.7

(Adopted at the Ordinary Meeting of Council held on 4 April 2017)

POLICY NO: 4.2.7

**COUNCIL MEMBERS – ALLOWANCES, FEES AND
REIMBURSEMENT OF EXPENSES**

Index

OBJECTIVES	1
POLICY STATEMENT	1
1. Allowances	1
1.1 Meeting Attendance Fees.....	1
1.2 Mayoral Allowance.....	1
1.3 Deputy Mayoral Allowance.....	1
1.4 Acting Roles.....	2
1.5 Payment.....	2
2. Office of the Mayor	2
2.1 Mayor’s Office.....	2
2.2 Vehicle for Office of Mayor.....	2
3. Expenses to be Reimbursed	2
4. Information and Communication Technology Allowance	3
4.1 ICT.....	3
4.2 Option to Purchase upon Completion of Term of Office.....	4
5. Travel Expenses	4
5.1 Motor Vehicle Allowance.....	4
5.2 Public Transport.....	5
5.3 Parking Fees.....	5
5.4 Cab Charge Vouchers.....	5
6. Child Care Costs	5
7. Training, Education, Conferences and Seminars	5
7.1 Training and Education.....	5
7.2 Conferences and Seminars.....	6
8. Insurance	6
9. Stationery and Consumables	6
9.1 Stationery, Consumables and Postage.....	6
9.2 Letterheads and Business Cards.....	7
10. Acknowledgement of Service and Retirement Gifts	7
11. Policy Administration	7
11.1 Pro-Rata Allocations.....	7
11.2 Time Limit on Claims and Approval Process.....	7
11.3 Conditions Relating to Payment of Fees and Allowances.....	8
11.4 Dispute Resolution.....	8

POLICY NO: 4.2.7

**COUNCIL MEMBERS – ALLOWANCES, FEES AND
REIMBURSEMENT OF EXPENSES**

OBJECTIVES

1. To clearly outline the financial support that will be provided to Council Members through the payment of allowances, fees and reimbursement of expenses incurred and insurance cover within the provisions of the *Local Government Act 1995* while performing the official functions and duties of office.
2. To set out a structure under which Council Members are to be paid either a meeting fee or an annual attendance fee in recognition to each Council Member's commitment, pursuant to the *Local Government Act 1995*, Sections 5.98, 5.98A and 5.99.

POLICY STATEMENT

1. ALLOWANCES

1.1 Annual Meeting Attendance Fees

The City will pay Council Members an Annual Meeting Attendance Fee to the maximum amount allowable within the prescribed legislation.

This is provided on the principle that each Council Member regularly attends meetings of Council (and committees, where appropriate) to which they are appointed and carry out other responsibilities of the office.

1.2 Mayoral Allowance

The City will pay the Mayor an Annual Local Government Allowance to the maximum amount allowable within the prescribed legislation. (*Section 5.98, Regulation 33 of Local Government (Administration) Regulations 1996*).

1.3 Deputy Mayoral Allowance

The City will pay the Deputy Mayor an Annual Local Government Allowance equivalent to **25%** (maximum allowed is 25%) of the Mayoral Allowance. (*Section 5.98A, Regulation 33A of Local Government (Administration) Regulations 1996*).

1.4 Acting Roles

~~If the Mayor or Deputy Mayor has taken leave of absence for a period(s) in excess of one (1) month (except leave of absence on Council business), and another Council Member is acting in that capacity, then that Council Member shall be entitled to the higher pro rata annual Meeting Fee (in the case of the Mayor) and allowance foregone by the absent Council Member only.~~

1.54 Payment

The fees in 1.1, 1.2 and 1.3 above are to be paid to each Council Member monthly in arrears.

2. OFFICE OF THE MAYOR

2.1 Mayor's Office

The City is to provide to the Mayor, at the City's cost, the following within the City's Administration and Civic Centre:

- (a) the use of a suitable office;
- (b) the allocation of sufficient finances and resources by Council to provide ongoing administrative support to the Mayor in the form of a personal assistant;
- (c) photocopying and postage;
- (d) the use of a computer and telephone; and
- (e) beverages as provided.

2.2 Vehicle for Office of Mayor

The Office of the Mayor will be provided with an electric bicycle for all official duties connected to the office of Mayor. The bicycle will be replaced as part of the normal replacement program. All costs associated with the maintenance and upkeep of the electric bicycle are to be borne by the City of Vincent.

3. EXPENSES TO BE REIMBURSED

Regulation 32(1) of the Local Government (Administration) Regulations 1996 prescribes expenses that may be approved by a Local Government for reimbursement.

The express authority of the Council is given to Council Members to attend the following functions in the performance of their duty as a Council Member, for which an expense incurred can be reimbursed:

- (a) Council Meetings, General Meetings of Electors, Civic functions or Citizenship Ceremonies called by either the Council, the Mayor and/or the Chief Executive Officer.
- (b) **Regional Councils**, Committees, Advisory Groups and Working Groups to which the Council Member is appointed as a delegate or member by Council.
- (c) Meetings and functions scheduled by the Chief Executive Officer.
- (d) Conferences, or meetings of community organisations, industry groups and local government associations to which the Council Member has been appointed by Council as its delegate.
- (e) Functions and presentations attended as the Mayor, or as a representative of the Mayor, that are supported by a copy of the relevant invitation or request for attendance.

- (f) Any other occasion in the performance of an act under the express authority of Council.
- (g) Site inspections in connection with matters listed on any Council Agenda paper (Members to state an address, along with the date and time of the visit on the claim form).
- (h) In response to a request to meet with a ratepayer/elector, but excluding the day of Council Elections. (Members to state the time and purpose of the visit and the name and address of the ratepayer/elector on the claim form).
- (i) Approved education and training courses/events.
- (j) Meetings of Town Teams and Precinct Groups within the City of Vincent.
- (k) Any ceremony for the presentation by the City of awards to school students by any member responsible for presentation of the awards.
- (l) Events that are sponsored or organised by the City of Vincent.

4. INFORMATION AND COMMUNICATION TECHNOLOGY ALLOWANCE (“ICT”)

4.1 “ICT expenses” means –

- *rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or*
 - *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 LG Regulations;”*
- (a) The City will pay Council Members an annual ICT Allowance of \$2500. This Allowance covers the expenses incurred by Council Members in performing a function under the express authority of the Council or in performing a function in the Council Member’s official capacity.
 - (b) Any claims by Council Members for expenses incurred over the ICT Allowance are to be submitted on the Reimbursement of Expenses Form. Any such claims must be supported by receipted invoices. It must also be demonstrated, to the reasonable satisfaction of the CEO, that the ICT Allowance has been expended on allowable ICT costs.
 - (c) The annual ICT Allowance is for all costs relating to:
 - 1. telephone usage (including purchase, rental, plans/contracts and/or payments);
 - 2. line rental;
 - 3. call and service charges;
 - 4. costs for installation of an additional line (if required by the Council Member);
 - 5. purchase of mobile phones, (and any replacements) and extra telephone lines or call costs;

6. maintenance, servicing and replacement of any telecommunication equipment; and
 7. all consumables associated with Telecommunication equipment/facilities use whilst performing the functions as a Council Member.
 8. computers, laptops and associated printers (purchase or lease);
 9. internet connection, hardware (purchase or lease), associated service charges, costs of usage including downloads relating to Council business;
 10. maintenance, servicing and replacement of any information technology equipment;
 11. any additional software; and
 12. all consumables associated with Information Technology equipment/facilities use whilst performing the functions as a Council Member, including but not limited to paper and ink cartridges.
- (d) In recognition of possible capital costs associated with ICT expenses, payment will be made, in advance, as follows:
- 50% to be paid in the month of October; and
 - 50% to be paid in the month of April.
- (e) This Allowance is in addition to any laptop, tablet and/or printer which is approved by the Council to enable the Council Member to fulfil their role. Any equipment (including software) provided by the City will be repaired, serviced, maintained and/or replaced by the City. The City will retain ownership of any equipment provided under this clause.

4.2 Option to Purchase upon Completion of Term of Office

- (a) Departing Council Members are eligible to purchase items and equipment purchased on their behalf and used by them during their term of office as follows:

Years of Service	Amount Payable
1st year of service (or part thereof)	not available
2nd year of service (or part thereof)	not available
3rd year of service (or part thereof)	50% of purchase price
4th year of service (or part thereof)	25% of purchase price
Upon retirement after more than 4 years service	0% of purchase price

- (b) Where an item has been purchased in the twelve (12) months preceding a Council Member's retirement or cessation as a Council Member, the cost shall be the "written down" value of the item or 50% of the item's purchase price, whichever is the higher.

5. TRAVEL EXPENSES

Council Members shall be entitled to reimbursement of travel expenses incurred while travelling to a destination from their normal place of residence or work and return for which express authority has been given in clause 3.

5.1 Motor Vehicle Allowance

Where a Council Member uses their own vehicle in or in connection with the performance of their duties, the Council Member will be paid an allowance for each kilometre of authorised travel as set in the Local Government Industry Award 2010.

5.2 Public Transport

A Council Member may use the services of the bus, rail and ferry public transport system, expenditure for which shall be reimbursed upon lodgement of receipts.

5.3 Parking Fees

Parking fees incurred as a result of travel to any occasion referred to in clause 3 above shall be reimbursed upon lodgement of receipts accompanying the associated travel claim form.

The cost of valet parking will not be reimbursed.

5.4 Cab Charge Vouchers

Council Members are authorised to use Cab Charge vouchers for travelling to any occasion referred to in Clause 3.

6. CHILD CARE COSTS

Council Members shall be entitled to reimbursement upon submission of Council Members Request for Reimbursement of Child Care Expenses Claim Form (as shown in Appendix B), a receipt and certified statement detailing dates, costs and relevant information of meeting of the lesser amount of actual child care costs or to the maximum hourly rate prescribed by the Salaries and Allowances Tribunal. Claims can only be made for care of children, of which they are parent or legal guardian, while attending any occasion referred to in clause 3.

7. TRAINING, EDUCATION, CONFERENCES AND SEMINARS

7.1 Training and Education

- (a) Council Members who wish to attend training and education courses may make an application in writing to the Chief Executive Officer.
- (b) The Chief Executive Officer is authorised to arrange, at the City's cost, an educational course of study for the Council Member which course is:
 - (i) conducted by a Western Australian University, tertiary educational institution or registered training organisation; and

- (ii) considered by the Chief Executive Officer to be directly relevant to the performance for the City of its functions including planning, financial management, corporate governance and social infrastructure.
- (c) A maximum cost of **\$7000** per Member per four year term is set for the cost under 7.1(b) above, including fees, reference books and the like.
- (d) The Council Member is not entitled to any subsidy where a course of study is subsidised through other means.
- (e) Council Members will be required to reimburse any payments made in accordance with Clause 7.1(b) above in the event that they do not successfully complete the relevant course of study.

7.2 Conferences and Seminars

Council members shall be entitled to reimbursement for expenditure incurred as a result of attendance at conference and seminars in accordance with the provisions of Council Policy No. 4.1.15-*Conferences*.

Any requests for attendance at a training, education, conference or seminar event that falls within the last six months of a Council Members' term of office will be referred to the Council for approval. To avoid confusion the date for which this shall take effect shall be taken from the date for which the Unit of study commences or the conference/seminar/training event starts.

8. INSURANCE

Council will provide insurance cover for Council Members for:

- 8.1 Personal accident whilst engaged in the performance of the official duties of their office.
- 8.2 Professional indemnity for matters arising out of the performance of the official duties of their office, provided the performance or exercise of the official duty is in the opinion of Council, not illegal, dishonest, unreasonable, in bad faith or against the interests of the City.
- 8.3 Public liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the insurance policy.
- 8.4 Motor vehicle at the particular time owned or driven by the Council Member or driven by another person on behalf of the Council Member whilst a vehicle is being used in connection with Council business, including attending meetings of the council or as a delegate of the council, meetings of municipal or association conferences or regional councils or committees of them. Such motor vehicle insurance provides cover in excess of any amount for which Council Members are otherwise insured.

9. STATIONERY AND CONSUMABLES

9.1 Stationery, Consumables and Postage

The cost of consumables, stationery and postage associated with the role as a Council Member, will be reimbursed to a maximum of **\$200** per annum, on the receipt of a claim and a declaration that the consumables were used in performing the functions of a Council Member and were not in any way associated with campaigning for election as a Council Member. Council Members may choose to purchase their own consumables and claim reimbursement on production of receipts, or access such items through the City. Council Members are to forward requests for stationery to the Personal Assistant to the Mayor who will coordinate the supply, keep a total of costs incurred and notify Council Members if the maximum allowance is reached.

Each Council Member shall be entitled to reimbursement, upon submission of a Council Members Request for Reimbursement of Miscellaneous Expenses Claim Form (as shown in Appendix C), receipt and certified statement certifying the expense specifically as part of their role as a Member

The allowance for stationery, consumables and postage includes up to 100 Christmas Cards for Council Members.

Christmas Cards for the Office of the Mayor is included in the “*Stationery and Consumables*” account – Members of Council cost centre.

9.2 Letterheads and Business Cards

In addition to clause 9.1, the all Council Members will be supplied with business cards, letterhead paper and envelopes as reasonably required to carry out the duties of the role.

Council Member letterheads are not issued for personal use and are only to be used for Council business.

10. ACKNOWLEDGEMENT OF SERVICE AND RETIREMENT GIFTS

On retirement, a Council Member will be presented with a framed certificate identifying the name of the Council Member and the years of service to Council, signed by the Mayor and the Chief Executive Officer.

The certificate shall be presented at a Council Meeting or at a function to be determined by the Mayor and Chief Executive Officer.

Despite the provisions of *Local Government (Administration) Regulation 1996*, Regulation 34AC, Council believe that the purchase of a retirement gift is an unnecessary use of public money and a retirement gift will not be given by the City.

11. POLICY ADMINISTRATION

11.1 Pro-rata Allocations

Where a Council Member serves for only part of a financial year, the limit for any allowance or payment which has an annual limit specified, is to be determined on a pro rata basis based on the number of months, or part of a month, that a member serves.

11.2 Time Limit on Claims and Approval Process

Council Members choosing to receive reimbursement of expenses in accordance with the provision of this policy should submit the appropriate Reimbursement of Expenses Form to the Chief Executive Officer, together with supporting documentation, within three (3) calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the annual financial statements.

11.3 Conditions Relating to Payment of Fees and Allowances

- (a) All Allowances and Fees shall be paid automatically unless a Council Member has advised the Chief Executive Officer in writing that he/she does not want to claim any or part of those Fees, Allowances and entitlements.
- (b) If a Council Member advises that he/she does not want all or part of the Fees, Allowances and entitlements to which he/she is entitled, any subsequent request for full or additional payment will not be back paid, but accrue from the date of such request.
- (c) The taxation liability arising from these payments is the individual responsibility of each Council Member.

11.4 Dispute Resolution

Any disputes in regard to this policy will be referred to the Chief Executive Officer in the first instance. In the event that the Council Member and the Chief Executive Officer cannot reach an agreement, the matter will be reported to the Council for a decision.

Date Adopted:	23 July 2002
Date Amended / Reviewed:	27 May 2003; 8 July 2003, 8 June 2004, 31 May 2006, 5 June 2007, 12 May 2009, 28 September 2010, 19 April 2011, 8 November 2011, May 2014, 4 April 2017, 6 March 2018
Date of Next Review:	April 2019 February 2023

COUNCIL MEMBERS - ALLOWANCES, FEES AND REIMBURSEMENT OF EXPENSES



CITY OF VINCENT

COUNCIL MEMBERS' TRAVELLING EXPENSES CLAIM FORM

I,, hereby certify that the following expenses are true and correct and were incurred to enable me to carry out my duties of a Council Member for the City of Vincent.

Motor Vehicle: Make & Model: _____
 Registration: _____

Period of Claim: From: _____ To: _____

Item	Date	Details of Meeting	Kms
No 1			
No 2			
No 3			
No 4			
No 5			
No 6			
No 7			
No 8			
Total			kms
Claimed			

Signature: _____ Date: _____

Governance Section:

Kms x (Rate) = \$ _____

Checked by
 Manager Governance & Risk _____ Date: _____

Claim Authorised by
 Chief Executive Officer _____ Date: _____



CITY OF VINCENT

**COUNCIL MEMBERS' REQUEST FOR REIMBURSEMENT OF
 CHILD CARE EXPENSES CLAIM FORM**

I,, hereby certify that the following expenses are true and correct and were incurred to enable me to carry out my duties of a Council Member for the City of Vincent.

“Council Members are entitled to reimbursement of child care expenses, incurred as part of their role in accordance with Council Policy No. 4.2.7 – Clause 6.”

Receipts must accompany any claim for reimbursement.

Period of Claim: From: _____ To: _____

Item	Date	Details/Nature of Meeting	No of Hours	Rate per Hour	Total Cost
No 1					
No 2					
No 3					
No 4					
No 5					
No 6					
No 7					
No 8					
Total of Claim					\$

Signature: _____ Date: _____

Checked by:
 Manager Governance & Risk: _____ Date: _____

Claim Approved by:
 Chief Executive Officer: _____ Date: _____



CITY OF VINCENT

COUNCIL MEMBERS' REQUEST FOR REIMBURSEMENT OF STATIONERY AND CONSUMABLES CLAIM FORM

I,, hereby certify that the following expenses are true and correct and were incurred to enable me to carry out my duties of a Council Member for the City of Vincent.

"Each Member shall be entitled to reimbursement of expenses incurred as part of their role as a Member, in accordance with Council Policy 4.2.7 - Clause 9."

Receipts must accompany any claim for reimbursement.

Period of Claim: From: _____ To: _____

Item	Date	Details of Claim	Total Cost
No 1			
No 2			
No 3			
No 4			
No 5			
No 6			
No 7			
No 8			
Total of Claim			\$

Signature: _____ Date: _____

Checked by:
 Manager Governance & Risk: _____ Date: _____

Claim Approved by:
 Chief Executive Officer: _____ Date: _____