

# Council Members Allowances and Benefits Policy

| Classification:                        | Council Policy   |
|--|--|
| Version Number:                        | 5  |
| Review Frequency:                      | Once in the term of Council – within 12 months of a periodic election.   |
| Last Reviewed:                         | November 2022  |
| Review Due:                            | November 2026  |
| Responsible Officer:                   | Chief Executive Officer Director Corporate Services  |
| Applicable Legislation:                | <ul> <li>Local Government Act 1999, sections<br/>76 - 79</li> <li>Local Government (Members<br/>Allowances and Benefits) Regulations<br/>2010</li> </ul>   |
| Related Policies/Procedures/Documents: | <ul> <li>Determination of the Remuneration Tribunal Allowances for Elected Members of Local Government Councils</li> <li>Supplementary Report to Determination of the Renumeration Tribunal</li> <li>Elected Members Training &amp; Development Policy</li> <li>Register of Allowances and Benefits</li> </ul> |

### 1. PURPOSE:

- 1.1 This Policy aims to ensure Council Member allowances, the reimbursement of expenses, and the provision of benefits, facilities, and support by the Council are in accordance with the requirements of the Local Government Act 1999 and the Local Government (Members Allowances and Benefits) Regulations 2010.
- 1.2 The Kingston District Council will ensure that the payment of Council Members' allowances, the reimbursement of expenses and the provision

of benefits by the Council is accountable and transparent and in accordance with the Local Government Act 1999 ("the Local Government Act") and the Local Government (Members Allowances and Benefits) Regulations 2010 ("the Allowances Regulations").

- 1.2. This Policy sets out the provisions of the Local Government Act and Regulations in respect of Council Member allowances, expenses, and support. This Policy is also provided in accordance with Section 77(1)(b) of the Local Government Act by specifying the types of expenses that will be reimbursed without the need for specific approval of Council every time a claim is made.
- 1.3. Council Members are paid an allowance for performing and discharging their functions and duties on Council. Section 59 of the Local Government Act provides that the role of a Council Member, as a member of the governing body of the Council, is:
  - to act with integrity;
  - 2. to ensure positive and constructive working relationships within the Council:
  - 3. to recognise and support the role of the principal member under the Local Government Act;
  - 4. to develop skills relevant to the role of a member of the Council and the functions of the Council as a body;
  - 5. to participate in the deliberations and activities of the Council;
  - 6. to keep the Council's objectives and policies under review to ensure that they are appropriate and effective; and
  - 7. to keep the Council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review;
  - 8. to ensure, as far as is practicable, that the principles set out in section 8 of the Local Government Act are observed;
  - 9. to participate in the oversight of the Chief Executive Officer's performance under the Council's contract with the Chief Executive Officer; and
  - 10. to serve the overall public interest.
- 1.4 Section 58 of the Local Government Act specifies the role of the Principal Member as leader of the Council is to:
  - a) to provide leadership and guidance to the Council; and
  - b) to lead the promotion of positive and constructive working relationships among members of the Council; and
  - to provide guidance to Council members on the performance of their role, including on the exercise and performance of their official functions and duties; and
  - d) to support Council members' understanding of the separation of responsibilities between elected representatives and employees of the Council; and
  - e) to preside at meetings of the Council; and
  - f) to liaise with the Chief Executive Officer between Council meetings on the implementation of a decision of the Council; and
  - g) to act as the principal spokesperson of the Council; and
  - h) to exercise other functions of the Council as the Council determines; and
  - i) to carry out the civic and ceremonial duties of the office of Principal Member.

1.5 This Policy also explains the information that must be recorded within the Council's Register of Allowances and Benefits to ensure compliance with section 79 of the Local Government Act.

1.6 This Policy, in its entirety, will automatically lapse at the next general election of this Council.

#### 2. LEGISLATIVE CONTEXT:

2.1 Section 77(1)(b) of the Local Government Act 1999 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 the Council. Regulation 6 of the Local Government (Allowances and Benefits) Regulations 2010 sets out the types of expenses that may be reimbursed under Section 77(1)(b).

#### 3. SCOPE:

- 3.1 This Policy applies to all Council Members, who each have an obligation to abide by this Policy.
- 3.2 The Council's Chief Executive Officer has the duty to:
  - a) maintain the Register of Allowances and Benefits;
  - b) adjust allowances paid to Council Members (on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the Consumer Price Index ("CPI")); and
  - c) ensure copies of this Policy are published on a website and able to be provided in printed form on request and on payment of a fee (if any) fixed by the Council.
- 3.3 In addition, the Chief Executive Officer is responsible for:
  - a) implementing and monitoring expense reimbursement procedures in accordance with the Local Government Act, the Allowances Regulations, this Policy and any associated procedure; and
  - b) ensuring a copy of this Policy is provided to all Council Members.

#### 4. **DEFINITIONS**:

| Approved activity | Attendance at a conference, seminar, training course or meeting which has been approved in the Council Member annual training plan, or for which the Council Member has sought direct approval by resolution of the Council.   |
|-------------------|--|
| Benefit           | There is no express definition in the Local Government Act of the term "benefit", however, its natural and ordinary meaning is that a "benefit" is something that is helpful or favourable.  In the context of its use in section 79(1)(c) of the Local Government Act it is a 'catch all' term (in addition to the terms allowances, reimbursement, facilities, and support) that constitutes expenditure by or on persons in public office made as a result of being a public official. Monies expended are public monies and there is a public interest element of accountability |

|   | about recording where public monies are allocated and expended.   |
|---|---|
| Committee   | Means a committee established by Council in accordance with Section 41 of the Act.  |
| Council Members                                       | Includes the Mayor, unless stated otherwise   |
| Eligible Journey                                      | A journey (in either direction) between the principal place of residence, or a place of work, of a Council Member, and the place of a prescribed meeting.   |
| Function or Activity<br>On the Business of<br>Council | Includes official Council functions including Mayoral receptions, Opening ceremonies, dinners, citizenship ceremonies, official visits, inspection of sites within the Council area relating to Council or committee agenda items, meetings of community groups and organisations as a Council representative (but not to attend meetings of community groups or organisations if not appointed as Council's nominated representative). |
| Prescribed<br>Committees                              | A committee that endures, irrespective of whether the Council has assigned any particular work for the committee to perform and assists the Council or provides advice to Council. Council's prescribed committees include the Audit and Risk Committee CEO Performance Review Committee.   |
| Prescribed Meeting                                    | A meeting of the Council or Council committee, or an information or briefing session, discussion, workshop, training course or similar activity which is directly or closely related to the performance or discharge of the roles or duties of the Member.  |

#### 5. PRINCIPLES:

This Policy is underpinned by the following principles:

- 5.1 Council Members should not be out of pocket as a result of performing and discharging their Council functions and duties.
- 5.2 To assist Council Members in performing or discharging their official functions and duties they are entitled to be provided with a range of necessary facilities and support and to be reimbursed for expenses as specified in this Policy.
- 5.3 Any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties.
- 5.4 Council encourages continued professional training and development for Council Members. This is seen as being necessary in terms of good governance and to the improved performance of their functions and duties.
- 5.5 Council is accountable to its community for the use of public monies.

#### 6. ALLOWANCES:

6.1 Council Member allowances are determined by the Remuneration Tribunal on a four-yearly basis with each determination required to be made 14 days before the close of nominations for each set of periodic elections held under the *Local Government (Elections) Act 1999*.

- 6.2 The relevant determination for the Council term commencing in November 2022 is <u>Determination No. 2 of 2022 Allowances for Members of Local Government Councils.</u>
- 6.3 The allowance determined by the Remuneration Tribunal will be payable for the period:
  - commencing on the conclusion of the 2022 periodic election; and
  - concluding at the time the last result of the 2026 periodic election is certified by the Electoral Commissioner under the *Local Government* (Elections) Act 1999.
- 6.4 The annual allowance for a Council Member is determined according to the relevant Council Group. There are six Council Groups which are each explained within the Determination of the Remuneration Tribunal.
- 6.5 The Kingston District Council has been identified as falling within Group 5 in the current Renumeration tribunal Determination, with an initial Council Member annual allowance of \$7,192.
- 6.6 The annual allowance for:
  - Principal Members, is equal to four times the annual allowances for Council Members;
  - Deputy Mayor or Deputy Chairperson or a Council Member who is the presiding member of one or more prescribed committees is equal to one and a quarter (1.25) times the annual allowance for Council Members;
- 6.7 An additional allowance in the form of a sitting fee is also payable for Council Members who are presiding members of other committees (who are not Deputy Mayors, Deputy Chairpersons or presiding members of prescribed committees). A Council Member may decline to accept payment of an allowance or sitting fee, in accordance with Section 76(12) of the Act.
- 6.7 Council Member allowances are to be adjusted on the first, second, and third anniversaries of the relevant periodic elections to reflect changes in the CPI (All groups index for Adelaide). Adjustments will occur on 10 November 2023, 10 November 2024, and 10 November 2025. The change in the Consumer Price Index to be applied will be the most recently available annual percentage change in the Consumer Price Index as at the date of adjustment (which will likely be the most recent relevant September quarter figure).
- 6.8 In accordance with regulation 4 of the Allowances Regulations (and for the purposes of section 76 of the Local Government Act), an allowance may be paid in instalments up to 3 months in advance or 3 months in arrears of each month in respect of which an instalment is payable.

6.9 Allowances for Council Members of the Kingston District Council will be paid in instalments up to 3 months in arrears of each month in respect of which an instalment is payable.

6.10 A statement of earnings will be provided to Council Members at the conclusion of each financial year.

#### 7. LEAVE OF ABSENCE - COUNCIL MEMBER CONTESTING ELECTION:

- 7.1 If a Council Member stands as a candidate for election as a member of State Parliament, section 55A of the Local Government Act automatically grants a leave of absence from the date on which nominations for the relevant election close until the result of the election is publicly declared.
- 7.2 During the leave of absence period the Council Member:
  - is not entitled to receive any Council Member allowance or reimbursement of expenses; and
  - must not use any facility, service or other form of support provided by the Council; and
  - must not carry out any function or duty as a Council Member.
- 7.3 A maximum penalty of \$15,000 applies for a breach of this section of the Local Government Act.

#### 8. MANDATORY REIMBURSEMENTS – TRAVEL (SECTION 77(1)(a))

- 8.1 Council Members are entitled to receive reimbursement for travelling expenses actually and necessarily incurred by the Council Member for travel within the Council area and associated with attendance at a "prescribed meeting" (section 77(1)(a) of the Local Government Act).
- 8.2 Reimbursement for travel expenses is restricted to "eligible journeys" (as defined in Regulation 3) provided the journey is by the shortest or most practicable route and to the part of the journey within the Council area ie any travelling outside the Council area in order to attend Council or Council committee meetings is not reimbursable under section 77(1)(a) of the Local Government Act. For reimbursement for travel outside the Council area refer to Prescribed and Approved Reimbursements in Clause 10 below.
- 8.3 Where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre (determined according to the engine capacity of the vehicle) prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the *Income Tax Assessment Act 1997* of the Commonwealth.
- 8.4 Travelling by taxi, bus or other means of public transport is reimbursed on the basis of expenses "actually and necessarily incurred" but is still limited to "eligible journeys" by the shortest or most practicable route and to the part of the journey that is within the Council area.

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8.5 The Council may aggregate claims for reimbursement of expenses that relate to journeys that do not exceed 20 kilometres and then pay them on either a quarterly or monthly basis.

# 9. MANDATORY REIMBURSEMENTS - CHILD/DEPENDANT CARE (SECTION 77(1)(a))

- 9.1 Council Members are entitled to reimbursement for child/dependant care expenses actually or necessarily incurred by the Council Member as a consequence of the Council Member's attendance at a prescribed meeting.
- 9.2. Child/dependant care is not reimbursed if the care is provided by a person who ordinarily resides with the Council Member.

#### 10. ADDITIONAL EXPENSE REIMBURSEMENTS (SECTION 77(1)(b))

- 10.1 There may be additional expenses incurred by Council Members (not included in the mandatory reimbursements outlined above) that can be reimbursed by the Council. Section 77(1)(b) of the Local Government Act provides that the Council may approve the reimbursement of additional expenses incurred by Council Members, as provided for in the Allowances Regulations, either on a case-by-case basis or under a policy adopted by Council.
- 10.2. For the purposes of this Policy, and pursuant to section 77(1)(b) of the Local Government Act, the Council approves the reimbursement of additional expenses of Council Members as described below.

#### 10.2.1 Travel Expenses:

When a Council Member is required to travel outside the Council area to attend an approved activity such as a conference, seminar, training course or meeting which is directly or closely related to the performance or discharge of the roles and duties of a Council Member, the following will apply:

- A Council vehicle will be made available for approved travel wherever possible.
- If a Council vehicle is not available and the Council Member is required to use their personal vehicle, the cost of fuel will be reimbursed upon presentation of receipts.
- Council Members attending the same training/conference/meeting are encouraged to car pool to minimise travel expenditure.
- Whilst travelling on Council business, the driver is personally responsible for all traffic or parking fines incurred.

#### 10.2.2 Travel Time Allowance:

Pursuant to the determination made by the Remuneration Tribunal, Council Members (excluding Principal Members) of non-metropolitan Councils are eligible for payment for a travel time payment where the Council Member's usual place of residence is within the relevant Council area and is located:

a) at least 30kms but less than 50km or more distance from their Council's principal office, via the most direct road route

b) at least 50kms but less than 75kms from their Council's principal office, via the most direct road route

- c) at least 75kms but less than 100kms from their Council's principal office, via the most direct road route
- d) 100km or more from their Council's principal office, via the most direct road route.

If eligible, this payment is made to a Council Member in addition to any entitlement to reimbursement of other expenses actually incurred.

#### 10.2.3 Course Registration Fees:

Council will pay registration fees for attendance at approved training and development activities.

#### 10.2.4 Accommodation:

- Council funded overnight accommodation will be provided where the duration of the approved activity (including travel time) exceeds 10 hours, or in the event of an activity with a shorter duration, where Council provides approval by resolution.
- Accommodation must be arranged through Council staff, who will utilise local government rates wherever possible. Accommodation should be arranged as early as possible to secure the best possible rates.
- Council will meet reasonable costs of accommodation and acknowledges the practical benefits of being accommodated at or near the conference/seminar venue, whilst also being accountable and transparent to its community for the expenditure of public monies.

#### 10.2.5 Meals:

 Council will pay the reasonable costs of meals for Council Members attending approved activities, where any of those meals are not provided as part of the fee for the conference or function.

#### 10.2.6 Incidental Expenses:

- Reasonable out of pocket expenses will be reimbursed on presentation of receipts, ie, car parking.
- Council will not meet the cost of laundry, dry cleaning, tips, inhouse movies or mini bar items.

#### 10.2.7 Other Considerations:

- Costs associated with a person accompanying a Council Member will not be met by Council without prior approval.
- Council may approve to pay expenses for a spouse or partner to attend a function where the function is of a formal or ceremonial nature and it is considered reasonable that they attend.
- Where a Council Member chooses to utilise private accommodation, Council will reimburse reasonable meal and incidental costs.
- Council will not meet the costs of any legal advice sought directly by Council Members.

#### 11. FACILITIES AND SUPPORT:

11.1 In addition to allowances and the reimbursement of expenses, Section 78 of the Local Government Act provides that the Council can provide facilities and forms of support for use by its Council Members to assist them to perform or discharge their official functions and duties.

- 11.2. The Council must consider and specifically approve the particular facility and support as necessary or expedient to the performance or discharge of all Council Members' official functions or duties. In approving the provision of facilities and support, section 78 requires that any such services and facilities must be made available to all Council Members on a uniform basis, other than those facilities or support specifically provided to the Principal Member set out below (if any).
- 11.3 Pursuant to section 78 of the Local Government Act, Council has considered and is satisfied that the following facilities and support are necessary or expedient for all Council Members to assist them in performing or discharging their official functions and duties:
  - iPad (Appendix 2 IT and Communication Council Member User Agreement)
  - Council email address
  - Business cards
  - Meals and refreshments where appropriate, while attending Council meetings, Council committee meetings, briefings, training and workshops
  - Corporate uniform including business shirt, soft shell vest, polo shirt and rugby top
  - Name badge
- 11.4 The provision of these facilities and support are made available to all Council Members (including the Principal Member) under the Local Government Act on the following basis:
  - they are necessary or expedient for the Council member to perform or discharge his/her official functions or duties;
  - the facilities remain the Council's property regardless of whether they are used off site or not; and
  - they are not to be used for a private purpose or any other purpose unrelated to official Council functions, and duties, unless such usage has been specifically pre-approved by the Council and the Council Member has agreed to reimburse the Council for any additional cost or expenses associated with that usage.
- 11.5 In addition to the above, Council has resolved to make available to the Principal Member (and to any acting Principal Member appointed during the Principal Member's absence) the following additional facilities and support to assist them in performing and discharging their official functions and duties:
  - Office space and administrative support (as required).
- 11.6 In addition, although not required by the Local Government Act, the Council has determined that the provision of the above facilities and support are made available to Council Members on the following terms:

• each Council Member is solely responsible for those facilities released into their care and/or control for the duration of their term in office:

- all facilities must be returned to the Council at the end of each term in office, upon the office of a Member of a Council becoming vacant, or earlier at the request of the Chief Executive Officer;
- if the facilities provided to the Council Member are damaged or lost, the Council Member must lodge a written report with the Council officer responsible for this Policy;
- The use of Council facilities, support and/or services by Council Members for campaign or election purposes is not permitted under any circumstances on the basis it is not necessary or expedient to the performance or discharge of a Council Member's official functions or duties under the Local Government Act. The use of such facilities for electoral purposes during the election period would be a breach of section 78(3) of the Local Government Act.

#### 12. CLAIMING REIMBURSEMENTS:

- 12.1. To receive reimbursement for expenses, each Council Member is required to complete the Claim Form at Appendix 1. For the purposes of administrative efficiency, Council Members are requested to submit the Claim Form to Council's Financial Services Coordinator by the last business day of November, February, May and August in each year.
- 12.2. Receipts confirming the expenditure has been incurred must be provided with any claim made for reimbursement.

#### 13. REGISTER OF ALLOWANCES AND BENEFITS:

- 13.1. Pursuant to section 79(1) and (2) of the Local Government Act, the Chief Executive Officer must maintain a Register in which he or she shall ensure that a record is kept of—
  - a) the annual allowance payable to a Council Member (in the case of section 79 (1)(a)); and
  - b) any expenses reimbursed under section 77(1)(b) of the Local Government Act (in the case of section 79(1)(b)); and
  - c) other benefits paid or provided for the benefit of the Member by the Council (in the case of section 79(1)(c)); or
  - d) to make a record of the provision of a reimbursement or benefit not previously recorded in the Register (in the case of section 79(2)(b)),
  - on a quarterly basis (see regulation 7 of the Allowances Regulations).
- 13.2 Reimbursements paid under section 77(1)(a) of the Local Government Act are not required to be recorded in the Register.

#### 14. AVAILABILITY OF THE POLICY:

This Policy will be available for inspection on Council's website: www.kingstondc.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon such payment of the fee set by Council.

# **APPENDIX 1**



Name:

# KINGSTON DISTRICT COUNCIL COUNCIL MEMBER EXPENSE REIMBURSEMENT CLAIM

(Relating to expenses claimed under S.76 & 77 of the Local Government Act 1999, the Local Government (Members Allowances and Benefits) Regulations 2010 and detailed in the Council Members Allowances and Benefits Policy)

| Date             | Council function or business purpose for travel*  |      |  |
|------------------|---|------|--|
|                  |   |      |  |
|                  |   |      |  |
|                  |   |      |  |
|                  |   |      |  |
|                  |   |      |  |
|                  |   |      |  |
|                  |   |      |  |
|                  |   |      |  |
|                  | TOTAL KILOMETRES CLAIMED:   |      |  |
| ffice Use Only:  | Kilometres @ ¢/km   | = \$ |  |
| Motor Vehicle    | e Details (where applicable):   |      |  |
| Model and ma     |   |      |  |
| Engine size      |   |      |  |
| s and/or Taxi Co | sts (where applicable):   |      |  |
| Date             | Council function or business purpose for travel   | Cost |  |
|                  |   |      |  |
|                  |   |      |  |
|                  | l de la companya de |      |  |

Please attach copies of all receipts

\*NOTE: Travel claims must relate to expenses actually and necessarily incurred by the Member in travelling to or from a prescribed meeting provided the journey is an eligible journey and is by the shortest or most practicable route. For the purposes of this form the term "eligible journey" means a journey between the principal place of residence, or a place of work, of a Member of the Council, and the place of a prescribed meeting (in either direction), in accordance with the Local Government (Members Allowances and Benefits) Regulations 2010.

\*NOTE: Travel Time Payment shall be payable to Council Members (excluding Principal Members) of non-metropolitan Councils in accordance with the *Remuneration Tribunal SA Determination – Allowances for Members of Local Government Councils* whose usual place of residence is within the relevant Council area and is located at least 30km but less than 50km, 50km, or 100km or more distance from the Council's principal office via the nearest route by road.

#### **CARE EXPENSES**

| Date | Prescribed meeting attending requiring care** | Hrs care provided | Cost |
|------|---|-------------------|------|
|      |   |                   |      |
|      |   |                   |      |
|      |   |                   |      |
|      | TOTAL REIMBURSEMENT CLAIMED:                  |                   |      |

Please attach copies of all receipts

#### CONFERENCE/SEMINAR/TRAINING COURSE EXPENSES

| Date | Conference/Seminar/Training Course details | Cost |
|------|--|------|
|      |  |      |
|      |  |      |
|      |  |      |
|      |  |      |
|      |  |      |
|      | TOTAL REIMBURSEMENT CLAIMED:               |      |
|      |  |      |

Please attach copies of all receipts

<sup>\*\*</sup>NOTE: A "prescribed meeting" means a meeting of the Council or Council committee, or an information or briefing session, discussion, workshop, training course or similar activity which is directly or closely related to the performance or discharge of the roles or duties of the Member.

| that allowance  |  | rect to your nominated bank account ade. If your details have changed, v:  |
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| BSB:  |  |  |
| Bank and Bran   | ch:  |  |
| Account No:   |  |  |
| Account Name  | :  |  |
| been actually and nece<br>as a Council Member<br>accordance with sect | essarily incurred in<br>r with the Kingstor<br>ion 77(1)(a) of the | ursement are true and accurate, have the performance of my official duties in District Council and are made in e Local Government Act 1999 and (Members Allowances and Benefits) |
| Signat  | ure  | Date   |
|   |  |  |
| OFFICE USE ONLY   |  |  |
| Received by:  |  | Date:  |
| Processed<br>by:  |  | Dato   |

Date:



## **Appendix 2**

# **IT and Communication Council Member User Agreement**

#### **Introductory Statement**

Kingston District Council provides Council Members with devices and associated telecommunications technology in accordance with the Council Member Allowance & Benefits Policy.

#### **Legislative Provisions**

The following provisions of the *Local Government Act 1999* (the Act) apply to the use of information and communication technology:

- Section 62(3) provides that Council Members must not make improper use of information acquired by virtue of their position as a Council Member to gain an advantage for themselves or for another person or to cause detriment to Council;
- Section 62(4a & b) provides that Council Members must not disclose information or a document in for which a confidentiality order under s90 is in effect, unless required or authorised by law;
- Section 63 provides that Council Members must observe the code of conduct (the Code) made by regulation, relevant clauses of the Code are:
  - 2.6 Council Members must comply with all Council policies, codes and resolutions;
  - 2.7 Council Members must deal with information received in a responsible manner;
  - 2.8 Endeavour to provide accurate information to the Council and to the public at all times
  - 3.14 Council Members using Council resources must do so effectively and prudently;
  - 3.15 Council Members must not use Council resources for private purposes, unless legally or properly authorised to do so and payments are made where appropriate
  - 3.16 Council Members must not use public funds or resources in a manner that is irregular or unauthorised.
- Section 78 provides that Council Members must not use a facility or service provided by the Council under this section for a purpose unrelated to the performance or discharge of official functions or duties (unless the use has been approved by the Council and the Member has agreed to reimburse the Council for any additional costs or expenses associated with this use).

#### **Policy Provisions**

A number of Council-approved policies contain relevant provisions regarding the use of devices and associated telecommunications technology. Due to the extensive coverage of these matters, the details of the following policies are not provided in this Agreement but are available to Council Members:

- Council Member Allowances and Benefits Policy
- Media and Communication Policy
- Records Management Policy

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#### **Principles**

Devices and systems are to be used primarily for Council business, such as document management (including Council Agenda and Minutes), communication and research (both Council Workspace and Internet). Subject to the Legislative and Policy provisions above, limited and reasonable non-Council business use is permitted within the limits of Council's data allocation for each device.

#### **Privacy**

Council Members should be aware that their use of Council devices is not subject to any privacy or confidentiality provisions other than those contained in legislation. As such all data sent, received and stored remains the property of Council.

Council Members are responsible for all activities which originate from accounts in their name and devices assigned to them.

### Responsibilities

Internet Usage – Council Members should be aware when accessing internet sites that their visit will be sourced and recorded as coming from Kingston District Council. Council Members must refrain from accessing any offensive, objectionable or illegal materials.

Software – Any applications used on a Council-provided Device must be approved for use by the CEO.

Copyright – All Council Members must comply with Australian and International Copyright Laws. Council Members must not download material from the internet or otherwise receive and use information that is owned by a third party unless they have the written permission of that party.

Passwords – It is the responsibility of each Council Member to maintain the confidentiality and security of their own password. Please only ever disclose your password if requested by the CEO, or Information Systems staff.

Devices – Council Members are expected to take reasonable care of all devices issued to them by Council. Any theft, loss or damage etc. must be reported to the CEO as soon as practicable. Devices issued by Council must remain in the configuration issued. Any change requests must be approved by the CEO.

| agree to the conditions and requirements as set out above: |
|--|
| Council Member Name  |
|  |
| Council Member Signature                                   |
|  |
| Date   |