



# Council Policy

Elected Member  
Professional Development



# Elected Member Professional Development

## Policy scope

The City of Fremantle is required under the *Local Government Act 1995* to prepare and adopt a policy that deals with matters relating to the continuing professional development of Elected Members.

The purpose of this policy is to outline the process associated with an Elected Member's attendance at professional development that will better enable elected members to undertake the functions of their role.

### **Local Government Act 1995**

#### **5.126. Training for council members**

- (1) Each council member must complete training in accordance with regulations.
- (2) Regulations may —
  - (a) prescribe a course of training; and
  - (b) prescribe the period within which training must be completed; and
  - (c) prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and
  - (ca) provide for a council member to be required to provide, in accordance with the regulations, the CEO with a declaration in respect of the council member's compliance with subsection (1); and
  - (d) provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5 000 for the offence.
- (3) Regulations may provide as follows, despite Division 8, in relation to a council member who contravenes subsection (1) or does not provide the CEO with a declaration in accordance with regulations made for the purposes of subsection (2)(ca) —
  - (a) for the council member to lose, to the extent determined in accordance with the regulations, their entitlements to fees, reimbursement of expenses and allowances under Division 8;
  - (b) if the local government has paid an annual allowance or annual fee under Division 8 to the council member in advance —
    - (i) for the council member to be required to repay to the local government, to the extent determined in accordance with the regulations, the advance payment; and
    - (ii) for the local government to recover any amount repayable if it is not repaid.
- (4) Without limiting section 9.61(b), regulations made for the purposes of subsection (2)(ca) may do the following —
  - (a) provide that a council member commits an offence if the council member provides the CEO with a declaration that contains information that the council member knows —
    - (i) is false or misleading in a material particular; or
    - (ii) is likely to deceive in a material way;
  - (b) prescribe a fine not exceeding \$10 000 for the offence.



### **Local Government Act 1995**

#### **5.127. Report on training**

- (1) A local government must prepare a report for each financial year on the training completed by council members in the financial year.
- (2) The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.

#### **5.128. Policy for continuing professional development**

- (1) A local government must prepare and adopt\* a policy in relation to the continuing professional development of council members.
  - \* Absolute majority required.
- (2) A local government may amend\* the policy.
  - \* Absolute majority required.
- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.
- (5) A local government —
  - (a) must review the policy after each ordinary election; and
  - (b) may review the policy at any other time.

This text box contains reference notes only, these notes do not form part of this policy

## **Policy statement**

### **Attending Professional Development**

Elected members are encouraged to prioritise professional development in the areas in which they have an official capacity, for example a relevant Committee function.

#### **1.1 PAYING FOR PROFESSIONAL DEVELOPMENT**

1. All fees associated with an Elected Member:
  - a. attending professional development while representing the City of Fremantle, as requested by Council or the Chief Executive Officer; or
  - b. while undertaking professional development as required under legislation, will be met by the City from the general training budget.
2. The City may pay for or reimburse travel expenses to and from events and other expenses in accordance with relevant City policy.
3. Elected Members will not be paid any additional payments or allowances for attending a professional development occasion in their capacity as an Elected Member.



## **1.2 LOCAL GOVERNMENT INDUSTRY SPECIFIC**

1. Unless exempt, Elected Members are required to complete the 'Council Member Essentials' mandatory training within 12 months from the day which they are elected.  
*Note: See Local Government (Administration) Regulations 1996 r.36.*
2. Elected Members are encouraged to attend other local government industry related professional development, where budget allows.
  - a. Attendance that is free of cost may be arranged and attended at the discretion of the Elected Member.
  - b. Attendance that incurs a cost must be applied for in writing to the Chief Executive Officer, prior to commitment.
  - c. There must be sufficient general budget allocation remaining to cover all costs.
3. Attendance may be refused by the Chief Executive Officer to provide for fair disbursement of the allocated general training budget and/or to ensure the effective governance of Council.
4. Any professional development, to be undertaken by an Elected Member, as required by the Act or Regulations, will be arranged and paid for by the City.

## **1.3 NON LOCAL GOVERNMENT INDUSTRY SPECIFIC**

1. Elected Members may attend non-local government Industry specific professional development.
  - a. Attendance that incurs a cost must be applied for in writing to the Chief Executive Officer, prior to commitment.
  - b. Attendance must be relevant to the role of an Elected Member.
  - c. There must be sufficient individual training budget allocation remaining to cover all related costs.
  - d. Attendance may be refused by the Chief Executive Officer to ensure the effective governance of Council.

## **2. General Conditions for Undertaking Professional Development**

- 2.1 Requests for attendance must be made in writing to the Chief Executive Officer.
- 2.2 Attendance by an Elected Member at International professional development, that incurs any cost to the City, must be referred to Council for approval, prior to commitment to attend.
- 2.4 The City will allocate an individual budget amount for each Elected Member per financial year to cover costs associated with attendance at professional development.
- 2.5 Registration, travel and accommodation for approved attendance may be arranged by the City or directly by an Elected Member.
- 2.6 The associated costs of approved attendance (airfares, registration fees and accommodation) may be paid directly by the City or may be reimbursed.
- 2.7 All reasonable expenses incurred by the elected member at the direction of the Chief Executive Officer, incurred in connection with attendance will be paid by the City.



- 2.9 When the accommodation or the professional development organiser provides meals as part of the package a meal reimbursement will not be payable for those occasions.
- 2.10 When the Mayor is accompanied at a conference, the City may meet the accompanying person's costs, related to travel, accommodation and attendance at any official conference dinner or related conference function, where partners would normally attend.
- 2.11 When an Elected Member is accompanied at a conference, the City may only meet the cost of the accompanying person to attend any official conference dinner or related conference functions where partners would normally attend.
- 2.12 Elected Members are required to provide a brief summary, and any information or documentation of particular importance, to Council following attendance at approved conferences or seminars.
- 2.13 If an Elected Member, while attending professional development, extends the period of time away or deviates from the travel arrangements, for private purposes, normally associated with attendance at that conference/seminar, then the Elected Member will be responsible for the full cost associated with that extended stay and/or variation to travel arrangements for private purposes.

## **Policy Administration**

### **3.1 TIME LIMIT ON CLAIMS AND APPROVAL PROCESS**

An Elected Member who chooses to receive reimbursement of expenses in accordance with this policy must submit the request to the Chief Executive Officer together with supporting documentation. The form included in the Council Policy "Elected Member and Committee Member Allowances and Reimbursements" must be used when requesting reimbursements.

Requests for reimbursement must be received within three (3) calendar months after the month in which the expenses were incurred.

### **3.2 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 Elected Member and the Chief Executive Officer cannot reach an agreement, the matter will be reported to Council for consideration.

### **3.3 REPORTING**

The Chief Executive Officer will publish a report on the City of Fremantle website within 1 month after each financial year, providing details of training completed by each Elected Member.



## Definitions and abbreviations

**Act** – *Local Government Act 1995*

**Professional development** - training, education, conference, seminar or similar.

**Regulations** – any Regulations subsidiary to the Act

Responsibility and review information	
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