SHIRE OF KONDININ

Council Member Continuing Professional Development Policy

Policy Name	Council Member Continuing Professional Development
Responsible Department	Corporate Services
Policy Owner	Chief Executive Officer
Applicable To	All Council members

1. Objective

The Shire of Kondinin is committed to supporting Council members to acquire and maintain the knowledge and skills required to perform their roles effectively.

This Policy sets out Council's position on training and continuing professional development for Council members, the circumstances in which the Shire will meet or contribute to the associated costs, and who may approve that expenditure.

This Policy is adopted under section 5.128 of the Local Government Act 1995 (WA) and is the Shire's policy for the payment of fees and the reimbursement of expenses in relation to Council member training and continuing professional development under section 5.129 of that Act.

2. Scope

This Policy applies to all Council members of the Shire of Kondinin, including the Shire President and the Deputy Shire President.

It applies to the mandatory training required by section 5.126(1) of the Local Government Act 1995 (WA) and to continuing professional development undertaken by a Council member during their term of office.

This Policy does not apply to employees of the Shire, or to committee members who are not Council members. Training and development for employees is dealt with by CEO Directive.

3. Definitions

Continuing Professional Development – Training, education or a development activity, other than mandatory training, undertaken by a Council member to maintain or improve the knowledge and skills relevant to the role of the Council or the role of a Council member.

Mandatory Training – The course of training prescribed under regulation 35 of the Local Government (Administration) Regulations 1996 (WA) for the purposes of section 5.126(1) of the Local Government Act 1995 (WA), currently the course titled Council Member Essentials.

Prescribed Period – The period within which mandatory training must be completed under regulation 35(3) of the Local Government (Administration) Regulations 1996 (WA), currently the period of 12 months beginning on the day on which the Council member is elected.

4. Legal Framework

The following legislation and regulations are relevant to this Policy:

- Local Government Act 1995 (WA) - Part 5 Division 10, sections 5.126, 5.127, 5.128 and 5.129
- Local Government Act 1995 (WA) - sections 2.7 to 2.10 (roles of the Council and of Council members)

- Local Government (Administration) Regulations 1996 (WA) - Part 10, regulations 35, 36, 36A and 36B
- Local Government (Administration) Regulations 1996 (WA) - regulations 29C, 31 and 37
- Local Government (Model Code of Conduct) Regulations 2021 (WA)

5. Policy Statement

Principles

Council recognises that ongoing professional development supports informed decision-making, effective governance and community leadership. Council member training and continuing professional development will:

a) comply with the Local Government Act 1995 (WA) and its regulations;

b) be relevant to the role of the Council under section 2.7 of the Act, or to the role of a Council member under sections 2.8 to 2.10 of the Act;

c) provide a demonstrable benefit to the Council, the Shire or the community;

d) be equitably available to all Council members;

e) represent value for money, having regard to the cost of travel from the district and available delivery options; and

be limited to the funds provided in the adopted annual budget.

Mandatory training

A Council member must complete mandatory training within the prescribed period, unless the member is exempt under regulation 36 of the Local Government (Administration) Regulations 1996 (WA).
The Shire will arrange and meet the cost of mandatory training for each Council member. Approval under this Policy is not required for mandatory training.

The Shire will reimburse childcare and travel costs incurred by a Council member in completing mandatory training, as required by regulation 31(1)(c) of the Local Government (Administration) Regulations 1996 (WA).

A Council member must give the Chief Executive Officer the declaration required by regulation 36A of the Local Government (Administration) Regulations 1996 (WA), together with any required supporting evidence, within one month after the end of the prescribed period. Failure to make the declaration, or the making of a false declaration, is an offence under regulation 36B.

Continuing professional development

A Council member may undertake continuing professional development that is relevant to their role and that contributes to their capacity to fulfil their responsibilities. Continuing professional development may include:

a) training courses and workshops;

b) conferences and seminars;
c) governance and leadership programs;
d) formal qualifications or individual units of study; and
e) in-house briefings, induction and other development approved under this Policy.

Continuing professional development should be delivered by a recognised provider that is suitably qualified or experienced.

Limits on funded professional development

In accordance with regulation 37 of the Local Government (Administration) Regulations 1996 (WA), the Shire will not pay or reimburse an amount in relation to a Council member's participation in continuing professional development unless the professional development is relevant to either or both of:

a) the role of the Council under the Act or another written law, including as described in section 2.7; and

b) the role of the Council member under the Act or another written law, including as described in sections 2.8 to 2.10.

The Shire will not pay or reimburse an amount in relation to participation in continuing professional development that occurs during:

a) the period of three months ending on the day on which the Council member's term of office ends;
b) where a Council member has delivered a notice of resignation specifying a later day from which the resignation takes effect, the period beginning on the date of delivery of the notice and ending when the resignation takes effect; or
c) a period of suspension of the Council or the Council member under Part 8 of the Act.

Approval

Continuing professional development may be approved by the Chief Executive Officer where: a)

it is consistent with this Policy;

b)sufficient funds are available in the adopted annual budget; and

c)the total cost is reasonable, having regard to the expected benefit and the available delivery options.

An application by the Shire President is to be approved jointly by the Deputy Shire President and the Chief Executive Officer.

Approval by resolution of Council is required where an application:

a) exceeds the funds available in the adopted annual budget;
b) is outside the scope of this Policy;
c) involves a formal qualification or a substantial financial commitment;
d) involves travel outside Western Australia; or
e) cannot appropriately be determined administratively because of a conflict of interest.

Approval must be obtained before a booking is made or a financial commitment is incurred.

Costs

Subject to prior approval, the Shire may pay or reimburse the reasonable costs of mandatory training or approved continuing professional development, including:

a) course, registration or unit fees;
b) economy class travel;
c) accommodation;
d) ground transport and parking; and
e) meals and necessary incidental expenses not otherwise included.

Fees may be paid directly by the Shire, including in advance where the provider requires payment before the activity, or reimbursed to the Council member on production of receipts.

The Shire will not pay or reimburse:

a) the expenses of an accompanying person;
b) personal entertainment or leisure expenses;
c) alcohol or minibar charges;
d) travel or accommodation upgrades;
e) fines or infringements;
f) additional costs arising from private travel; or
g) costs that are recoverable from another party.

Private travel may be undertaken in conjunction with approved Shire travel where it is approved in advance, does not increase the Shire's cost or risk, and all private costs are met by the Council member.

Accountability

A Council member must:

a) participate in approved training and professional development;
b) provide evidence of completion where required;

c) provide receipts or other evidence supporting a claim for reimbursement;
d) promptly advise the Chief Executive Officer of a cancellation or change; and
e) repay any amount paid by the Shire that is subsequently refunded or that is attributable to a private expense.

Where a Council member does not attend an approved activity without reasonable cause, the Council member is to repay any cost incurred by the Shire that cannot be recovered from the provider.

A Council member who attends a conference or a substantial professional development activity may be requested to provide Council with a brief summary of the key outcomes and benefits.

Reporting and publication

The Chief Executive Officer will prepare a report for each financial year on the training completed by Council members in that financial year and publish the report on the Shire's official website within one month after the end of the financial year, in accordance with section 5.127 of the Act.

The Chief Executive Officer will maintain a register of Council member training and continuing professional development, and records of approvals, payments and declarations.

The Chief Executive Officer will publish an up-to-date version of this Policy on the Shire's official website, in accordance with section 5.128(4) of the Act and regulation 29C(2)(c) of the Local Government (Administration) Regulations 1996 (WA).

Budget

Council will consider an appropriate allocation for Council member training and continuing professional development as part of the annual budget.

Unspent funds do not create an entitlement for any Council member and will not be carried forward for the benefit of an individual Council member.

Administration

The Chief Executive Officer is responsible for administering this Policy and may establish procedures and forms dealing with applications, approvals, bookings, travel, acquittals, records and statutory declarations. Any procedure established under this Policy must be consistent with this Policy and with the Act and regulations.

6. Roles and Responsibilities

Council: Responsible for adopting, amending or revoking this Policy by absolute majority; considering the annual budget allocation for Council member training and professional development; and determining applications referred to it under this Policy.

Shire President: Responsible for supporting Council member participation in mandatory training and professional development, and for raising with the Chief Executive Officer any development need identified across the Council.

Deputy Shire President: Responsible for jointly approving, with the Chief Executive Officer, any application made by the Shire President.

Chief Executive Officer: Responsible for administering this Policy; arranging mandatory training; approving continuing professional development within this Policy and the adopted budget; maintaining the training register and records; meeting statutory reporting and publication requirements; and referring to Council any application requiring a Council decision.

Council Members: Responsible for completing mandatory training within the prescribed period and providing the required declaration; obtaining approval before making any booking or financial commitment; complying with this Policy; and providing evidence of completion and acquittal of expenses.

7. Review

This Policy will be reviewed after each ordinary local government election, or earlier if required by legislative change, in accordance with section 5.128(5) of the Local Government Act 1995 (WA).

This Policy may only be adopted, amended or revoked by Council by absolute majority.

Document References & Information	
Legislation	Local Government Act 1995 (WA) ss.2.7, 2.8, 2.9, 2.10, 5.126, 5.127, 5.128, 5.129
Regulation	Local Government (Administration) Regulations 1996 (WA) regs 29C, 31, 35, 36, 36A, 36B, 37; Local Government (Model Code of Conduct) Regulations 2021 (WA)
Local Law	
Shire Policy	Code of Conduct for Council Members, Committee Members and Candidates; Council Member Fees, Allowances and Expenses Policy
Procedural	Council Member Professional Development Application Form; Mandatory Training Declaration Form; Council Member Training and Professional Development Register
Related Sources	WALGA Council Member Essentials program; Department of Local Government, Sport and Cultural Industries - council member entitlements guidance
Policy Owner	Chief Executive Officer
Risk Rating	Medium

Document Control				
Date	**Version**	**Reason for Modification**	**Resolution Reference**	**Next Review**
21 October 2026	1	New Policy		October 2030