

Responsible Officer	Chief Executive Officer
Voting requirements	Absolute Majority
Relevant delegations	
Initial Council adoption	16 February 2023
Amendments	
Last Council adoption	
Review due	2027

PURPOSE/OBJECTIVE

To:

- 1) Establish a policy position in relation to payments to employees whose employment with Tamala Park Regional Council is finishing (as required under Section 5.50 of the *Local Government Act 1995*); and
- 2) Establish a policy position in relation to Gifts to TPRC Councillors upon their retirement (in accordance with *Local Government (Admin) Reg 34AC*).

SCOPE

This policy applies to all employees and Councillors of Tamala Park Regional Council.

POLICY STATEMENT

Compliance with Legislation

In finalising the completion of an employee's term with the TPRC (whether via resignation, redundancy or voluntary severance package) the consideration of payments in addition to existing entitlements under a contract, award or agreement will be determined by the Chief Executive Officer in accordance with Regulation 19A of the *Local Government (Administration) Regulations 1996* and this Policy.

Eligibility Criteria

When determining an employee's eligibility for a payment the CEO will consider:

- the provisions of the *Local Government (Administration) Regulations* pertaining to this matter;
- the employment contract provisions of the individual;
- the:
 - length of service of the individual;
 - their performance over that period; and
 - the circumstances of redundancy or voluntary severance; and
- any potential costs (or benefits) to the TPRC from not making the payment.

Nature of Payments (TPRC Staff Members)

Resignation

If a TPRC staff member resigns from their employment the CEO may arrange for a departing gift/function at the TPRC's expense in accordance with the following:

Length of Service	Gift/Function
Less than 1 yrs service	Nil
1-5 yrs service	Gift and/or function with a value not exceeding \$50 for each completed year of service.
5-10 yrs service	Gift and/or function with a value not exceeding \$75 for each completed year of service.
Greater than 10yrs service	Gift valued at \$75 for each completed year of service Dinner function for TPRC staff and Council.

The CEO is to have regard to any recent performance issues or conduct concerns when determining whether a gift/function is arranged.

Voluntary Severance

In the case of voluntary severance, the CEO may authorise an additional payment of up to one (1) week's pay/salary for each completed year of service up to a maximum of six (6) weeks. The calculation of a week's pay/salary shall be based on the employee's standard hourly rate of pay as at the date of resignation.

Redundancy

In the case of redundancy, the CEO is to remunerate the employee in accordance with the employee's employment contract/letter of engagement or, if that is silent on the matter, in accordance with the *Local Government Officers Award (2021)*.

Purchase of Equipment Issued to an Officer

At the discretion of the CEO, an employee who is finalising their employment with TPRC who has been issued equipment purchased by TPRC, may negotiate with the CEO for the personal purchase of that equipment. The value of the purchase is to have consideration of the current market value of the asset, and the reasonable depreciation of the asset's value over the life of its ownership. Any purchase must be fully documented and signed by the CEO and the purchaser.

Gifts to Retiring Council Members

Where a TPRC Councillor is retiring and has served not less than four years on the TPRC the CEO may arrange for a gift to the value of \$50 for each year served on Council (up to a maximum of \$1,000).

DEFINITIONS

“**resignation**” means a situation where the employee voluntarily elects to discontinue their employment with the organisation.

“**voluntary severance**” means a financial payment made to a person who voluntarily chooses to end their employment in a situation where surplus positions within the organisation are identified.

“**redundancy**” means a situation where the employer no longer requires a specific position to be performed by a person(s) because of changes in the operational requirements of the organisation.

LEGISLATION / LOCAL LAW REQUIREMENTS

This policy is required under s5.50 of the *Local Government Act 1995*.