



Health Professional Councils Authority

## MEMBER REMUNERATION AND PAYMENT POLICY

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<b>Version:</b>	Final. Updated December 2014				
<b>Summary:</b>	This policy and procedures describe members' entitlements and the payment of fees and expenses in accordance with the requirements of legislation and NSW Government policies, circulars and guidelines				
<b>Applies to:</b>	Council members Members of Council committees and associated regulatory bodies				
<b>Author:</b>	Manager, Corporate Governance				
<b>Related legislation, Awards, Policy and Agreements:</b>	<ul style="list-style-type: none"><li>• Health Practitioner Regulation National Law (NSW)</li><li>• <i>HPCA Official Travel Policy</i> and NSW Health <i>Official Travel Policy Directive</i> (PD2014_044)</li><li>• NSW Dept of Premier and Cabinet, <i>NSW Government Boards and Committees Guidelines</i></li><li>• Council Code of Conduct</li></ul>				
<b>Review date:</b>	February 2018				
<b>Approved by:</b>	Director, HPCA				
<b>Approval date:</b>	19 December 2014				

### INTRODUCTION

Members appointed to health professional Councils and their associated regulatory bodies under the *Health Practitioner Regulation National Law* are entitled to receive payment for attending meetings and undertaking other official duties. Sitting fees are set by the Minister for Health.

Members may also receive reimbursement for expenses incurred on official business. Eligible expenses, criteria and rates of reimbursement are set by the NSW Government based on Australian Taxation Office (ATO) determinations, which are reviewed annually. The current rates are available from the NSW Treasury website.

The HPCA uses these rates as the upper limits for which expenses may be claimed. Actual expenses incurred are paid up to the maximum amount on presentation of original receipts or other evidence of expenditure to satisfy audit requirements and accountability.

### KEY DEFINITIONS

**Council** means any Council established under s 41B of the *Health Practitioner Regulation National Law (NSW)* and includes committees established by the Council from time to time.

**Associated regulatory bodies** means an Assessment Committee, Professional Standards Committee, Impaired Registrants Panel or Performance Review Panel established under the Law.

**Members** includes any member of a health professional Council, a Council committee or an associated regulatory body and is inclusive of all membership categories and positions held. It also includes Section 150 Inquiry delegates, interviewers, panellists, performance assessors and other ad hoc participants in Council activities.

**The Law** means the *Health Practitioner Regulation National Law NSW*) and associated regulations.

## **RESPONSIBILITIES**

As required by the *Code of Conduct*, members are accountable for official expenditure, and should ensure the efficient and responsible use of Council funds which are derived from fees paid by registered practitioners. The Council and individual members should be mindful of their responsibilities to ensure the expenditure of funds is in the best interests of the public and the professions.

Members and HPCA staff are responsible for ensuring that resources, including office facilities and equipment, vehicles, taxi vouchers etc. are used diligently and efficiently and in accordance with legislation and NSW Government policy.

Members are responsible for submitting expense claims to the Executive Officer within one month (where possible) of incurring expenditure to enable payments to be made promptly. Payment will only be made on presentation of original receipts, or other certified evidence of expenses if original receipts are not available.

Members are responsible for advising the Council Executive Officer or HPCA Finance staff of changes to payment details, entitlements or circumstances that may affect eligibility for remuneration or the processing of payments, and for providing copies of all necessary documentation.

Relevant HPCA staff are responsible for ensuring prompt processing of payments and claims, the timely and accurate recording of member details and for ensuring the privacy and confidentiality of members' personal information.

## **STARTING AS A MEMBER OF A COUNCIL OR ASSOCIATED REGULATORY BODY**

### **Starter Pack**

All new members receive a Starter Pack, comprising forms, policy documents and other orientation material. Members must complete and return a range of forms that advise the HPCA of personal information and details for the payment of sitting fees and expenses. The HPCA uses this information to establish member payment details in the finance system, and to create a personnel file. (further information in the *Procedure: New and Reappointed Members*.)

All members need to provide bank account details for receipt of payment for expenses.. There are different criteria for the payment of sitting fees if the member is a NSW Government employee.

Completed Starter Pack forms are to be returned to the Council Executive Officer or Manager Corporate Governance. Changes to any of the information provided in the Starter Pack should be advised as soon as possible. Members' personal and financial information is managed with appropriate levels of confidentiality to ensure privacy and security.

### **Superannuation and taxation**

Members are deemed to be employees for the payment of superannuation guarantee levies and pay-as-you-go (PAYG) taxation instalments. Accordingly the Ministry of Health on behalf of the Councils has an obligation to the Australian Taxation Office (ATO) when paying remuneration to members. The Department of Premier and Cabinet *NSW Government Boards and Committees Guidelines* (NSW Government Guidelines) includes information relating to salary packaging, superannuation and GST issues.<sup>1</sup> This information is not professional advice and members are encouraged to seek professional assistance when

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<sup>1</sup> NSW Department of Premier and Cabinet (2013), *NSW Government Boards and Committees Guidelines*

considering their preferred payment method and any superannuation and taxation implications.

### **Members who are not NSW Government employees**

In order to receive payment members must be on the Ministry of Health payroll.

### **Members who are NSW Government employees**

The NSW Government *Board and Committee Guidelines, 2013* states in section 8.3 Payment to Public Sector Employees:

*'.... public sector employees appointed to NSW government boards or committees do not receive remuneration'.*

The Premier has approved an exemption for NSW public sector employees serving on the health professional Councils or related committees to receive remuneration when:

- The work will take place outside working hours or approved leave without pay is taken, and
- There is no conflict of interest arising from the combination of their role as a public sector employee and their role on the Council or committee

Members who are NSW Government employees and seeking payment must make an application to the Council in writing of the circumstances and conditions of their current employment. The HPCA will confirm in writing eligibility for payment, if the application meets the Premier's exemption requirements.

NSW Government full time employees who are not entitled to receive sitting fees may nominate their employer to receive the payment.

## **ATTENDANCE PAYMENTS**

A schedule of the specific remuneration rates and advice on individual practices are available from the Council Executive Officer.

### **Remuneration of Council members for attendance at Council meetings**

Remuneration is paid according to an established annual rate for sitting fees and is paid to the account nominated (via the starter pack) once approved and processed by the Council Executive Officer – see Member Timesheet Schedule (Attachment 2).

Payment of the sitting fee is not dependent on attendance.

### **Leave of absence**

In accordance with Schedule 5C Clause 15 of the Law, Council members should seek leave of absence from the Minister when not able to attend four or more consecutive Council meetings. Failure to do this will result in the member being determined to have vacated office. Leave of absence should be discussed with the Council Executive Officer or President.

A member who vacates his or her office receives no further payment, although entitled to pro rata payment up to the date of departure. Members will be required to repay any remuneration received to which they are not entitled.

### **Remuneration of Council members for attendance at committee meetings and other events**

Remuneration for members of the Medical Council of New South Wales comprises an inclusive payment for all Council business, including meetings of Council committees and most other events. Medical Council members who participate in additional regulatory

activities, such as Section 150 proceedings, counselling or panel work are entitled to payment of an established sitting fee based on the time attended.

Remuneration for members of the Aboriginal and Torres Strait Islander Health Practice Council of New South Wales comprises a set rate per meeting.

Remuneration for members of all other Councils comprises payment of an annual sitting fee with an additional payment made for other Council business including participation in Council committees, additional regulatory functions, other activities and ad hoc events. The rate of this remuneration is based on the time attended.

### **Remuneration of members of associated regulatory bodies**

Members of associated regulatory bodies, including Section 150 Inquiry delegates, interviewers, panellists, assessors, and other ad hoc participants in Council activities are entitled to remuneration of an established sitting fee based on the time attended.

## **EXPENSES**

Actual expenses incurred on official business are reimbursed **up to** the threshold rates recommended by the ATO, and adopted by the NSW Government. Current rates are available from the NSW Treasury website.

### **ADMINISTRATIVE EXPENSES**

Members are entitled to claim out of pocket expenses for incidentals such as phone calls, photocopying, postage, faxes and copies of articles incurred while performing their official duties upon production of receipts. Where possible all such expenses should be approved by the Council Executive Officer prior to being incurred.

### **TRAVEL, ACCOMMODATION, MEALS AND RELATED EXPENSES**

This section should be read in conjunction with the HPCA *Official Travel Policy*, which details requirements and the necessary approvals for official travel.

#### **Travel on official business**

Members are entitled to reimbursement of travel expenses when undertaking official business. All official travel must be endorsed by the Council and approved in advance, and comply with the HPCA *Official Travel Policy*. Members are expected to travel by the most economical means available to attend meetings and other official business, and are encouraged to use public transport where possible.

#### **Air travel and accommodation**

**All** air travel and accommodation bookings **must** be made by the HPCA. The cost of air travel includes payment of in-flight meals and luggage where required. Any exceptions to this requirement should be discussed with the Council Executive Officer in advance.

#### **Remuneration for meals, transport and related expenses**

Members are reimbursed the actual cost of these expenses up to a set amount when required to travel within Australia or overseas. As accommodation and air travel is organised by the HPCA, reimbursement of travel expenses will generally only apply to meals and other related expenses on presentation of original receipts or other certified proof of expenditure. Any expenditure on alcohol, personal entertainment or tips cannot be reimbursed.

Eligible expenses and rates of reimbursement are set by the NSW Government based on ATO determinations, which are reviewed annually. The HPCA uses these rates as the upper limit for which expenses may be claimed and when making air and accommodation bookings.

Individual rates and allowances are set for capital cities and regional centres. The overnight accommodation arranged by the HPCA for official travel will be up to the maximum rate for approved accommodation for the specific location. Different rates are applicable based on the following public sector classifications:

Council President/Deputy President/Members	‘E2’
Medical Council President <sup>2</sup> /Deputy President/Members	D3

The current rates are available from the NSW Treasury website.

### **Use of private motor vehicles**

Members are entitled to reimbursement when using their private motor vehicle to attend meetings, however approval should be obtained prior to use. To avoid repeated applications approval may be sought to cover a period of travel, where regular travel is required. This can be done through an email exchange with the Council Executive Officer for an agreed period up to 12 months. Confirmation of this approval is requested on the reimbursement claim form.

Use of a private motor vehicle will be approved subject to the use of the vehicle being the most practical and economical means of transport, i.e. where no other transport is available or where the member is unable to use other transport due to access, disability or practicality.

A private motor vehicle used for Council related business must be registered and have valid comprehensive motor vehicle insurance and third party insurance policies. Members must provide evidence if requested to do so by the HPCA.

The rate of reimbursement payable for the use of a private motor vehicle is the ‘casual rate’ as determined by the NSW Treasury Circular (TC14\_30), and published on its website.

### **Parking fees**

The HPCA has parking available at a nearby facility that may be used by members when attending official business at the HPCA offices at 477 Pitt Street Sydney. Members who wish to access the car park must make prior arrangements with the Council Executive Officer.

Parking at the Medical Council at Gladesville is free.

When parking is required for official business at other locations, members may be reimbursed for the cost of the parking fee. Reasonableness of length of stay and location of the parking station should be observed when making such claims. For example, it is not appropriate to seek reimbursement for a full day in a city parking station when the relevant meeting may occupy only two hours. Members are also encouraged to utilise any discount rates such as ‘early bird’ rates if intending to park all day, rather than causal/hourly parking rates.

### **Tolls, charges and miscellaneous costs**

Expenses such as bridge tolls, road tolls and the like that are incurred during official travel will be reimbursed. Details should be included on the Reimbursement of Expenses Claim Form and receipts or toll usage statements provided on request.

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<sup>2</sup> Department of Premier and Cabinet: *Classification and Remuneration Framework for NSW Government – Policy and Guidelines*, section 3.4 Fee Variations (M2012\_18) allows a loading for the President and Deputy.

Under no circumstances will expenses associated with parking or traffic fines be reimbursed.

### **Taxi vouchers/Cabcharge**

Members are able to obtain taxi vouchers for official travel from the Council Executive Officer. However, use of public transport is encouraged where possible, particularly within Sydney, unless it is impractical (e.g. with luggage) or access is difficult due to location, time or disability.

The stub of the taxi docket must be filled in and returned with any receipt to the person who provided the voucher. Alternatively, members may be reimbursed the taxi fare upon production of a tax invoice or receipt issued by the taxi company. This should be done as soon as practicable after the travel has been undertaken. No tips are to be paid.

## **PAYMENT OF CLAIMS**

### **Submitting attendance claims**

Payment of claims for attendance (other than Council meetings) is made on presentation of a signed and authorised timesheet available from the Council Executive Officer.

The signed timesheet should indicate the number of hours or the period claimed (half day or full day), be certified by the appropriate staff member and submitted to the Council Executive Officer for payment to be processed. Payment is in accordance with the Member Timesheet Schedule (Attachment 2).

### **Submitting expense claims**

All expenses associated with travel bookings for airfares (including luggage and in-flight meals), car hire and accommodation are paid directly by the HPCA and charged to the relevant Council. Only in exceptional circumstances would a member claim such expenses and prior approval should be obtained.

All other expenses are paid on receipt of a Reimbursement of Expenses Claim Form (Attachment 1). Claim forms must be signed and dated by the claimant and submitted with original receipts and any other documentation confirming the purpose of the expenditure to the Council Executive Officer. Members must provide receipts or other evidence for such expenditure to enable substantiation, to assist with the approval and processing of payments and to meet audit requirements.

Members may choose to use their own credit/charge card and claim reimbursement, but individual receipts rather than the record of the transaction are still required to be submitted. Expenses related to the operation of a member's personal credit/charge card are not claimable.

### **Approval of expense claims**

Actual expenses claims will be met **up to** the remuneration rate thresholds approved by the NSW Government. The Council Executive Officer will certify the claim, expenditure will be authorised and the claim submitted to HPCA Finance staff for payment. The claim will be checked to verify that it has not been previously paid; that it relates to pre-approved travel and/or expenditure; to ensure that the prescribed limits are not being exceeded and to confirm acceptability (e.g. costs associated with alcohol must not to be claimed).

Expenses above the approved rates will not be paid. Members will be required to pay any expenses incurred not in accordance with this policy or NSW Government guidelines.

Following checks and authorisation, HPCA Finance staff process the member's electronic funds transfer (EFT) payment according to the details provided in the Starter Pack and forward the member a Remittance Advice for their records.

### **Expenses which may not be claimed**

The following items will not be covered by a claim for expenses:

- Alcoholic beverages for internal working meals and alcohol expenses associated with travel and meals
- Tips or gratuity payments
- Mini-bar purchases and other personal or in house entertainment
- Gifts purchased by individuals. It may be appropriate for a Council to provide a small gift to a third party, such as a visiting speaker or dignitary. This is at Council discretion and must comply with the *Council Gifts and Benefits Policy*
- Claims for a third person such as accommodation, unless prior approval has been obtained from the Council Executive Officer
- Expenditure that is of benefit to a member, a family member or friend, or HPCA staff e.g. social functions for members or staff.

### **GOVERNANCE**

This policy complies with NSW Government and NSW Health policies and guidelines.

Member remuneration and expense claims are monitored through the financial management system and reported to Councils in the monthly management reports; and reported in the annual financial statements to Parliament in accordance with the *Public Finance and Audit Act 1983* and the *Annual Reports (Statutory Bodies) Act 1984*.

### **FURTHER ADVICE**

Further advice on any of the terms and processes outlined in this policy can be discussed with the Assistant Director, Finance & Shared Services, Manager, Corporate Governance or the Council Executive Officer.

### **REFERENCES AND RESOURCES**

1. NSW Department of Premier and Cabinet (2013), *NSW Government Boards and Committees Guidelines*, July 2013, [www.boards.dpc.nsw.gov.au/publications-for-agencies](http://www.boards.dpc.nsw.gov.au/publications-for-agencies).
2. NSW Public Service Commission (2012), *Classification and Remuneration Framework for NSW Government Boards and Committees: Policy and Guidelines*, (D2012\_005), Memorandum M2012-18, October 2012, [www.dpc.nsw.gov.au/\\_data/assets/pdf\\_file/0006/147165/D2012\\_005\\_CR\\_Framework.pdf](http://www.dpc.nsw.gov.au/_data/assets/pdf_file/0006/147165/D2012_005_CR_Framework.pdf)
3. NSW Department of Premier and Cabinet (2013), *Policy on Official Travel within Australia and Overseas*, Memorandum M2013-08, August 2013, [www.dpc.nsw.gov.au/announcements/ministerial\\_memoranda/2013/m2013-08\\_official\\_travel\\_within\\_australia\\_and\\_overseas](http://www.dpc.nsw.gov.au/announcements/ministerial_memoranda/2013/m2013-08_official_travel_within_australia_and_overseas).
4. NSW Department of Premier and Cabinet, *Australian and Overseas Travelling Allowances for Official Travel by Senior Officials*, Circular, C2013-09, [www.dpc.nsw.gov.au/announcements/circulars/2013/c2013-09\\_2013\\_australian\\_and\\_overseas\\_travelling\\_allowances\\_for\\_official\\_travel\\_for\\_senior\\_officials](http://www.dpc.nsw.gov.au/announcements/circulars/2013/c2013-09_2013_australian_and_overseas_travelling_allowances_for_official_travel_for_senior_officials).

5. NSW Government, NSW Treasury, Industrial Relations , *Review of Meal, Travelling and Other Allowances*, 12 November 2014  
[http://www.treasury.nsw.gov.au/Publications/treasury\\_circulars/2014\\_treasury\\_circulars/2014\\_treasury\\_circulars\\_index](http://www.treasury.nsw.gov.au/Publications/treasury_circulars/2014_treasury_circulars/2014_treasury_circulars_index)
6. Health Professional Councils Authority (2013), *Official Travel Policy*.
7. NSW Health (2014), *Official Travel Policy* (PD 2014\_044)  
[http://www0.health.nsw.gov.au/policies/pd/2014/PD2014\\_044.html](http://www0.health.nsw.gov.au/policies/pd/2014/PD2014_044.html)
8. NSW Health Professional Councils Remuneration Rates (Available from HPCA Finance staff).

#### **ATTACHMENTS**

1. Reimbursement of Expenses Claim Form
2. Member Timesheet Schedule





Health Professional Councils Authority

### Reimbursement of Expenses Claim Form

Title	First Name	Last Name
Address		
Email		
Phone		Council/HPCA

Purpose of Expense	
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EXPENSES – includes Meals (not alcohol), Accommodation (only if not booked by HPCA), Transport (fares, car hire – not private motor vehicle use or fuel) and Incidentals			
Date dd/mm/yyyy	Description of Expense	Amount \$	Account code (Office use only)
<b>TOTAL</b>		<b>\$</b>	

<b>Total Private Motor Vehicle Travel</b> (kilometre breakdown overleaf)	<b>\$</b>
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<b>Total Expenses Claimed</b> (travel plus expenses)	<b>\$</b>
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I wish to claim reimbursement of expenses as detailed above and declare that the information I have provided is true and correct:

**Signature:**

**Date:**

**NOTE: Please staple original receipts to this form**  
Send to: Council Executive Officer /Line Manager

PRIVATE MOTOR VEHICLE EXPENSES								
Date	Departure		Arrival		Kms*	Tolls	Amount	
dd/mm/yyyy	From	Time	To (inc. total kms travelled)	Time	Total \$	\$	Total \$ (kms \$* + Tolls \$)	Account Code (Office use)
<b>TOTAL Private Motor Vehicle Travel</b>							\$	

Engine Size	Rate*
1600 cc and less	26.00 cents/km
1601 cc to 2600 cc	30.4 cents/km
2601 cc and over	30.8 cents/km
Motor cycle	32.5 cents/km

<b>Vehicle Type</b>	
<b>Engine Size - cc</b>	

<b>Current Comprehensive Insurance Policy Held</b>	<b>YES</b>	<b>NO</b>	<b>Vehicle Currently Registered</b>	<b>YES</b>	<b>NO</b>
<b>Date use of private motor vehicle approved</b>	<b>Date:</b>		<b>Date up to which use of private motor vehicle approved</b>	<b>Date:</b>	

**Approval Authority**

1. Certified correct under section 12 of the *Public Finance and Audit Act, 1983* and funds available

Name	Position	Signature	Date

2. Payment authorised under section 13 of the *Public Finance and Audit Act, 1983*

Name	Position	Signature	Date

Finance Section use only: Checked against rates and double payment

Name	Signature	Date

MEMBER TIMESHEET SCHEDULE	
Date	Action
05-Jan-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA Finance System for payment in the next fortnight.
15-Jan-2015	Payment made for previous fortnight
29-Jan-2015	Payment made for fortnight ending 15 January 2015
29-Jan-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
<b>February 2015</b>	
12-Feb-2015	Payment made for fortnight ending 29 January 2015
12-Feb-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
26-Feb-2015	Payment for fortnight ending 12 February 2015
26-Feb-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
<b>March 2015</b>	
12-Mar-2015	Payment for fortnight ending 26 February 2015
12-Mar-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
26-Mar-2015	Payment for fortnight ending 12 March 2015
26-Mar-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
<b>April 2015</b>	
09-Apr-2015	Payment for fortnight ending 26 March 2015
09-Apr-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
23-Apr-2015	Payment for fortnight ending 9 April 2015
23-Apr-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
<b>May 2015</b>	
07-May-2015	Payment for fortnight ending 23 April 2015
07-May-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
21-May-2015	Payment for fortnight ending 7 May 2015
21-May-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
<b>June 2015</b>	
04-Jun-2015	Payment for fortnight ending 21 May 2015
04-Jun-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
18-Jun-2015	Payment for fortnight ending 4 June 2015
18-Jun-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.
02-Jul-2015	Payment for fortnight ending 18 June 2015
02-Jul-2015	<b>Last day</b> for Council team to data enter members' timesheet into the HPCA finance System for payment in the next fortnight.