

G.05 Councillor Expenses Reimbursement Policy

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CEO Chief Executive Officer
MCCS Manager Corporate & Community Services
MES Manager Engineering Services
MFS Manager Financial Services

1 OBJECTIVE

The objective of this policy is to authorise the payment of reasonable expenses incurred, or to be incurred, by Councillors, and provision of facilities to assist Councillors in discharging their duties and responsibilities.

This policy will ensure that Councillors, including the Mayor, can receive reimbursement of reasonable expenses and be provided with necessary facilities in performance of their role.

2 SCOPE

This policy applies to the Mayor, Deputy Mayor and Councillors. This policy deals with reimbursement of expenses or provision of a facility to Councillors, but does not apply to the conduct of civic functions or the remuneration of Councillors.

It is the responsibility of Council to use its discretion and decide what is required by Councillors in carrying out their civic responsibilities taking into account the role of the Councillor, Council's annual budget and community expectations.

Council must be mindful of the Local Government principles and the legislative requirements of the Local Government Act 2009 (*the Act*) when determining legitimate types of expenses and facilities for Councillors.

3 STATEMENT

3.1 PRINCIPLES

This policy has been written to be compliant with the Local Government principles set out in *the Act* and the following five underpinning principles.

3.1.1 Reasonable Expenses Reimbursement to Councillors

Council has considered what is reasonable and fair, given the size and population of the Council and the responsibilities of Councillors. Councillors should not be financially disadvantaged when carrying out the requirements of the role of Councillor and should be fairly and reasonably compensated in this regard in accordance with community expectations. Council should take into account considerations of economy and efficiency when developing their policies. Expenses are not designed to be used to supplement the remuneration levels determined by the Local Government Remuneration Tribunal and where practicable will only cover actual costs.

3.1.2 Public Accountability and Transparency

This policy and the process of approval ensure there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred, by Councillors. The policy covers the specific expenses for which Councillors are entitled to receive reimbursement and is sufficiently clear in scope and easily understood by communities. Councillors can only receive the reimbursement for expenses included in the policy.

3.1.3 Public Perceptions and Community Expectations

Council has considered public perceptions and community expectations when developing this policy. It is believed that the detail and range of expenses paid and facilities provided to Councillors by Council has been clearly and specifically stated, fully transparent and acceptable to the local community. The Council is confident that it has considered the community's needs and expectations in determining this policy.

3.1.4 No Private Benefit to be Derived

Councillors incurring expenses should not gain personal funds as a result of their role servicing the community. All reimbursement of expenses or provision of facilities must be for legitimate business use only i.e. to enable Councillors to effectively and efficiently carry out their civic duties. It is noted that reasonable private use of iPads / Tablets / Phones issued to councillors is acceptable. Facilities and resources provided to Councillors are for the sole use of Councillors in undertaking their duties and should be used responsibly and appropriately. Spouses, partners and family members of Councillors are not entitled to receive any reimbursement of expenses or provision of Council facilities.

3.1.5 Equity and Participation

Council's policy is non-discriminatory and provides an opportunity for full participation by all Councillors from a diverse range of backgrounds. The policy accounts for individual differences and is sufficiently inclusive to ensure participation of underrepresented groups. Councils has considered issues such as access and equity and have taken account of any barriers to participation for Councillors. This includes consideration of the needs of Councillors with disabilities and caring responsibilities.

3.2 BACKGROUND

Part 1 Chapter 8 Division 2 of the Local Government Regulation 2012 requires Council to have an expense reimbursement policy. Such policy is to provide for the following:

- Payment of reasonable expenses incurred, or to be incurred, by Councillors, for discharging their duties and responsibilities as Councillors; and
- Provision of facilities to the Councillors for that purpose.

Section 250 of the Regulation requires Council to adopt such a policy, by resolution.

Section 251 of the Regulation requires Council to give public notice of the adoption of such a policy. The public notice must be published in a newspaper circulating generally in the local government area and on the local government website.

Section 252 provides that a meeting at which a proposed expense reimbursement policy is discussed cannot be closed to the public.

3.3 PAYMENT OF EXPENSES

Expenses will be paid to a Councillor through administrative processes approved by Council's Chief Executive Officer subject to:-

- The limits outlined in this policy;
- Council endorsement by resolution, where required;
- In the case of reimbursement of expenses production of receipts and tax invoices or evidence that such expenses have been paid is required prior to reimbursement; and
- Expense reimbursement must be claimed within two (2) months of such expense having been paid by the Councillor and claims for reimbursements outside of this period will not be accepted.

3.4 EXPENSE CATEGORIES

Expense Category	Details
<i>Council Business</i>	Council will reimburse expenses incurred in undertaking Council business which includes:- <ul style="list-style-type: none"> - attendance at Council meetings, committee meetings, Councillor Information Sessions and approved workshops, strategic briefings and

	<p>deputations;</p> <ul style="list-style-type: none"> – attendance at pre-arranged meetings with the Chief Executive Officer; – attendance at seminars and conferences where Councillors are required to either deliver a paper and/or attend as a delegate of Council as per resolution, – attendance outside the shire at public meetings and other community events such as presentation dinners and meetings with community groups where a formal invitation has been received inviting the Councillor in their official capacity to perform official duties or as an official Council representative as per resolution or with the prior approval of the Mayor; – attendance outside the shire at civic functions and ceremonies on behalf of the Mayor as delegated by the Mayor. <p>Section 12(4)(i) of the <i>Local Government Act 2009</i> states that the Mayor has the extra responsibility of representing the local government at ceremonial or civic functions.</p> <p>Section 12(5) of the <i>Local Government Act 2009</i> states that a Councillor who is not the Mayor may perform the Mayor’s extra responsibilities only if the Mayor delegates the responsibility to the Councillor.</p>
<p><i>Conferences and Training</i></p>	<p>Council will reimburse expenses incurred for:-</p> <ul style="list-style-type: none"> – attendance at Regional, State or National Local Government associated conferences, subject to attendance approved by Council; – attendance at Regional meetings and workshops associated with a Councillor’s responsibilities; – professional development and training as approved by Council
<p><i>Travel Costs</i></p>	<p>Council will reimburse travel expenses deemed necessary to achieve the business of Council where:-</p> <ul style="list-style-type: none"> – a Councillor is an official representative of Council; and – the activity / event and travel have been endorsed by resolution of Council. <p>Council will reimburse travel costs for attendance at Council meetings and Council business where a Council vehicle is not available for use and the distance travelled is more than 30km.</p> <p>Councillors are required to travel the most direct route, using the most economical and efficient mode of transport.</p> <p>Any fines incurred while travelling in Council owned vehicles or privately owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine.</p> <p>All Councillor travel approved by Council resolution will be booked and paid for by Council.</p> <p>Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed.</p> <p>Councillor's private vehicle usage will be reimbursed at the Australian Taxation Office cents per kilometre rate if the:-</p> <ul style="list-style-type: none"> – travel has been endorsed by Council resolution or no Council vehicle is

	<p>available; and</p> <ul style="list-style-type: none"> - claim for mileage is substantiated with log book details; and - total travel claim does not exceed the cost of the same travel using economy flights plus the cost of taxi transfers. <p>Any travel/transfer expenses associated with Councillors travelling for Council approved business will be reimbursed. Example: Trains, taxis, buses and ferry fees, toll fees.</p> <p>Cab charge vouchers may also be used if approved by Council where Councillors are undertaking duties relating to the business of Council. Council will provide reimbursement for parking costs paid by Councillors while attending to official Council business.</p> <p>All Councillor travel approved by Council will be booked and paid for by Council. Economy class is to be used where possible although Council may approve business class in certain circumstances. Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses (eg cost of partner or spouse accompanying the Councillor).</p>
<i>Accommodation</i>	<p>All Councillor accommodation for Council business will be booked and paid for by Council where possible. Council will pay for the most economical deal available where possible. Where possible the minimum standards for Councillor accommodation will be four star rating.</p> <p>Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.</p>
<i>Meals</i>	<p>Council will reimburse costs of meals for a Councillor when:-</p> <ul style="list-style-type: none"> - the Councillor incurs the cost personally; and - the meal was not provided within the registration costs of the approved activity/event; and - a copy of a tax invoice is provided. <p>Council reimbursement for meal expenses shall be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch, dinner where these are not provided at the event. Any meal reimbursements shall not be more than \$40 per meal or more than \$100 per day. No alcohol will be reimbursed by Council.</p>
<i>Hospitality and Entertainment Expenses</i>	<p>The Mayor may have occasion to incur hospitality expenses while conducting official Council business. Hospitality expenses incurred will typically take the form of meals and beverages. The maximum amount of hospitality expenses that may be reimbursed is \$1000 / annum for the Mayor. The Mayor will be issued with a corporate credit card which may be used for this purpose or alternatively a copy of a tax invoice is required for reimbursement.</p>

3.5 PROVISION OF FACILITIES

Councillors will be provided facilities as detailed in the table below and have been based on the principle that no private benefit is to be gained from the facilities provided. All facilities provided to Councillors (other than iPads / tablets) remain the property of Council and must be returned to Council when a Councillor's term expires.

Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council owned equipment that is supplied to Councillors for official business use. This includes the replacement of any facilities which fall under Council's asset replacement program.

<i>Administrative Tools</i>	<ul style="list-style-type: none"> - Council will provide access to the following office equipment in the Council office to enable Councillors to carry out their role effectively: - Laptop or computer or Ipad - Printer - Fax - Stationery - Office space and meeting rooms - Photocopier - Publications - Landline telephones and internet access - Secretarial support
<i>iPad / Tablet</i>	<p>Council will provide each Councillor with an iPad, wifi and email address. Elected members shall be entitled to reasonable private use, subject to following Council's internet usage access policy.</p> <p>When a Councillor is no longer an elected member, the iPad / Tablet shall be cleaned of all data by Council, and the iPad will then become the property of the former councillor.</p>
<i>Mobile Phone</i>	<p>Council will provide a mobile telephone or alternative communication device to the Mayor with all costs payable by Council.</p>
<i>Credit Card</i>	<p>The Mayor will be provided with a corporate credit card for use in charging costs and expenses associated with the duties of Mayor.</p>
<i>Corporate Uniform and Ancillaries</i>	<p>Council will provide Councillors with the following corporate equipment:-</p> <ul style="list-style-type: none"> - Name badge - Necessary safety equipment for use on official business e.g. safety helmet/boots - Business Cards
<i>Vehicles</i>	<p>Council may provide the Mayor with a suitable 4WD or SUV sedan vehicle for use during official Council business including travel to and from home to Council's place of business. Councillors may access a Council vehicle for use on official Council business.</p> <p>Private use of Council owned vehicles is permitted if prior approval has been granted by resolution of Council. Council will, in its resolution authorising</p>

	private use, set out the terms for the Councillor to reimburse Council for such private use. The Mayor is authorised to use the Council owned vehicle for private use.
<i>Fuel Costs</i>	All fuel used in a Council owned vehicle on official Council business will be provided or paid for by Council. Fuel used in private use of a Council vehicle, including the Mayor's vehicle, will be paid for by the Councillor.
<i>Insurance Cover</i>	Council will insure Councillors in the event of injury sustained while discharging their duties. Council will pay the excess for injury claims made by a Councillor resulting from conducting official Council business.

3.6 CLAIMS FOR REIMBURSEMENT

All claims for reimbursement of expenses will be made on the approved form and submitted with original receipts to the Chief Executive Officer for approval. Failure to comply with this policy, falsifying claims or logbooks or the misuse of facilities may breach the Councillors' Code of Conduct and/or represent an offence under the Criminal Code and may be referred to the Crime and Misconduct Commission.

4 DEFINITIONS

Chief Executive of the Department: The Director-General of the Department of Infrastructure, Local Government & Planning.

Council Business: Activities conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities, or achieve business objectives of the Council. Council business should result in a benefit being achieved either for the local government and/or the local community. This includes:-

- Preparing for, attending and participating in Council meetings, committee meetings, workshops, deputations and inspections;
- Attending conferences of local government industry associations or professional bodies (ie LGAQ, UDIA, LGMA, etc);
- Attending civic ceremonies and community events such as representing Council at Anzac Day ceremonies or opening a school fete, where they have been formally invited in their capacity as Councillor to undertake the official duty;
- Attending public meetings, annual meetings or presentation dinners where invited as a Councillor;
- Attending meetings of community groups (Scout Associations, Progress Associations, etc) where invited to speak about Council Programs or initiatives.

Attending or participating in a community event, community group, private meetings or inspection with constituents, or being a representative on a board as a community member is not regarded as 'Official Council Business.'

Councillors: Includes the Mayor, Deputy Mayor and other Councillors, unless specifically identified.

Expenses: Expenses are payments reasonably incurred, or to be incurred, in connection with Councillors discharging their duties. The expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge. Expenses are not included as remuneration.

Facility: Facilities provided to Councillors that are the “tools of trade” and required to enable them to perform their duties with relative ease and at a standard appropriate to fulfill the community expectation for their role.

Reasonable: Councils must make sound judgments and consider what is prudent, responsible and acceptable to the community when determining appropriate levels of facilities and expenditure.

5 RELATED POLICIES | LEGISLATION | OTHER DOCUMENTS

Local Government Regulation 2012

IX #	Details
91112	F.05 Procurement Policy
86421	F.05-A Procurement (Credit Card and Credit Device) Procedure
91123	F.05-B Procurement (Tenders and Quotes) Procedure