

## COUNCILLOR SUPPORT AND EXPENSE POLICY

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## 1. PURPOSE

- 1.1. The objective of this policy is to identify the allowances and expense entitlements whilst performing duties as a Councillor.

## 2. PRINCIPLES

- 2.1. This policy is based on s75 to s75C of the *Local Government Act 1989* (the Act) whereby Council must reimburse a Councillor for expenses if the expenses were reasonable, bona fide out of pocket expenses incurred while performing the duties as a Councillor.
- 2.2. Where a Councillor has incurred an out-of-pocket expense in accordance with this policy they must be reimbursed by Council.
- 2.3. Overseas travel is explicitly excluded from this policy. Request for overseas travel is to be approved by a resolution of Council.
- 2.4. Council resources must not be used for non-Council related activities or for the purpose of Election campaigning for Councillors.
- 2.5. Councillor requests to attend meetings and conferences should take into consideration annual budget limits.
- 2.6. If a Councillor wishes to attend a meeting that is not in their direct capacity as Councillor but can be defined as of interest or benefit in their capacity as a Councillor or Committee member; and they wish to seek reimbursement for associated expenses; prior approval should be sought from the Mayor before incurring expenses.

## 3. DEFINITIONS

- 3.1. **Duties of Councillors** is defined to include attendance at:

- Meetings of the Council or its Committees;
- Briefing Sessions, workshops and civic or ceremonial functions convened or scheduled by the Council or the Mayor;
- Meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as a Council representative;
- A meeting, function or other official role as a representative of the Council or the Mayor;
- Other meetings, inspections or events attended by a Councillor in an official capacity.

- 3.2. **Communication Equipment** includes any mobile telephone or tablet device (e.g. iPhone, iPad), together with network connection provided by Council to Councillors.

### 4. COUNCILLOR ALLOWANCES

- 4.1. The Local Government Act provides for Mayor and Councillors to be paid an allowance. The Act provides for allowances to be fixed by Order of the Minister of Local Government annually.
- 4.2. **Payment of Allowances** – The approved annual allowance amount will be divided by 26 and paid on a fortnightly basis for the duration of their Councillor tenure. Payment will be made by electronic funds transfer by Council’s payroll process.
- 4.3. Councillors may elect to sacrifice allowance amounts into a complying superannuation fund in accordance with any guidelines established by Council.
- 4.4. Councillors are responsible for tax and other obligations that may arise from the payment of the Councillor allowance.

### 5. POLICY

#### 5.1. INFORMATION TECHNOLOGY

- **Standard information technology hardware** – A Councillor will be provided with standard information technology hardware, for which Council staff will provide technical support, and which may include; a mobile telephone and a tablet device / laptop computer / printer to ensure they can adequately and efficiently perform their role as a Councillor. Council will meet the purchase, rental, initial installation, maintenance and consumable costs for this hardware.
- **Council email address** – each Councillor will be provided with a Council provided email account to be used for Council business.
- **Bring Your Own Device (BYOD)** – Councillors may elect to be paid an allowance in lieu of communications equipment and supply their own devices/connections. The payment of this allowance is contingent on the Councillor providing appropriate alternate devices/connection services that allow the Councillor to adequately perform the role of a Councillor.

A Councillor receiving a BYOD allowance is responsible for all costs and maintenance for that item/service.

- **Standard information technology connection services** – A Councillor will be provided with standard information technology services for the Council provided devices. E.g. access to the internet for Council provided devices. The usage, maintenance and rental costs for these services will have Council determined data and call caps that are considered sufficient to operate Council business.
- **Information Technology Help Desk (Council supplied equipment/services)** – The IT helpdesk hours of operation for Councillors are in line with reasonable business hours – 8 am to 6pm Monday to Friday. Requests for support outside of this time will be assessed on a case by case basis, taking into consideration the urgency of the matter. Requests can be logged by email to Council’s IT Helpdesk, [helpdesk@indigoshire.vic.gov.au](mailto:helpdesk@indigoshire.vic.gov.au) or by calling 03 5728 8000.

- **Councillors retiring or not being re-elected** – At the end of a Council term all Councillors who retire or are not re-elected must return all Council provided standard hardware and accessories. All services that were provided for and maintained by Council will be disconnected immediately after election results are announced. Any information technology services (and their associated costs) that have the account registered in the name of the Councillor will be the responsibility of the Councillor to continue or cancel.
- **Purchase of equipment** – Councillors may request to purchase equipment at the end of the Council term. Any purchases must be compliant with Council policy, be at market value with the appropriate arms-length process and CEO approval.
- **Passwords** – All devices (including Council supplied and BYOD) must have password protection to ensure security of Council information.

### 6. COUNCILLOR RESOURCES

- 6.1. **Stationery and Secretarial Support** – Council stationery and secretarial support will be managed by the Chief Executive Officer. Request for assistance and stationery items should be made to the Executive Assistant to the Mayor and Councillors.
- 6.2. **Council Office space** – where a designated Councillor Office space doesn't already exist at Council offices, Councillors can reserve a meeting room by contacting the Executive Assistant to the Mayor and Councillors.
- 6.3. **Name Badge** – each Councillor will be provided with an Indigo Shire approved name badge for use while on Council business.
- 6.4. **Business Cards** – Each Councillor will be provided with Councillor business cards (standard organisational format) for use whilst undertaking Council business.
- 6.5. **Personal Protective Equipment** – The Council will lend PPE when requested to assist in the safe carrying out of the duties of the office.
- 6.6. **Insurance** – While undertaking the duties of a Councillor, the following insurance covers will apply to all Councillors:
  - Public Liability
  - Professional Indemnity
  - Councillors and Officers Liability

Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

Council equipment provided to Councillors to assist in the performing of their role, is covered for damage or theft under Council's insurance policies. Councillors are expected to exercise due care in protecting the equipment from damage or theft. Any loss of Council owned or BYOD equipment must be reported immediately.

### 7. TRAVELLING EXPENSES

- 7.1. **Council provided vehicles** – Council will allocate a reasonable number of vehicles for Councillor use and locate these vehicles in a convenient place to enable Councillors use of a Council provided car to travel on Council related business.

The vehicle locations may change from time to time dependent on Councillor home locations or shifting of Councillor duties. The Mayor and Councillors will determine the most suitable and practical location of Councillor vehicles.

Council pool cars, at the CEO's discretion, should be considered prior to using personal vehicles.

If more than one Councillor requires a car, the one travelling the furthest will be allocated the Councillor car.

Where Council provides a vehicle to the Mayor, Council will provide a fully maintained vehicle (including payment of the Fringe Benefits Tax).

The type of cars provided for both the Mayor and Councillors and the management of those vehicles, will be in accordance with Council's Fleet policy and procedure.

- 7.2. **Private Vehicle Use** – Councillors are entitled to reimbursement for expenses incurred in the use of their own private vehicle for Council purposes. Where a Council vehicle is not available or is impractical, reimbursement of motor vehicle expenses shall be by cents per kilometre using the most direct route, at the rate reimbursed to Council employees for use of a private vehicle. Refer to the Councillor Annual Budget Limits Schedule.

- 7.3. **Other methods of travel** – where a Councillor has paid to travel using another method of transport other than a Council provided vehicle or their own private vehicle (e.g. taxi, public transport, air). The following conditions will apply:

- Travel must be undertaken as quickly as possible and by the shortest most economical route.
- Claims will be based on provision of actual receipts from the transport provider.
- Any time occupied in other than authorised Council business is not to be included in the calculation of any expenses to be reimbursed or paid;
- Claims will only be paid on the basis of the actual form of transport used; and
- Where travel is by air, the standard form of travel will be economy class.
- Where a travel voucher has been provided for a portion of travel (eg. cab charge card) or Council made the travel arrangements, Councillors are not entitled to be reimbursed for that same expense.

- 7.4. **Parking and Tolls** – parking fees and tolls charges will be reimbursed where the expenses relate to the performance of their duties as Councillor and receipts have been provided.

- 7.5. **Infringements** – Councillors are solely responsible for payment of any driving or parking infringements.

### 8. ACCOMMODATION AND MEALS

- 8.1. **Accommodation** – When accommodation is required to perform the duties of a Councillor the following provisions will apply:
- **Eligibility** - Councillors are eligible for Council provided accommodation where the travel time exceeds two hours driving time between their place of residence and location of the meeting (one way).
  - **Eligibility** - When a Councillor has been performing Council business in excess of 10 hours, and to return home requires night travel of a considerable distance, the Councillor may be reimbursed for overnight accommodation.
  - **Number of Nights** – the number of applicable nights of accommodation will be determined by the start and finish times of the meeting that the Councillor is attending in performing the duties of a Councillor.
  - **Standard Room accommodation** will be reserved at the best available rate. The choice of hotel will be discussed with the Councillor and take into consideration the location of the meeting or seminar.
  - **Meal expense limits** are determined by the Councillor Annual Budget Limits Schedule. Where they cannot be charged to the hotel account, they will be reimbursed on the provision of an original receipt.
  - **Mini Bar, alcohol, dry cleaning, room upgrades and other like hospitality costs** - these expenses are considered personal expenses and will not be reimbursed or paid for by Council.
  - **Councillors travelling accompanied** - Councillors are responsible for all expenses for their partner including any difference in room rate from single to double /twin where appropriate.

### 9. REFRESHMENTS AT COUNCIL RELATED MEETINGS

- 9.1. Where Council meetings, Briefings and Committee meetings are held at times that extend through normal meal times, Council will provide suitable meals served on the premises.

### 10. CONFERENCES, PROFESSIONAL DEVELOPMENT AND TRAINING

- 10.1. Council is committed to helping Councillors meet their training and professional development needs relating to their Councillor duties. Development programs and initiatives may be available to all Councillors collectively or individually.
- 10.2. Councillors may also be reimbursed for professional development including study expenses incurred, subject to pre-approval by the Mayor in consultation with the Chief Executive Officer.
- 10.3. If the professional development or study expenses (exclusive of travel and accommodation), subject to pre-approval are over the amount of \$1,200, approval must be sought at a meeting of Council. If approval is required on an urgent basis or sought

under exceptional circumstances, pre-approval is to be obtained by the Mayor in consultation with the Chief Executive Officer.

- 10.4. Conferences, professional development and training expenditure should always be tested against the following criteria:
  - is in the interest of Indigo Shire Council;
  - does it fit within the budget determined by Council;
  - does it clearly offer and promote public benefit, as distinguished from private benefit;
  - is it directly relevant to the Councillor's role; and
  - does it take place and is able to be utilised during the Councillor's term of office.
- 10.5. Following attendance at a conference, professional development or training session, Councillors will be required to present either a verbal or written report to a Council at the next Ordinary Meeting of Council under the item of "Committee and Delegate Reports".
- 10.6. In accordance with clause 98 of the Local Government Regulations details of all interstate and overseas travel will be recorded in Council's Register of Interstate and overseas travel which is available for public inspection.
- 10.7. The annual budget allocated for the Councillors to attend conferences, professional development and training, shall be divided by the number of Councillors (7), plus one. Each Councillor will be allocated a budget which is one eighth of the total. If a Councillor is to exceed their personal budget allocation for conferences, professional development and training the Mayor is required to approve such expenditure prior to it occurring. If sufficient funds are not available within the budget, Councillors may attend conferences, professional development and training at their own expense. Councillors will be provided with a quarterly update on their budget expenditure and the Mayor will be provided with a quarterly update of all Councillor budget expenditure.

### 11. REIMBURSEMENT OF CHILD CARE EXPENSES

- 11.1. Council will reimburse all reasonable costs associated with necessary child care for their immediate family when performing the duties of a Councillor.
- 11.2. Reimbursement is subject to the following conditions:
  - that the hourly rate is reasonable;
  - each claim for reimbursement shall be substantiated by a receipt from the caregiver showing the name of the provider, dates and times the care was provided, the rate per hour and why the childcare service was required;
  - child care costs are not eligible for reimbursement if paid to a person who normally or regularly resides with the Councillor; and
  - all reimbursement claims are to be made on the appropriate form.



### 12. SPOUSE / PARTNER / ACCOMPANYING PERSON EXPENSES

- 12.1. If a Councillors family is expected to accompany them to community events, the reimbursement of entry fees / tickets must be approved by the Mayor prior to the event. In the case of the Mayor the request will be decided by the CEO.
- 12.2. Peripheral expenses such as additional accommodation costs, grooming, special clothing and transport are not reimbursable.

### 13. LEGAL COSTS

- 13.1. If a Councillor requires legal advice in connection with his or her functions as a Councillor,
  - the Chief Executive Officer may facilitate such legal advice and determine if Council will pay for it;
  - the Councillor may submit a Notice of Motion requesting that Council facilitate and fund such legal advice; or
- 13.2. Councillor requests for legal advice will be assessed against the following criteria:
  - the extent to which the subject-matter of the advice required relates to the Councillor's functions as a Councillor;
  - the extent to which the subject-matter of the advice required relates to a matter before Council or the Councillor's representative role as a Councillor;
  - the extent to which the subject-matter of the advice required will or is likely to be of interest to all Councillors;
  - the public interest; and
  - any other relevant considerations.
- 13.3. In the event that legal advice relates to a writ, action or pending action against a Councillor or Councillors, the Councillor or Councillors must supply a copy of the writ or action or provide the information which may lead to an action, to the Chief Executive Officer, who will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

### 14. ADMINISTRATION PROCESS FOR CLAIMS FOR REIMBURSEMENT

- 14.1. In accordance with section 75 (1) (a) of the Local Government Act 1989, every claim for reimbursement must be lodged in writing. To comply with this requirement, Councillors are to complete either the Expense Reimbursement Form or the Use of Own Vehicle Expense Claim Form and submit it to the Executive Assistant to the Mayor and Councillors.
- 14.2. Councillors are to provide original receipts and/or tax invoices for any expenses incurred. Receipts/tax invoices are to be submitted with the Expense Reimbursement Form. If receipts cannot be produced, Councillors may be required to provide a Statutory Declaration.



- 14.3. In accordance with the requirement of section 75 (1) (b) of the Local Government Act 1989, Councillors should establish that the expenses were reasonable, bona fide, out-of-pocket expenses incurred while performing duties as a Councillor.
- 14.4. Claims are to be submitted monthly.
- 14.5. No claims will be accepted for expenses that are greater than three (3) months old.

### 15. APPROVAL PROCESS

- 15.1. The Executive Assistant to the Mayor and Councillors will present any submitted claim forms from Councillors to the Mayor for authorisation.
- 15.2. Expense reimbursement claim forms relating to the Mayor will be submitted to the Chief Executive Officer for approval.
- 15.3. If a Councillor is not satisfied with the decision of the Mayor in relation to the reimbursement of expenses, the Mayor will refer the matter to the Chief Executive Officer for evaluation and advice. If the Councillor remains dissatisfied with the decision they may raise it at the next Ordinary Meeting of Council as general business for the Council to consider.

16. SCHEDULE A – PAYMENT LIMITS

Expense Category	Item Details	Limit
Mobile Handset	Where a Councillor provides their own mobile phone handset (and Council pays for the calls).	\$40 per month
Mobile Plan	Where a Councillor pays for their own mobile calls (and Council supplies the handset).	\$60 per month
Mobile Handset & Plan	Where a Councillor provides their own mobile phone handset and pays for their own calls.	\$100 per month

Tablet Data Plan	Where a Councillor provides their own data plan for a tablet device.	\$40 per month
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Travel	Per kilometer rate (equivalent to employee rate).	0.7977 cents per kilometer
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Meals	Breakfast.	Regional: Up to \$25.00 Melbourne: Up to \$35.00
Meals	Lunch.	Regional: Up to \$20.00 Melbourne: Up to \$35.00
Meals	Dinner.	Regional: Up to \$45.00 Melbourne: Up to \$55.00