

Council Expense and Resources Policy

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PURPOSE

The policy is intended to ensure that councillors and members of delegated committees are supported to perform their duties without disadvantage.

The Policy supports the Council Plan 2021-25 Strategic objective 5.5: *Our Councillors and organisation are committed to the highest level of governance practices and conduct.*

The Policy supports the overarching governance principles of the *Local Government Act 2020* (the Act) particularly section 9(2):

- (b) *priority is to be given to achieving the best outcomes for the municipal community, including future generations;*
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- (i) *The transparency of Council decisions, actions and information is to be ensured.*

SCOPE

This policy applies to:

- Councillors of Indigo Shire Council
- Members of delegated committees of Indigo Shire Council.

Councillor duties are those performed by a councillor as a necessary part of their role, in achieving the objectives of council.

These duties may include (but are not limited to):

- attendance at meetings of council and its committees;
- attendance at briefing sessions, workshops, civic events or functions convened by council;
- attendance at conferences, workshops and training programs related to the role of Councillor, Mayor or Deputy Mayor;
- attendance at meetings, events or functions representing council;
- duties in relation to constituents concerning council business.

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Members of delegated committees exercise powers of Council, under delegation. This policy also applies to those members in the course of undertaking their role as delegated committee members.

POLICY

The policy supports councillors and members of delegated committees to perform their role, as defined under the Act, by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

Councillors and members of delegated committees are entitled, under section 40 of the Act to reimbursement of expenses reasonably incurred in the performance of their duties.

The policy ensures that reimbursement of these expenses is in accordance with the Act and meets the Act's principles of public transparency, achieving the best outcomes for the municipal community, and ensuring the ongoing financial viability of the council.

Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that are:

- bona fide expenses; and
- have been reasonably incurred in the performance of the role of councillor; and
- are reasonably necessary for the councillor and member of a delegated committee to perform this role.

1. COUNCILLOR ALLOWANCES

1.1. Allowances paid to the Mayor, Deputy Mayor and Councillors, including the Remote Area Allowance, are undertaken within the guidelines of:

- Section 39 of the Act, which provides for the payment of annual allowances to mayors, deputy mayors and Councillors; and
- The *Determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Payment of Councillor Allowances:

- 1.2. The approved annual allowance amount will be divided by 26 and paid on a fortnightly basis for the duration of the Councillor tenure. Payment will be made by electronic funds transfer by Council's payroll process.
- 1.3. Councillors may elect to sacrifice allowance amounts into a complying superannuation fund in accordance with any guidelines established by Council.
- 1.4. Councillors are responsible for tax and other obligations that may arise from the payment of the Councillor allowance.

2. INFORMATION TECHNOLOGY

- 2.1. Councillors 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.
- 2.2. 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/member of delegated committee providing appropriate alternate devices/connection services that allow them

to adequately perform the role of a Councillor. A Councillor receiving this allowance is responsible for all costs and maintenance for that item/service.

- 2.3. Councillors will be provided with a Council email account to be used for Council business. Councillors must use this email account for Council business.
- 2.4. Councillors 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.
- 2.5. Information Technology Help Desk (Council supplied equipment/services) hours of operation for Councillors are in line with reasonable business hours. 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 in the first instance should be directed to the Executive Assistant to the CEO and Councillors. If the EA is not available, requests can be emailed to Council's IT Helpdesk, itservicedesk@indigoshire.vic.gov.au or by calling 03 5728 8000.
- 2.6. When a Councillor ceases to be a Councillor, at the end of a Council term, through resignation or otherwise, they 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; or at the time the Councillor ceases to be a Councillor.
 - 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.
- 2.7. Councillors may request to purchase equipment at the end of the Council term or term associated with the delegated committee. Any purchases must be compliant with Council policy, be at market value with the appropriate arms-length process and CEO approval.
- 2.8. All devices (including Council supplied and those supplied by the Councillor) must have password protection to ensure security of Council information.

3. COUNCILLOR/MEMBER OF DELEGATED COMMITTEE RESOURCES

- 3.1. Stationery and secretarial support provided by council will be managed by the Chief Executive Officer. Any request for assistance and stationery items should be made to the Executive Assistant to the CEO and Councillors. Access to and support from individual officers will be provided in accordance with any procedures approved by the CEO, in accordance with section 60 of the Act.
- 3.2. Where designated Councillor office space does not already exist at Council offices, Councillors and members of delegated committees can reserve a meeting room by contacting the Executive Assistant to the CEO and Councillors.
- 3.3. Councillors will be provided with a swipe card to access the Beechworth, Rutherglen and Yackandandah offices during hours which are reasonably required for them to perform their role as a Councillor. The card will be deactivated at any such time as a Councillor ceases to hold office. The Mayor has additional access to the Mayor's Office.
- 3.4. Councillors will be provided with an Indigo Shire approved name badge for use while on Council business.
- 3.5. Councillors will be provided with Council business cards (standard organisational format) for use whilst undertaking Council business.

- 3.6. The Council will loan Personal Protective Equipment when requested to assist in the safe carrying out of the duties of the office.
- 3.7. While undertaking the duties of a Councillor, the following insurance covers will apply to all Councillors:
 - Public Liability
 - Professional Indemnity
 - Councillors and Officers Liability
 - Personal Accident Insurance
- 3.8. Council will pay the insurance policy excess in respect of any claim made against Councillors arising from Council business where any claim is accepted by Council's insurers, whether defended or not.
- 3.9. Councillors and delegated committee members will inform Council as soon as practicable of any incident that may lead to a claim.
- 3.10. 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 "Bring Your Own Device" equipment must be reported immediately.
- 3.11. The Chief Executive Officer or delegate will assess and approve reasonable support, through additional facilities and expenses, to allow a Councillor/member of delegated committee with a disability to perform their duties.
- 3.12. Council resources must not be used for non-Council related activities or for the purpose of Election campaigning for Councillors.

4. WELLBEING

- 4.1. Councillors will be provided with access to the Employee Assistance Program.
- 4.2. Free influenza vaccinations will be provided to Councillors in line with the program available to officers.

5. TRAVELLING EXPENSES

- 5.1. A fully maintained vehicle including all associated costs such as servicing, fuel and insurance will be provided to assist the Mayor to carry out their duties and for private use during the Mayoral term. The Mayoral vehicle will be procured and traded in accordance with relevant Council policies and procedures.
- 5.2. Councillors are entitled to reimbursement for expenses incurred in the use of their own private vehicle for authorised travel required to perform their formal role as a Councillor.
- 5.3. Travel that is authorised for reimbursement includes:
 - Attending formal meetings of Council, briefing meetings, Council committee meetings, community consultation events and other events arranged by Indigo Shire Council.
 - Attending meetings of external groups in the formal capacity of nominated Councillor representing Indigo Shire Council.
 - Other travel as determined by the CEO in consultation with the Mayor.

- 5.4. Travel that is not usually authorised for reimbursement (unless prior approval is granted by the CEO, in consultation with the Mayor) includes:
- Informal meetings with residents or stakeholders.
 - Travel to attend optional social events.
 - Other travel that is determined by the CEO in consultation with the Mayor to be outside normal Councillors' duties.
- 5.5. Overseas travel is explicitly excluded from this policy. Request for overseas travel is to be approved by a resolution of Council.
- 5.6. Councillors will be reimbursed at a per kilometre rate as per Schedule A of this policy and calculated according to the most direct and quickest route. This payment covers all costs associated with the use of the Councillors private vehicle including (but not limited to) fuel, maintenance, repair, insurance and registration. Parking and tolls do not form part of this reimbursement and can be claimed by Councillors.
- 5.7. Councillors undertaking long-distance travel (beyond 100 km) should first seek the use of a Council vehicle (including the Mayor's vehicle). Reimbursement of private vehicle use for long-distance travel will only be made where a Council vehicle is unavailable and prior authorisation from the CEO has been given. Where a Councillor elects to take their own vehicle, but a Council vehicle was available, they will be reimbursed either:
- the equivalent of the cost of public transport where it exists to the destination; or
 - upon provision of fuel receipts for destinations that do not have public transport options rather than the per kilometre rate.
- 5.8. Where travel is required to be authorised and the CEO is unavailable, the Director Planning and Corporate Services may provide authorisation.
- 5.9. Fees and charges for Parking and Tolls will be reimbursed where the expenses relate to the performance of their duties as Councillor and receipts have been provided.
- 5.10. Councillors are solely responsible for payment of any driving or parking infringements.

Public Transport, Taxis, Uber & Hire Cars

- 5.11. Councillors are able to use Public Transport, Taxis, Uber (or an equivalent registered service) and Hire Cars for authorised travel required to perform their formal role as a Councillor/member of delegated committee.
- 5.12. Councillors should retain information, which will assist in the verification of nature of Council business, date, time and cost of transactions.
- 5.13. Councillors will be responsible for managing the booking of hire cars.

6. ACCOMMODATION AND MEALS

- 6.1. When accommodation is required to perform the duties of a Councillor, the following provisions will apply:
- Councillors are eligible for Council provided accommodation with prior approval from the CEO.
 - where the travel time exceeds two hours driving time between their place of residence and location of the meeting (one way); or when it is otherwise unreasonable to refuse accommodation, for example, due to excessive business hours in a single day, multi-day events, or a return home requires night travel of a considerable distance.

- Standard Room accommodation will be reserved at the best available rate. The choice of hotel will be discussed with the Councillor/member of delegated committee and take into consideration the location of the meeting or seminar.
- 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 their duties of a Councillor.
- Councillors travelling accompanied are responsible for all expenses for their partner including any difference in room rate from single to double /twin where appropriate.

6.2. When meals are required to perform the duties of a Councillor the following provisions will apply:

- Meal expense limits are outlined in Schedule A of this Policy. Where meal expenses 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 are considered personal expenses and will not be reimbursed or paid for by Council.
- 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.

7. CONFERENCES, PROFESSIONAL DEVELOPMENT AND TRAINING

7.1. Councillors will be provided with a thorough induction process on election, in line with the requirements of the *Local Government Act 2020*.

Further professional development and training provide opportunities for Council to strategically address decision-making capability, and therefore provides a benefit to the community.

7.2. 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. Councillors may also be reimbursed for professional development including study expenses incurred, subject to pre-approval by the CEO in consultation with the Mayor.

7.3. 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 Councillors role?
- does it take place and is able to be used during the Councillor's term of office?

7.4. 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".

7.5. 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.

Budget:

- 7.6. The annual budget allocated for the Councillors to attend conferences, professional development and training, shall be divided by the number of Councillors (seven), plus one.
- 7.7. 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 CEO 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.
- 7.8. Councillors requests to attend meetings and conferences must take into consideration annual budget limits.
- 7.9. If a Councillor wishes to attend a meeting that is not in their direct capacity, but can be defined as of interest or benefit in their capacity as a Councillor; and they wish to seek reimbursement for associated expenses; prior approval should be sought from the CEO before incurring expenses.

8. COMMUNITY EVENTS AND FUNCTIONS

- 8.1 Is defined as an event or function that is organised, hosted and/or fund by Council or another organisation. It includes a gathering of internal and/or external stakeholders to acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevant to the Council, another organisation or the community.
- 8.2 Where a Councillor has been formally invited to attend an event/function in their capacity as a Councillor, and there is an entry fee associated with that event, a tax invoice will need to be provided and paid by Council.

9. PROFESSIONAL AND LEGAL ADVICE

- 9.1. The Chief Executive Officer is responsible under the Act for supporting the Mayor and Councillors in the performance of their roles. Where Councillors require additional external professional or legal advice to assist them in the performance of their roles, they are encouraged to contact the Municipal Association of Victoria, which can offer advice on legislation, referrals to other agencies/providers, and training and development opportunities.
- 9.2. If the avenues prescribed at 8.1 are inappropriate or do not provide the advice or guidance needed for the Councillor to carry out their duties, a total annual budget of \$5000 is allocated for the provision of external professional or legal advice to Councillors additional to the legal costs allowed for at item 12.
- 9.3. A request for assistance under 8.2 is to be approved by the CEO in consultation with the Mayor, and will not be unreasonably refused.

10. MEMBERSHIPS AND SUBSCRIPTIONS

- 10.1. Council will maintain a local newspaper subscription for Councillors.
- 10.2. Council will provide Councillor memberships to professional local government associations which support Councillors in their role or are of benefit to the community and the strategic objectives of Council.

11. CARER AND DEPENDANT RELATED EXPENSES

- 11.1. Council will provide reimbursement of costs where the provision of childcare is reasonably required for a councillor or member of a delegated committee to perform their role (s 41(2)(c) in the Act).
- 11.2. This applies to the care of a dependent, while the councillor or delegated committee member is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable.
- 11.3. Council will provide reimbursement of costs where the provision of carer services is reasonably required when a councillor or delegated committee member who is a carer (see Definitions) incurs reasonable expenses in the performance of their duties (s 41(2)(d) in the Act).
- 11.4. Payments for carer and childcare services will not be made to a person who resides with the councillor or delegated committee member; has any financial or pecuniary interest with the councillor or delegated committee member; or has a relationship with the councillor, delegated committee member or their partner.
- 11.5. 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;
 - 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 CEO prior to the event.
- 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 functions as a Councillor;
 - the extent to which the subject-matter of the advice required relates to a matter before Council or the Councillor 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 Councillors, the 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 40 of the Local Government Act 2020, a Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses, which the Council is satisfied:
- are bona fide expenses; and
 - have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
 - are reasonably necessary for the Councillor or member of a delegated committee to perform that role.
- 14.2. Councillors/members of delegated committees 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/members of delegated committees may be required to provide a Statutory Declaration.
- 14.3. Councillors/members of delegated committees are to complete the Expense Reimbursement Form and submit it to the Executive Assistant to the CEO and Councillors for reimbursement.
- 14.4. Claims must include sufficient detail to demonstrate that the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense incurred while performing the duties of a Councillor or a member of a delegated committee.
- 14.5. Claims will be approved by the CEO. If the CEO is not available claims will be approved by the Director Planning and Corporate Services.
- 14.6. Claims are to be submitted monthly.

15. APPROVAL PROCESS

- 15.1. The Executive Assistant to the CEO and Councillors will present any submitted claim forms from Councillors/members of delegated committees to the CEO for authorisation.
- 15.2. If a Councillor/member of delegated committee is not satisfied with the decision of the CEO in relation to the reimbursement of expenses, the CEO will consult with the Mayor for evaluation and advice. If the Councillor/member of delegated committee 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. REPORTING

- 16.1. Each Councillor will be provided with a quarterly report of their expenses.
- 16.2. Expenses will be reported to the Audit and Risk Committee annually and published in the Annual Report, in accordance with the Act.
- 16.3. Councillor expenses are a component of the "Cost of Governance" item published in Local Government Performance Reporting Framework.

17. RELATED POLICIES AND DIRECTIVES

- Public Transparency Policy
- Privacy Policy

18. RELATED LEGISLATION AND OTHER DOCUMENTS

Legislation:

- *Carers Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Gender Equity Bill 2020*

Other documents:

- *2008 Policy Statement – recognition and support for Councillors – Local Government Victoria*
- *Councillor expenses and allowances: equitable treatment and enhanced integrity – Local Government Inspectorate 2020*

19. REVIEW

The policy should be reviewed at least every four years from date of adoption.

The policy will be reviewed in line with Council's Community Engagement Policy.

Trigger points that require an earlier review period of the policy or associated document/s include (but are not limited to):

- an adverse finding or prosecution against Council or Councillor/s by a regulatory body related to the matters covered by the Policy
- change in legislation which has a bearing on the document
- change in Council's position on a related subject area
- recommendation from a governance body (eg Audit and Risk Committee recommendation, Internal or External Audit Recommendation, integrity agency)
- quality assurance due to continuous improvement initiatives, and/or
- changes in Council's agreed service levels.

20. COMMUNICATION

- To be published on Council's website and provided to Customer Service Centres for public inspection
- To be distributed to Councillors and staff

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- To be included in the induction of a person commencing in the role of Councillors, CEO, EA to CEO and Councillors, and Governance Coordinator.

SCHEDULE A – EXPENSE REIMBURSEMENT LIMITS

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

Tablet Data Plan	Where a Councillor/member of delegated committee provides their own data plan for a tablet device.	\$40 per month
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Travel	Per kilometer rate (vehicle).	As outlined in 2021 – 2024 Enterprise Agreement
	Per kilometer rate (motorcycle).	As outlined in 2021 – 2024 Enterprise Agreement

Meals	Breakfast	Regional: Up to \$30.00 Melbourne: Up to \$40.00
Meals	Lunch	Regional: Up to \$25.00 Melbourne: Up to \$40.00
Meals	Dinner	Regional: Up to \$55.00 Melbourne: Up to \$65.00

Attachment 1: Expense Claim Form – for Councillors & Delegated Committee Members

- Please attach all original receipts / tax invoices.
- Claims must include sufficient detail to demonstrate, in accordance with the Act, the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense incurred while performing the duties of a Councillor or a member of a delegated committee.
- Claims are to be submitted monthly.
- No claims will be accepted for expenses that are greater than three months old.

**Councillor/Delegated
Committee Member
Name:**

Month & Year:

Travel / Fuel Reimbursement

0.91 per km

Date:	Journey Description:	Kilometres Travelled:	Amount:
		7100-	

Accommodation

Date:	Council Business Details:	Cost Code:	Amount:
		7100-	

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Date:	Council Business Details:	Cost Code:	Amount:

Meals

Date:	Council Business Details:	Cost Code:	Amount:
		7100-	

Other

Date:	Council Business Details:	Cost Code:	Amount:
		7100-	

Signed: _____

Date: _____

Authorised: _____