

CP 15 Councillor Resources and Reimbursement Policy

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Policy Objective

- To establish the basis upon which councillors will be reimbursed for expenses in undertaking their role as a councillor
- To establish support provided to councillors for approved activities
- To establish levels of reimbursement which may be claimed by councillors.

Section 39 of the *Local Government Act 2020* (the Act) provides for allowances payable to the Mayor and councillors, and Section 40 for reimbursement of out of pocket expenses to councillors and members of Delegated Committees performing Council business. In recognition of the special role of Mayor, the policy provides for the provision of some additional facilities and expenditure specific to the Mayoral office.

The Policy is consistent with the Victorian Government's Information guide for the Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and councillors.

Principles

The fundamental test to be applied in determining whether or not a councillor expense is appropriately incurred is whether the expenditure is necessary, supplementary or incidental to, or consequent on, the exercise of Council duties.

Official duties of a councillor are defined for the purpose of this policy as duties performed by a councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial Guidelines or Council policies.

Expenses incurred by councillors when acting in a private capacity will not be reimbursed or paid.

Any costs incurred by a councillor which are not covered specifically within the policy will not be met, unless the councillor has received prior written authorisation from the Chief Executive Officer.

Reimbursement claims will not be processed without appropriate supporting evidence.

Expenses must be claimed no later than the month following the occurrence of the expense. Claims outside this timeframe will not be considered.

Councillors must not use Council provided materials and/or facilities for election purposes. This applies to their own candidature or in assisting the candidature of others.

Procedure

1. Councillor and Mayoral Allowances

The Minister is responsible for setting the limits and ranges of Councillor and Mayoral allowances and the allowance category for each Council.

Any personal taxation implications from the receipt of allowances are the responsibility of individual councillors.

1.1. Councillor Allowance

Councillor allowances are paid monthly in advance before the last day of the prior month and will be set at the first Annual Council Meeting of each Council term or at another Council Meeting at the Council's discretion.

1.2. Mayoral Allowance

The Order of the Governor in Council allows for a separate Mayoral allowance limit. The Mayoral allowance is paid monthly in advance before the last day of the prior month and will be set at the first Annual Council Meeting of each Council term or at another Council Meeting at the Council's discretion.

The Mayor is not entitled to receive an allowance as a councillor if they receive a Mayoral allowance.

If a councillor is appointed to act as a Mayor for a continuous period exceeding 50 days, the acting Mayor may be paid a Mayoral allowance instead of a councillor allowance for that period.

1.3. General

Section 39(5) of the Act states that a Council does not have to pay an allowance under Section 39 to a councillor who does not wish to receive it.

1.4. Remote Area Allowance

Where a councillor (including a Mayor) normally resides more than 100 kilometres (round trip) by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council or any municipal or community functions which have been authorised by Council resolution for the councillor to attend, he or she shall be entitled to be paid an additional allowance of \$40 per day, up to a maximum of \$5,000 per annum.

1.5. Superannuation Guarantee Equivalent

Mayoral and councillor allowances are subject to the addition of the equivalent of the superannuation guarantee.

1.6. Fees for Audit and Risk Committee members

Independent members of the Audit and Risk Committee will be paid a fee per meeting as follows:

- Chair: \$500
- Ordinary members: \$400

2. Civic Support, Facilities and Equipment

2.1. Each councillor is entitled to the following home/workplace facilities:

- a tablet computer and specified accessories
- access to internet, email, and Councilor Assembly and Meeting minutes and agendas from the tablet computer
- access to a fax machine and photocopier at the Benalla Civic Centre.

The quality and type of facilities and equipment will be at the discretion of the Chief Executive Officer on advice from the Manager Facilities and Information Technology.

The Council will pay all charges associated with the use of the technology devices for Council related business. Councillors must adhere to the policies for security, maintenance and use of equipment.

The above facilities remain the property of the Council and must be returned within seven days of the cessation of a councillor's term of office.

2.2. Insurance

The Chief Executive Officer will ensure that policies of insurance are maintained in accordance with the provisions of the *Local Government Act 2020* and the *Accident Compensation Act 1985* to provide the relevant protections to councillors while performing their duties as a councillor.

2.3. Facilities for the Mayor

2.3.1. Mayoral Vehicle

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 traded in accordance with the Council's Fleet policy.

2.3.2. Mayoral Regalia

Mayoral regalia is available for the Mayor on request; for use at official civic events.

2.3.3. Office Accommodation

Appropriate office accommodation will be provided at the Civic Centre to assist the Mayor perform their role.

2.4. Civic Entertainment/Hospitality

2.4.1. Meeting/Function Rooms

Subject to availability, meeting/function rooms owned and controlled by the Council can be booked by councillors, free of charge, for meetings, interviews and other functions provided they are associated with Council business.

2.4.2. Civic Hospitality

All formal civic entertainment functions will be coordinated by the Executive Assistant to the Chief Executive Officer and must have prior approval of the Chief Executive Officer.

2.4.3. External Hospitality

Councillors will be reimbursed reasonable expenses incurred while entertaining visiting dignitaries or Council business guests on behalf of the Council, including the reasonable cost of drinks accompanying a meal. The Chief Executive Officer must give prior approval to any such entertainment.

2.4.4. Partner Hospitality

Where an invitation to a function or event has been extended to the partner of a councillor, the cost of the hospitality for the partner will be reimbursed. The Chief Executive Officer must give prior approval to the reimbursement of costs for the partner.

2.4.5. Meals and Refreshments

Where Council or Committee meetings are held at times that extend through normal meal times, the Council will provide suitable meals and refreshments. All purchases of alcohol are to be approved by the Chief Executive Officer.

2.4.6. Stationery and Secretarial Support

Secretarial support will be made available for Councillors to assist them with diary management and in responding to correspondence, enquiries and request for service as part of their official duties as a councillor.

Councillors will be issued with business cards, diaries and compendia as required.

Upon request councillors will be provided with standard stationery held or obtained generally for the organisation's requirements.

The stationery may include writing implements, diaries, writing pad/books, paper and envelopes and the like.

Postage stamps and official letterhead will not be provided to councillors. Letterhead is only to be used by officers for Council business or the Mayor representing the Council. Councillors are to provide their own letterhead for electoral purposes.

The Chief Executive Officer will determine what is appropriate stationery and what quantities are appropriate.

Council business papers, personal mail and other Council information will be delivered to the councillors' nominated location weekly or as required.

2.4.7. Photocopying

A photocopy service will be provided for councillors should they need Council related documents copied. Requests for photocopying can be made through the Executive Officer Executive Assistant.

2.4.8. Business Access

Each councillor will be provided with an access card allowing 24-hour entry to the Civic Centre. The Mayoral access card will allow access to the Mayor's office.

2.4.9. Councillors with Disabilities

The Council may resolve to provide reasonable additional facilities and meet reasonable additional expenses to assist a councillor with a disability to perform their official Council duties.

3. Childcare/Family Care

Expenses for licensed childcare services (for children being cared for up to and including the age of 14 years will be paid or reimbursed by the Council, if claimed, when a councillor attends:

- Council meetings and Council business related to Council meetings
- Council functions
- Meetings arising as a result of a councillor being appointed by the Council to an external body or committee except where the body itself reimburses the relevant care expenses
- Conferences, study tours, training sessions and seminars in capacity as a councillor.
- Recognised childcare expenses consist of reasonably hourly fees and associated travelling expenses.

4. Communication Expenses

Councillors will be provided with a mobile telephone on request.

The Council will pay all appropriate connection fees, rental charges and business call charges. The direct cost of any private use must be reimbursed to the Council.

5. Travel Expenses and Arrangements

5.1. Use of Private Vehicles

Councillors using their own vehicle for travel for the purpose of their duties as a councillor will be reimbursed on a per kilometre basis for travel outside the municipality only. Reimbursements will be in accordance with rates under the Australian Taxation Office's 'Cents per kilometre' motor vehicle expense deduction method.

Councillors undertaking private travel arrangements in conjunction with any travel for the purpose of their duties as a councillor must ensure that all costs incurred for private purposes are clearly identified and appropriate records maintained.

When a ride share service or taxi service is used for Council related business, appropriate receipts are required for reimbursement to be claimed.

5.2. Use of Council Vehicles

Councillors have access to the Mayoral vehicle if it is not in use, for the purpose of undertaking Council business. When it is not available, councillors may request access to the Council fleet.

5.3. Infringement Notices

Councillors must not infringe against parking restrictions or any Victorian Road Rules and are personally liable for any infringement penalties received.

5.4. Interstate and International Travel

All application for international travel on Council business must be approved by the Council at an Ordinary meeting of the Council.

All applications for interstate travel on Council business by the Mayor or councillors must be in writing and assessed and approved by the Chief Executive Officer.

Arrangements for travel and associated accommodation, car hire, etc. should be booked through the Chief Executive Officer Executive Assistant.

All interstate and international travel undertaken by councillors on Council business is recorded in the Interstate and International Travel Register.

5.5. Partner Travel

The costs of a partner accompanying a councillor on Council business (local, interstate or international) must be borne by the councillor unless there is a bona fide business purpose or necessity for the presence of a partner. Travel by a partner at Council expense must be approved in writing by the Chief Executive Officer, prior to departure.

6. Conferences, Training and Professional Development

6.1. Conferences and Training

Councillors sponsored by the Council to attend conferences and seminars shall have all reasonable expenses for travel, transport, accommodation, registration fees, meals and other out of pocket expenses relating to the conference or seminar reimbursed or paid.

If a councillor is attending a conference and will make a presentation on behalf of the Council, any presentation fees will be paid into the general revenue of the Council.

6.2. Professional Development

Councillors are encouraged to avail themselves of opportunities to attend appropriate professional development courses and conferences and seminars which may be of benefit to the individual councillor and/or Council as a whole.

Councillors have an obligation to be properly informed on all matters pertaining to the Council. To assist in this education process councillors are encouraged to attend professional development courses and conferences and seminars with relevance to local government.

Details of professional development courses and conferences and seminars which may be relevant and of interest to councillors will be circulated to all councillors through the weekly Councillors' Briefing Paper.

Should a councillor express an interest in attending a particular professional development conference/seminar, notify the Executive Assistant to the CEO and the Mayor who will complete the registration and arrange accommodation and transport as required.

6.2.1. Report to Council

Following attendance at a professional development course or conference/seminar councillors will be required to present either a verbal or written report to the Council at the next Ordinary Meeting of Council under the item "Reports by Councillors".

6.2.2. Budget Consideration

The Council's Professional Development Budget allocation will be determined annually by the Council as part of its annual budgetary process.

6.2.3. Reporting

A quarterly report will be submitted to the Council detailing year to date expenditure on councillors' attendance at professional development courses and conferences and seminars.

6.2.4. Expenses

The Council will reimburse councillors for necessary out of pocket expenses incurred during the professional development activity.

Reimbursement will be on the basis of actual costs incurred and will be subject to the presentation of original receipts. Reimbursement of all expenses will be authorised by the Chief Executive Officer and reported to the Council quarterly.

7. Management and Accountability

7.1. Expense Reimbursement Claims

When a councillor requires reimbursement of monies expended while conducting Council business, the following procedure should be followed:

- 7.1.1. Obtain a relevant receipt or supporting documentation for expenditure. A statutory declaration will be required if receipts cannot be obtained.
- 7.1.2. Provide the receipt to the Chief Executive Officer Executive Assistant no later than three months after the expenditure. The CEOEA will complete a Prompt Payment form.
- 7.1.3. The Chief Executive officer will endorse and approve all reimbursements.

7.2. Reporting

Reports are submitted quarterly to the Council for public meetings, and detailed reports of each Councillors' expenses each year are provided in the Annual Report.

8. General Provisions

- 8.1. Councillors are to ensure that all equipment and other entitlements are correctly used and securely stored at all times.
- 8.2. Any person who ceases to be a councillor must immediately cease to use any equipment or other entitlement. The use of any Council business cards, Council letterhead, councillor name tag or any equipment or entitlement that may in any way be assumed by any person that the person holds the position of a councillor of the Benalla Rural City Council is prohibited and must cease immediately the entitlement to be a Councillor ceases.

Related Legislation:

Local Government Act 2020

Related Documents:

VAGO Fraud and Corruption Controls Over Councillor Entitlements And Expenditure

Councillor Code of Conduct February 2021

Council Policy 4 Fraud Prevention

Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources

Information Guide on Mayor and Councillor Entitlements – Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and Councillors 2008