

GREATER SHEPPARTON CITY COUNCIL

COUNCILLOR EXPENSES POLICY

Adopted by Council: 18 August 2020

Next Review: August 2024



COUNCILLOR EXPENSES POLICY

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Business Unit:	Corporate Governance
Responsible Officer:	Team Leader Governance
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DOCUMENT REVISIONS

Version #	Summary of Changes	Date Adopted
1	Policy first adopted	7 August 2007
2	Amendments made to expand provisions relating to professional development and conditions applying to use of Mayoral Vehicle	18 April 2017
3.	Review to strengthen reimbursement processes in response to VAGO audit recommendations	17 September 2019
4.	Amendments made to update policy to reflect amendments resulting from the adoption of Local Government Act 2020	18 August 2020

PURPOSE

This policy supports Councillors and members of Delegated Committees of Greater Shepparton City Council to perform their role as defined under Section 40 of the *Local Government Act 2020* (the *Act*) by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

The policy also provides guidance on the process for reimbursement of expenses and reporting requirements.

The policy is intended to ensure that Councillors and members of Delegated Committees are supported to perform their duties without disadvantage.

OBJECTIVE

Councillors are entitled to receive an Allowance set by State Government but may also incur reasonable expenses incurred through the performance of their duties.

This policy ensures that Council's reimbursement of expenses are consistent with and in accordance with the Act and its Regulations, 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, where the Council is satisfied:

- (a) are bona fide expenses; and
- (b) have been reasonably incurred in the performance of the role of Councillor or member of a Delegated Committee; and
- (c) are reasonably necessary for the Councillor or member of a Delegated Committee to perform that role.

SCOPE

This policy applies to the Mayor, Councillors and all Delegated Committee members of Greater Shepparton City Council.

Where a situation is not adequately covered by this policy, the Chief Executive Officer (CEO) will determine what is approved as being an eligible expense as a consequence of a Councillors' elected duties.

Councillor duties are those performed as a necessary part of their role, in achieving the objective 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 function representing Council
- duties in relation to constituents concerning Council business.

Members of Delegated Committees exercise powers of Councillors, under delegation. This policy also applies to those members in the course of undertaking their role as Delegated Committee members.

DEFINITIONS

Reference term	Definition
Act	Local Government Act (Vic) 2020
Allowance	An allowance as a Mayor or a Deputy Mayor, and an allowance as a Councillor in accordance with a determination of the Victorian Independent Remuneration Tribunal.
Carer	A Councillor who is a carer in a care relationship within the meaning of Section 4 of the <i>Carers Recognition Act 2012</i>
Child Care	Where the provision of child care is reasonably required for a Councillor or member of a Delegated Committee to perform their role.
Council	Greater Shepparton City Council
Councillor	A person who holds the office of member of Council
Eligible Expenses	The reasonable cost of <ul style="list-style-type: none"> • Travel • Parking • Accommodation • Meals, excluding mini bar • Carer & Child Care • Vehicle use • Other expenses as approved by the CEO
Professional Development	Includes formal study and training workshops, attendance at a conference, seminar, forum, delegation or similar event that will assist a Councillor in their broad civic leadership role and as approved by the CEO.

POLICY

1. Mayoral and Councillor Allowances

Allowances will be paid each month and never more than one month in advance.

Subject to review and determination of the allowances by Council resolution in accordance with Sections 39(1) and 39(2) of the Act, the allowances will be set at the maximum level for a category two council.

Although allowances are taxable, tax is not deducted by the Council. Councillors will be responsible for determining their own personal requirements in relation to their taxable income and may wish to consider seeking external advice if required.

2. Child Care and Carer Expenses

2.1 Child Care

Council will provide reimbursement costs where the provision of childcare is reasonably required for a Councillor or member of a Delegated Committee to perform their role S41(2)(c).

Councillors may claim reimbursement of reasonable childcare expenses in respect of the care of an immediate family member or member of the Councillor's household where the care relates to dependent children, the eldest child under care being less than 16 years of age.

2.2 Carer

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, incurs reasonable expenses in the performance of their duties.

Councillors may claim reimbursement of reasonable carer expenses in respect of the care of a person who is wholly or substantially dependent for ongoing care and attention on the Councillor.

Child care and carer expenses apply to the care of a dependent, while the Councillor or Delegated Committee member is undertaking their duties; and may include expenses such as hourly fees and booking fees, if applicable.

Payments for carer and child care 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.

3. Travel (applicable to Councillors only)

All travel must be undertaken by the shortest route possible, and claims for reimbursement must be submitted within three months of the date on which they are incurred.

Approval is required for all Councillors undertaking discretionary trips, Interstate travel and attendance at Conferences. Approval of Interstate travel is granted by the Chief Executive Officer in consultation with the Mayor.

All International travel undertaken by Councillors must be in accordance with the achievement of Council's corporate objectives and goals and approved by Council resolution.

3.1 Interstate and International Travel

Air travel will be by economy class with bookings and payment to be made by Council through the Executive Assistant to the Mayor and Councillors (EA) after receiving approval from the Mayor, CEO or by Council Resolution

Councillors must ensure that details of travel expenses are provided to the EA within seven days of return from travel.

3.1.1 Travel Records for International and Interstate Travel

Governance will maintain a register for public inspection of details and costs relating to all Overseas and Interstate travel undertaken by Councillors (with the exception of interstate travel by land for less than three days). This register will be available for public inspection.

Councillors who travel Overseas or Interstate in an official capacity must record:

- the dates on which the travel began and ended; and
- the destination of the travel; and
- the purpose of the travel; and
- the total cost to the Council of the travel, including accommodation costs.

If Councillors incur out of pocket expenses related to travel that could not be booked by the EA prior to departure, the traveller must complete a Councillor Expense Claim Form and submit this to the EA within 30 days of returning from the travel or where that quarter is at the end of Financial Year, within 14 days.

3.2 Other Travel Expenses

3.2.1 Partner Travel

Where a Councillor elects to have their partner accompany them, all expenses relating to the partner's attendance will be met by the Councillor, unless there is a bona fide business purpose or necessity for the presence of the partner.

Approval for a partner to attend Council business must be approved by the CEO, in consultation with the Mayor.

3.2.2 Car Parking/ Public Transport/ Taxi/ Toll Fees

Council will reimburse the costs of car parking, public transport, taxi charges and toll fees incurred while undertaking duties associated with Council business, subject to the provision of original receipts and relevant details being provided, in accordance with the claims process outlined in Section 8 of this Policy.

3.2.3 Classes of Transport

In the event that Councillors access other means of transport in the performance of Council business, the following classes of transport apply:

- Aircraft travel in economy class including, where available, the use of a flexible fare class for any inbound flight. Under this provision, the most economical fare should be chosen, provided that the departure and/or arrival times are reasonable.
- Hire car up to standard 6 cylinder vehicle
- Train or Bus travel
- Standard Taxi or Uber

Where possible, the bookings and payment should be made in advance by Council through the EA, after receiving approval from the Mayor and CEO, or by Council Resolution.

Councillors are not entitled to claim the cost of any traffic infringements, penalties, parking tickets or similar expenses.

3.2.4 Meals and Accommodation Connected with Travel

Council will reimburse the reasonable costs of meal expenses for any travel exceeding 24hrs in duration, in the course of performing duties associated with Council business where a charge back option to the hotel is not available. This does not include the cost of meals for partners, guests or families of Councillors.

Personal expenses including mini bar, newspapers, personal phone calls, pay-per-view entertainment, and alcohol will not be paid by Council. Where a personal expense has been charged to Council, these costs will be recovered from the Councillor through the debtor invoice process.

4. Motor Vehicle Expenses (applicable to Councillors only)

4.1 Use of Private Vehicle

Councillors are encouraged to use corporate fleet vehicles for Council business where possible. Bookings for corporate vehicles must be made in advance, through the EA.

When using a corporate vehicle, Councillors are requested to complete an entry in the logbook provided in the vehicle.

Private vehicles are not covered by Council's insurance policy, and Council will not be held liable for any loss or damage relating to the use of a private vehicle. Use of a private vehicle must be in accordance with the following:

- The vehicle must be roadworthy
- The vehicle must be comprehensively insured
- The owner of the vehicle should notify their insurance company that the vehicle is being used for work purposes
- Councillors may be eligible for reimbursement of the claims excess cost, in the event of an accident in a private vehicle, when the vehicle is being used for Council business purposes
- Councillors should contact Council's Manager Corporate Governance to confirm eligibility following an incident.

4.2 Private Vehicle Usage Claims

Councillors are eligible to claim expenses per kilometre of travel, when using a private vehicle to attend to duties associated with Council business. This reimbursement is provided to cover costs associated with ownership and operating a motor vehicle, including registration and insurance, fuel, wear and tear and maintenance.

Travel is measured to and from the Councillors main residence.

- Councillors will be reimbursed for kms travelled while using their a private vehicles in accordance with the Australian Taxation Office (ATO) rate
- Mileage claimed in relation to performing duties associated Council business must be documented in Councillor's diaries in sufficient detail to be able to be independently substantiated for audit purposes.
- Councillors must maintain a vehicle log book, or some appropriate form of written or digital record in relation to the use of their private vehicle in the course of conducting duties associated with Council business, including recording:
 - total kms travelled
 - relevant locations of the travel supported by relevant odometer readings,
 - the date of travel, and
 - the purpose of the travel

The record must be made available for inspection on request for audit purposes.

5. Professional Development (applicable to Councillors only)

As the public face of Council and as community representatives, Councillors play an integral leadership role in the processes for the development, communication and representation of the Council Plan and Council's policies, strategies and programs.

Professional development for Councillors contributes towards a positive presentation of Council for the betterment of the organisation and the community.

Council will pay registration fees for approved professional development and training opportunities for Councillors, including attendance at meetings, training or conference sessions. Other related travel, meal, accommodation and related expenses may be claimed as outlined in this policy.

Applications within budgetary requirements to attend relevant training, conferences and meetings will not be unreasonably refused.

5.1 Annual Monetary Limitations (applicable to Councillors only)

Council will allocate funds via its annual budget process to meet expenses for approved professional development needs of Councillors, this inclusive of expenses relating to event representation. Funds will be allocated per financial year, calculated by allowing \$8,000 per Councillor, and \$12,000 for the Mayor.

These funds will be budgeted for collectively, noting that some Councillors may undertake more training than others, particularly those who are newly elected incoming Councillors.

5.2 Application

Councillors undertaking approved professional development shall have expenses for transport, accommodation, course fees and meals relating to their attendance paid by Council, as follows:

- The approval of any training, conference or meeting attendance will be based on its relevance to the role and professional development of the Councillor.
- The CEO is responsible for approving expenses for individual Councillors for professional development opportunities within Australia.
- A Council Resolution is required to approve all requests for professional development opportunities outside Australia, either at a Council meeting or through inclusion in an adopted budget.
- Professional Development requests which relate to overseas travel must be accompanied by a business case, describing the benefits to be gained from attendance and detailing the total costs and Council funds requested.
- For any expenses claimed as reimbursement, evidence of attendance and tax invoices must be provided.
- All other expenses incurred as a result of attending professional development events shall be met from the Councillor allowance.
- Where a Councillor elects to have their partner accompany them, all expenses relating to the partner's attendance will be met by the Councillor.
- Refreshments must be consumed with a main meal and apply to non-alcoholic beverages only. Under no circumstances will charges arising from alcohol or a mini bar be covered by Council.
- Accommodation of a reasonable standard necessarily required for attendance at any approved event will be booked by the EA. Accommodation will be booked at the

location of the event, or at a nearby location that is of a suitable and reasonable cost and safe.

5.3 Limitations

Any professional development being undertaken by a Councillor must be completed by the end of the financial year prior to a general election.

Unless in extenuating circumstances, requests for professional development opportunities will not be considered for the financial year just prior to election. This will ensure the incoming Council has full access the financial support required to deliver their induction and any other training required for a newly elected Council.

5.4 Reporting

Within three months of the completion of any professional development opportunity at an overseas location, a Councillor must table a report at a Council meeting, detailing the following:

- details of the course topic, content, location, date and duration
- relevance of the course to the position of Mayor and/or Councillor
- total costs covering course, course material, travel, accommodation and any other expenses for the Councillor
- benefits accruing to the Council from attendance
- where two or more Councillors attend an event for which the tabling of a report is required, the Councillors may table a joint report.

A quarterly report will be provided to Councillors on expenditure relating to professional development. This will enable Councillors to monitor expenditure and ensure it is distributed in an equitable manner.

6. Legal Advice Expenses

Any Councillor who obtains legal advice without the support of a Council resolution will be required to personally pay the expense incurred.

A Councillor may submit a Notice of Motion requesting that Council facilitate and fund legal advice expenses incurred as a result of a Councillor executing their duties.

Council will evaluate any Notice of Motion requesting legal advice 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.

In the event that legal advice relates to a writ, action or pending action against a Councillor(s), the Councillor(s) must supply a copy of the writ or action or provide the information which may lead to an action, to the CEO. The CEO will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

7. Other Expenses

Any expenses not specifically addressed in this Policy may be referred to the CEO for consideration as a “necessary expense” for reimbursement.

Where the CEO considers the expense to be legitimately incurred in the performance of councillor duties, it will be treated as follows:

- For expenses up to and including a total amount of \$1,000 and which can be accommodated within approved budgets, the CEO will approve reimbursement
- For expenses of more than \$1,000, or for which no budget cover is available, a report will be prepared for consideration at the next Council meeting.

8. Lodging a Claim

To lodge a claim for reimbursement under this Policy, the claim form at Attachment 1 (Councillor Expense Claim Form) must be completed and provided to the Executive Assistant.

For any claims relating to carer or childcare expenses, a receipt from the carer must be provided showing the date and time care was provided and detail the reason that care was needed on each occasion.

For all other claim types, the claimants must provide appropriate supporting documentation to substantiate the claim as appropriate to the type of claim.

This will include (but is not limited to):

- Vehicle log book
- Invoices and receipts
- Copies of meeting minutes

If the required supporting documentation is not provided, claims will not be processed.

In any case where a Claimant is unable to provide a receipt of costs incurred a statutory declaration may be accepted by the CEO. Appropriate and sufficient reasoning for being unable to produce a receipt must be provided by the claimant and it will be at the CEO's discretion whether a statutory declaration will be accepted.

Claims for reimbursement must be submitted within three months of the expense being incurred. Reimbursement for expenses incurred more than three months prior to the submission of a claim will require a resolution of Council for payment.

9. Audit and Reporting

Councillor expenses are subject to audit by the Victorian Auditor General, the Victorian Local Government Inspectorate and Council's internal auditor, and are reported to the CEO. Any items considered to be in breach of the Act or this policy will be reported to Councils Audit & Risk Committee.

10. Consequences of Breach

Any action by a Councillor or Committee Member in relation to matters contained in this policy which breaches obligations under the Act or Councillor Code of Conduct, may result in action taken by Council pursuant to the Act and / or Code.

11. Members of Council Delegated Committees

Non-Councillor members of Council Committees are not entitled to claim reimbursement of expenses incurred whilst exercising their duties as a committee member, unless specifically outlined in an Agreement or Terms of Reference established by Council for the committee.

Exceptions may apply to individual cases where approval has been granted by the CEO.

RELATED POLICIES AND DIRECTIVES

- Council Media Policy
- Councillor Code of Conduct
- Council Gifts and Hospitality Policy
- Councillor Resources and Facilities Policy

RELATED LEGISLATION

- Local Government Act 2000
- Local Government (General) Regulations 2015
- Local Government (Planning and Reporting) Regulations 2014

REVIEW

The Team Leader Governance, in conjunction with the Executive, is to review the Councillor Expenses Policy after each general election of the Council.

Suggested revisions are to be submitted to the Council for consideration.

Peter Harriott

Date

CHIEF EXECUTIVE OFFICER

ATTACHMENTS

Attachment 1: M08/2573 Councillor Expense Claim Form

GREATER SHEPPARTON CITY COUNCIL
**COUNCILLOR
RESOURCES AND
FACILITIES POLICY**

Adopted by Council: **18 August 2020**

Next Review: August 2024



COUNCILLOR RESOURCES AND FACILITIES POLICY

Code:	37.POL17
Version:	1
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Responsible Officer:	Team Leader Governance
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DOCUMENT REVISIONS

Version #	Summary of Changes	Date Adopted
1.	Policy first adopted	18 August 2020

PURPOSE

Section 42 of the *Local Government Act 2020* (the Act) ensures that the Mayor and Councillors have available to them the tools, services and facilities necessary to undertake their roles.

The purpose of this policy is to provide Councillors with clarity and guidance as to the resources and facilities available to support them to perform the duties and functions related to their role.

OBJECTIVE

The Council is required to provide the Mayor and Councillors with appropriate resources and facilities to support the effective performance of their duties. These duties may include (but are not limited to):

- Attendance at meetings of Council and it's Committees
- Attendance at briefing sessions, workshops, civic events or function 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.

This policy ensures that Council's provision of resources and facilities are consistent with and in accordance with the Act and its Regulations.

SCOPE

This policy applies to all Councillors of Greater Shepparton City Council including the Mayor.

DEFINITIONS

Reference term	Definition
Council	Greater Shepparton City Council
Councillor	A person who holds the office of member of Council
Eligible Council Business	Any function or action which directly relates to the role of the Mayor, Deputy Mayor or Councillor, as defined in Sections 18, 21 and 28 of the Local Government Act 2020 (the Act). This may include, but is not limited to: <ul style="list-style-type: none"> • Attendance at meetings, including Council Meetings, Briefings or Committee Meetings • Professional Development opportunities, as defined in the Councillor Expense Policy • Event representation on behalf of Council.
Event Representation	A conference, seminar, forum, delegation or similar event where the Councillor in attendance is representing Council, and the cost of attendance is funded by Council.
Hospitality	Refreshments, finger food or a meal of a reasonable and appropriate standard, not including alcohol, except where exemptions are made in this policy.
Refreshments	Tea, Coffee, non-alcoholic beverages, and a light meal considered suitable for morning tea

1. Motor Vehicles

1.1 Mayoral Vehicle

The Mayor will be provided with a fully maintained vehicle for official council purposes which includes private use, in accordance with the following conditions:

- The Mayors partner or children are permitted to drive the Mayoral vehicle, provided they hold a current drivers licence and the Mayor is in the vehicle at the time of travel.
- A fuel card will be issued which can be used to purchase fuel for the Mayoral vehicle at selected stations. This card cannot be used to purchase fuel for any other vehicle, regardless of whether the Mayor is a passenger or driver of that vehicle.
- Maintenance and services of the Mayoral vehicle will be coordinated by Councils Fleet department. The Mayor is responsible for notifying the Executive Assistant when a service or any form of maintenance is required.
- The Mayor is responsible for keeping the vehicle in a clean and tidy manner. Smoking is strictly prohibited in any Council vehicle. If the car is not maintained in an acceptable standard, the Mayor may be held personally responsible for the cost of detailing the vehicle.
- The Mayor is personally responsible for the payment of any parking / driver related offences and infringements issued to the Mayoral Vehicle registration, unless proof can be provided that the Mayor was not the driver at the time.
- The Mayoral vehicle is strictly prohibited from use for any activities relating to electioneering. This includes, but is not limited to, the display of election material on the vehicle or any transportation which directly relates to campaign activities.

1.2 Access to a Council Pool Vehicle

A council vehicle will be provided, when availability permits, for a Councillor to attend an event, training, professional development program, seminar, forum, function or conference which forms part of the Councillors duties.

Use of a council vehicle must be in accordance with Council's Fleet Corporate Procedure.

1.3 Parking Permit

All Councillors will be provided with one parking permit which is to be affixed to the windscreen of their primary vehicle. The vehicle registration is to be provided to the Council at the time the permit is issued.

This permit will enable Councillors to park in any standard parking bay within the municipality free of charge and park for longer than the time indicated on the parking sign, when on council business. The permit must not be used when other drivers are occupying the vehicle, unless the Councillor is also present.

Note: this permit does not enable a Councillor to park in a disabled parking bay, loading zone or other statutory areas. A failure to clearly display the parking permit or meet these requirements may result in an infringement being issued.

2. Resources and Facilities for Mayor and Councillors

The following additional resources and facilities are provided to support Councillors performing their duties while undertaking Council business and discharging duties of civic office.

2.1 Office of the Mayor

The Office of the Mayor operates to provide those functions of the Council carried out by the Mayor. It is allocated a budget by Council on an annual basis to allow the Mayor to fulfil their civic role. Within that budget, staff and other resources may be employed as considered appropriate.

Any expenses incurred by the Mayor, or person nominated by the Mayor to fulfil the civic role as partner of the Mayor, shall be deemed to be expenses of the Mayor.

Council will provide the following facilities for the Office of the Mayor:

- Office suitably equipped with quality furniture and shelving, including desk and meeting table
- Mobile phone
- Executive Assistant and other administrative support during normal office hours as required, and any other necessary administrative assistance to enable the Mayor to carry out the duties of civic office.

2.2 Building Access

Each Councillor will receive a swipe card allowing access to the Welsford Street Office, including the Councillor Suite. Additional building access will be granted to the Mayor, enabling access to the Mayoral Office which is located within an area also occupied as an employee workspace.

Councillors must not provide building access to any other individual through the use of their swipe card.

2.3 Insurance

Councillors are covered by the following Council insurance policies, while performing eligible Council business:

- Council's workers compensation insurance
- Councillors and Officers Liability Insurance
- Travel insurance for interstate and international travel.

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

Council equipment provided to Councillors to assist in performing 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.

Councillors must notify the Chief Executive Officer (CEO) as soon as possible after they become aware of a potential claim.

2.4 Administrative Assistance

Limited administration assistance will be made available to Councillors for work directly related to the performance of duties of eligible Council business.

All administrative assistance should be coordinated through the Executive Assistant to the Mayor and Councillors and approved by the CEO.

2.5 Stationery

Upon request, Councillors will be provided with standard stationery held or obtained generally for organisational requirements.

No Greater Shepparton City Council letterhead will be provided.

2.6 Information and Communication Technology Expenses

Council will provide the Mayor and Councillors with:

- iPad or similar tablet device
- Mobile phone

Protective covers and screens will accompany these devices.

Council will arrange for the installation and maintenance of relevant equipment and provide any associated products required for their operation.

Equipment and training is provided as part of a Councillor's induction process and all queries regarding provision or maintenance of equipment should be addressed to the Executive Assistant to Mayor and Councillors.

Accessories or services beyond the standard equipment referred to in this clause may be provided upon written request to the CEO. The additional cost of any accessories provided may be charged to the Councillor.

2.6.1 Usage Requirements and Restrictions

Equipment

- the equipment must be used predominantly for the transaction of Council business, however limited private usage of phones, iPads and emails is permitted.
- the equipment strictly cannot be used for electioneering purposes
- Councillors must ensure the integrity and configuration of equipment provided is maintained at all times
- Councillors must ensure the protection and safe keeping of all equipment issued
- The terms and conditions which govern the provision and use of Council provided equipment must be strictly adhered to
- Use of Council devices, and connection to Council's computer network, internet or email will be in accordance with Council's Use of Information, Communication and Technology Systems Procedure, Information Security Policy and the Councillor Code of Conduct.

All internet usage and telephone and text log data may be monitored by Council to ensure compliance.

International Travel

Should a Councillor request to take a Council device (being their iPad and/or Mobile Phone) on International travel, they must notify the Executive Assistant to the Mayor and Councillors (EA) of this intention prior to travel. The EA will liaise with the Information

Technology department to identify and implement the appropriate measures to avoid excess data roaming charges.

Should the Councillor fail to notify the EA prior to travel, or fail to implement the measures recommended by the organisation, they will be personally liable to pay any usage costs incurred for the duration of the travel.

Damaged / Lost / Stolen Equipment

Upon written application and subject to CEO approval, a Councillor may receive one “free of charge replacement device” (iPad and/or Mobile Phone) in the event that the device is lost, stolen or damaged during the four year Council term.

Any further requests for replacement equipment will be at the Councillors own expense.

Equipment that is faulty or experiencing technical difficulties will be assessed by the Information Technology department. If the assessment confirms that the device is faulty and the problems do not relate to mistreatment, it will not be considered a ‘replacement device’ against that Councillor.

Return of Council Equipment

All equipment and stationary issued to the Mayor and each Councillor remains the property of the Council and must be returned to Council prior to election day without exception.

This process will be coordinated by the Executive Assistant to the Mayor and Councillors.

Should a Councillor be re-elected, the equipment will be returned to that Councillor, or new equipment will be issued, in accordance with this policy.

Any outgoing Councillors who are not re-elected may be provided with the opportunity to purchase their equipment. A nominal fee will be determined by the Manager Information and Communication Technology based on the current market value of the device/s.

3. Meals and Refreshments

Councillors will be requested to complete a form outlining the Councillors Catering and Dietary Requirements at the commencement of their term of office.

Refreshments

Councillors will have access to basic refreshment in the Councillor Suite.

Meals

Where Council meetings or Councillors Briefings are held at times which extend through normal meals times, Councillors will be provided with suitable meals served on the premises in accordance with Councils Catering Procedure.

Councillors will be notified of the meal arrangements for such meetings. Appropriate meals will be arranged by the Executive Assistant to the Mayor and Councillors.

4. Event Representation

A Councillor who is funded by Council to attend an event shall participate as a representative of Council, not as an individual.

Council will allocate funds during the budget process each year to enable Councillors to attend events on behalf of the Council. This will cover the costs of the registration fee, transport, meals, and accommodation for the duration of the event.

Accommodation shall be organised for approved Event Representation at the event location where possible, or a suitable hotel or motel close to the event venue. Councillors wishing to make alternative accommodation arrangements will be responsible for all costs over and above those which would otherwise apply.

5. Attendance at Functions

Through the exercise of performing their duties, Councillors may get invited to social functions which require the payment of an attendance charge. It is predominantly the role of the Mayor to represent Council at these functions, with attendance costs being met by the Council. If another Councillor is requested to attend on behalf of the Mayor, or in addition to the Mayor, these attendance costs will also be met by the Council.

Individual Councillors who have not been officially invited to a function but, would also like to attend may choose to do so at their own cost.

Where a Councillor elects to have their partner to accompany them to a social function, it is up to the Councillor to request this through the Executive Assistant to the Mayor and Councillors. Upon approval, it is up to Councillors to make arrangements for their partner to attend and all expenses relating to the partner will be met by the Councillor.

6. Limitations

In accordance with Councils Election Caretaker Provisions Policy 37.POL4, Councillors must ensure that benefits contained within this Policy are not used as part of any election campaign.

RELATED POLICIES AND DIRECTIVES

- Council Media Policy
- Councillor Code of Conduct
- Council Gifts and Hospitality Policy
- Council Expenses Policy
- Information Security Policy 52.POL4

RELATED LEGISLATION

- *Local Government Act 2000*
- *Local Government (General) Regulations 2015*
- *Local Government (Planning and Reporting) Regulations 2014*

REVIEW

The Team Leader Governance is to review the Councillor Resources and Facilities Policy within 12 months of a general election, in conjunction with the Executive Leadership Team.

Suggested revisions are to be submitted to the Council for consideration.

Peter Harriott
CHIEF EXECUTIVE OFFICER

Date

Policy Number 37.POL3

Council Officers and Entitlements
Version 3.1

Adopted by Council: 17 September 2019

Business Unit:	Corporate Governance
Responsible Officer:	Team Leader Governance
Approved By:	Chief Executive Officer
Next Review:	Within six months of a general election

DOCUMENT REVISIONS

Version #	Summary of Changes	Date Adopted
1	Policy first adopted.	7 August 2007
2	Amendments made to expand on provisions relating to professional development and conditions applying to use of the Mayoral vehicle.	18 April 2017
3	Review to strengthen reimbursement processes in response to VAGO audit recommendations	17 September 2019

PURPOSE

The Greater Shepparton City Council (Council) recognises that the Mayor and Councillors may incur additional expenses in the effective performance of their duties.

The purpose of this policy is to provide a framework which facilitates professional development support to Councillors within budget constraints. It also provides guidance on the reimbursement of expenses, provision for facilities and support for Councillors.

OBJECTIVE

This policy provides direction on the provision of specific equipment, services, consumables and reimbursements which the Council will provide to the Mayor and Councillors, to support them in carrying out their civic duties.

This policy also provides Councillors with access to professional development opportunities to maintain their knowledge and skill base to contemporary standards and expectations.

SCOPE

Section 75 of the *Local Government Act 1989* (the Act) provides for the reimbursement of necessary out of pocket expenses incurred while performing duties as a Councillor.

This policy applies to all Councillors including the Mayor.

Where a situation is not adequately covered by this policy, the Chief Executive Officer (CEO) will determine what is approved as being a necessary expense as a consequence of a Councillors' elected duties.

DEFINITIONS**Reference term**

Professional Development

Definition

Includes formal study and training workshops, attendance at a conference, seminar, forum, delegation or similar event that will assist a Councillor in their broad civic leadership role.

Event Representation

A conference, seminar, forum, delegation or similar event where the Councillor in attendance is representing Council, and the cost of attendance is funded by Council.

POLICY**Professional Development**

As the public face of Council and as community representatives, Councillors play an integral leadership role in the processes for the development, communication and representation of the Council Plan and Council's policies, strategies and programs.

Professional development for Councillors contributes towards a positive presentation of Council for the betterment of the organisation and the community.

Council will allocate funds via its annual budget process to meet expenses for approved professional development needs of Councillors, inclusive of expenses relating to event representation. These funds will be calculated by allowing \$8,000 per Councillor, and \$12,000 for the Mayor.

These funds will be budgeted for collectively, noting that some Councillors may undertake more training than others, particularly those who are newly elected incoming Councillors.

A quarterly report will be provided to Councillors on expenditure relating to professional development. This will enable Councillors to monitor expenditure and ensure it is distributed in an equitable manner.

Councillors undertaking professional development shall have expenses for transport, accommodation, course fees and meals relating to their attendance paid by Council, as follows:

- The CEO may approve expenses for individual Councillors for professional development opportunities within Australia.
- The Council must approve all requests for professional development opportunities outside Australia, either at a Council meeting or through inclusion in an adopted budget.
- Professional Development requests which relate to overseas travel must be accompanied by a business case, describing the benefits to be gained from attendance and detailing the total costs and Council funds requested
- Within three months of the completion of the professional development opportunity at overseas location, a Councillor must table a report at a Council meeting, detailing the following:
 - details of the course topic, content, location, date and duration
 - relevance of the course to the position of Mayor and/or Councillor
 - total costs covering course, course material, travel, accommodation and any other expenses for the Councillor
 - benefits accruing to the Council from attendance
 - where two or more Councillors attend an event for which the tabling of a report is required, the Councillors may table a joint report.
- For any expenses claimed as reimbursement, evidence of attendance and tax invoices must be provided.
- All other expenses incurred as a result of attending professional development events shall be met from the Councillor allowance.
- Where a Councillor elects to have their partner accompany them, all expenses relating to the partner's attendance will be met by the Councillor.
- Refreshments must be consumed with a main meal and apply to non-alcoholic beverages only. Under no circumstances will charges arising from alcohol or a mini bar be covered by Council.

Event Representation

A Councillor who is funded by Council to attend an event shall participate as a representative of Council, not as an individual.

Council will allocate funds during the budget process each year to enable Councillors to attend events on behalf of the Council. This will cover the costs of the registration fee, transport, meals, and accommodation for the duration of the event.

Accommodation shall be organised for approved Professional Development or Event Representation at the event location where possible, or, where a package of hotels is offered, at any one of those hotels having regard to cost and standard. Where a hotel is not specified, a suitable hotel or motel close to the event venue will be selected.

Councillors wishing to make alternative accommodation arrangements will be responsible for all costs over and above those which would otherwise apply.

Attendance at Functions

Through the exercise of official duties, Councillors (and usually their partners) may get invited to social functions which require the payment of an attendance charge. It is predominantly the role of the Mayor to represent Council at these functions, with attendance costs (including partners, when invited) being met by the Council. If another Councillor is requested to attend on behalf of the Mayor, or in addition to the Mayor, these attendance costs will also be met by the Council.

Individual Councillors who have not been officially invited to a function but, would also like to attend may choose to do so at their own cost.

Allowances

Allowances will be paid each month and never more than one month in advance.

Subject to review and determination of the allowances by Council resolution in accordance with sections 74(1) and 74(4) of the Act, the allowances will be set at the maximum level for a category two council.

Although allowances are taxable, tax is not deducted by the Council. Councillors will be responsible for determining their own personal requirements in relation to their taxable income and may wish to consider seeking external advice if required.

Access to a Council Pool Vehicle and Travel Expenses

A council vehicle will be provided, when availability permits, for a Councillor to attend an event, training, professional development program, seminar, forum, function or conference which forms part of the Councillors official duties.

Use of a council vehicle must be in accordance with Council's Fleet Procedure.

Where a Councillor chooses to use their private vehicle, the Council will reimburse the Councillor upon request for travel expenses incurred to attend:

- Ordinary and Special Council meetings
- Briefing sessions
- Civic and ceremonial functions associated with their councillor duties
- any other event that forms part of the Councillors official duties
- a meeting of any organisation or deputation to which the Councillor has been appointed as the Council's representative, or where a Councillor is deputising for the Mayor.

Reimbursement will be subject to:

- for travel by car, reimbursement at the Motor Car Allowance rate determined by the Australian Tax Office for tax deduction purposes and must be supported with evidence in the form of a completed log book entry
- for travel by public transport, the fare will be reimbursed upon production of a tax invoice

All travel must be undertaken by the shortest route possible, and claims for reimbursement must be submitted within three months of the date on which they are incurred.

Mayoral Vehicle

The Mayor will be provided with a fully maintained vehicle for official council purposes which includes private use, in accordance with the following conditions:

- The Mayor's partner or children are permitted to drive the Mayoral vehicle, provided they hold a current drivers licence and the Mayor is in the vehicle at the time of travel.
- A fuel card will be issued which can be used to purchase fuel for the Mayoral vehicle at selected stations. This card cannot be used to purchase fuel for any other vehicle, regardless of whether the Mayor is a passenger or driver of that vehicle.
- Maintenance and services of the Mayoral vehicle will be coordinated by Councils Fleet department. The Mayor is responsible for notifying the Executive Assistant to the Mayor and Councillors when a service or any form of maintenance is required.
- The Mayor is responsible for keeping the vehicle in a clean and tidy manner. Smoking is strictly prohibited in any Council vehicle. If the car is not maintained in an acceptable standard, the Mayor may be held personally responsible for the cost of detailing the vehicle.
- The Mayor is personally responsible for the payment of any parking / driver related offences and infringements issued to the Mayoral Vehicle registration, unless proof can be provided that the Mayor was not the driver at the time.
- The Mayoral vehicle is strictly prohibited from use for any activities relating to electioneering. This includes, but is not limited to, the display of election material on the vehicle or any transportation which directly relates to campaign activities.

Parking Permit

All Councillors will be provided with one parking permit which is to be affixed to the windscreen of their primary vehicle. The vehicle registration is to be provided to the Council at the time the permit is issued.

This permit will enable Councillors to park in any standard parking bay within the municipality free of charge and park for longer than the time indicated on the parking sign, when on official council business. The permit must not be used when other drivers are occupying the vehicle, unless the Councillor is also present.

Note: this permit does not enable a Councillor to park in a disabled parking bay, loading zone or other statutory areas. A failure to clearly display the parking permit or meet these requirements may result in an infringement being issued.

Office Space and Facilities

A Councillors suite will be provided for Councillors' use that will include facilities such as computers, a printer and a lounge area.

The Mayor is provided with an office space.

Legal Advice Expenses

The Council will only meet legal expenses incurred as a result of a Councillor executing their official duties. Councillors need to be aware of their role and responsibilities under the Act.

In accordance with a previous resolution of Council, no Councillor may obtain legal advice without first obtaining written approval from the majority of Councillors. This request must be made through the CEO. Alternatively, the Councillor may submit a Notice of Motion requesting that Council facilitate and fund such legal advice. The CEO may facilitate such legal advice and confirm that Council will meet expenses if:

- appropriate to do so taking into consideration the same criteria used by Council (below); and
- the Councillor requirement for legal advice cannot be deferred until the lodgement or consideration of a Notice of Motion.

Council will evaluate any requirement by a Councillor for legal advice 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.

Any Councillor who obtains legal advice without the majority support of the Council will be required to personally pay the expense incurred.

In the event that legal advice relates to a writ, action or pending action against a Councillor(s), the Councillor(s) must supply a copy of the writ or action or provide the information which may lead to an action, to the CEO. The CEO will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

Provision of Facilities and Support

Administrative Support

The Mayor and Councillors are provided with an Executive Assistant and Support Assistant who provide administrative support to ensure Councillors official duties may be pursued in a professional manner.

Stationery

Upon request, Councillors will be provided with standard stationery held or obtained generally for organisational requirements.

No Greater Shepparton City Council letterhead will be provided.

Facilities and Equipment

The demands made upon a Councillor's time can be significant and Council business can be conducted more efficiently if Councillors are provided remote access to appropriate equipment. This access is provided subject to:

- the equipment being used predominantly for the transaction of Council business (minimal non-Council use of equipment that has no direct cost for Council, is allowable)
- the equipment strictly cannot be used for electioneering purposes
- Councillors must ensure the integrity and configuration of equipment provided is maintained at all times
- personal use which can be separately costed (eg: personal calls from a mobile phone in excess of \$50 per month) will be met from the Councillor Allowance
- Councillors must ensure the protection and safe keeping of all equipment issued
- The terms and conditions which govern the provision and use of Council provided equipment must be strictly adhered to
- Connection to Council's computer network, internet or email will be in accordance with Council's Use of Information, Communication and Technology Systems Procedure and the Councillor Code of Conduct.
- Limited private use is permitted of Council provided email, internet and mobile phones.

Councillors will be provided with:

- iPad
- smart phone with email access.

Councillors must meet the cost of electricity and reimburse the Council for all personal calls on mobile telephones in excess of a \$50 per month threshold. This threshold has been set as it costs more in staff time to process amounts below \$50, than is generally recovered. If the personal call cost exceeds the \$50 threshold, the Councillor is required to pay \$50 plus the amount that exceeds this figure.

Damaged / Lost / Stolen Equipment

Upon written application and subject to CEO approval, a Councillor may receive one "free of charge replacement device" (ipad and/or smartphone) in the event that the device is lost, stolen or damaged during the four year Council term.

Any further requests for replacement equipment will be at the Councillors own expense.

Equipment that is faulty or experiencing technical difficulties will be assessed by the Information Technology department. If the assessment confirms that the device is faulty and the problems do not relate to mistreatment, it will not be considered a 'replacement device' against that Councillor.

Return of Council Equipment

All equipment and stationary issued to the Mayor and each Councillor remains the property of the Council and must be returned to Council prior to election day without exception.

This process will be coordinated by the Executive Assistant to the Mayor and Councillors.

Should a Councillor be re-elected, the equipment will be returned to that Councillor, or new equipment will be issued, in accordance with this policy.

Any outgoing Councillors who are not re-elected may be provided with the opportunity to purchase their equipment. A nominal fee will be determined by the Manager Information and Communication Technology based on the current market value of the device/s.

Dependent Care

Council will reimburse the cost of dependent care expenses incurred by Councillors when attending:

- Ordinary and Special Council meetings
- Briefing sessions
- Civic and ceremonial functions associated with their councillor duties
- a meeting, function or any other official role, as either a representative of the Council or the Mayor in the Mayor's absence
- a meeting of any organisation or deputation to which the Councillor has been appointed as the Council's representative, or where a Councillor is deputising for the Mayor.

Reimbursement will be made subject to:

- where the care relates to dependent children, the eldest child under care being less than 16 years of age
- where the care relates to dependant adults, the Chief Executive Officer being satisfied that the expense is warranted
- a maximum individual amount of three thousand dollars (\$3,000) per financial year, reduced on a pro-rata basis where a Councillor only serves for part of a financial year (eg: from date of election to the end of financial year)
- each child care expense being supported by a receipt from the caregiver showing the dates and times care was provided
- a Councillor providing details as to why the care was needed on each occasion.

Dependent care costs will not be paid in relation to care provided by immediate family members (partner, parent, sibling, own child, or partners of same) or by a person who normally or regularly resides with the Councillor.

Claims for reimbursement of dependent care expenses must be submitted within three months of the date on which they are incurred.

Other Expenses

Any expenses not specifically addressed in this Policy may be referred to the CEO for consideration as a "necessary expense" for reimbursement. Where the CEO considers the expense to be legitimately incurred in the performance of councillor duties, it will be treated as follows:

- For expenses up to and including a total amount of \$1,000 and which can be accommodated within approved budgets, the CEO will approve reimbursement
- For expenses of more than \$1,000, or for which no budget cover is available, a report will be prepared for consideration at the next Council meeting.

Lodging a Claim

To lodge a claim for reimbursement under this Policy, the claim form at Attachment 1 must be completed and provided to the Executive Assistant to the Mayor and Councillors, along with the required supporting documentation to substantiate the claim. All claims must be submitted within three months of expenditure being incurred, and may take up to six weeks to be paid into an individual's bank account.

Reimbursement for expenses incurred more than three months prior to the submission of a claim will require a resolution of Council for payment.

Limitations

In accordance with Councils Election Caretaker Provisions Policy 37.POL4, Councillors must ensure that benefits contained within this Policy are not used as part of any election campaign.

RELATED POLICIES AND PROCEDURES

- Councillor Code of Conduct
- Election Caretaker Provisions Policy
- Use of Information, Communication and Technology Systems Procedure

RELATED LEGISLATION

Local Government Act 1989 (the Act)

REVIEW

The Team Leader Governance is to review the Councillor Expenses and Entitlements Policy after each general election of the Council, in conjunction with the Executive. Suggested revisions are to be submitted to the Council for consideration.

Peter Harriott
Chief Executive Officer

19 9 2019
Date

Attachment 1

M08/2573: Councillor Expense Claim Form