

# Council Expenses Policy

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## 1 Document Information

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

RESPONSIBLE GENERAL MANAGER	General Manager Corporate Services
RESPONSIBLE MANAGER (Policy Owner)	Manager Governance
ADOPTED BY	Council
SIGNATURE	
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## 2 Purpose

Section 41 of the Local Government Act 2020 (Vic) *the Act* specifies the requirement for Council to develop and maintain a Councillor Expense Policy. This Policy is intended to establish clear expectations about the provision of facilities and resources support and reimbursement of expenses for the Mayor, Councillors and reimbursement of out-of-pocket expenses for delegated committee members as required in order to fulfil their council duties.

## 3 Definitions

<b>Carer</b>	As defined under section 4 of the Carers Recognition Act 2012
<b>Delegated Committee</b>	Defined under section 63 of <i>the Local Government Act 2020</i>

## 4 Scope

This policy applies to Councillors and members of Delegated Committees.

## 5 Policy Details

### 5.1 Policy Statement

This policy is a specific requirement of Section 41 (1) of the Act and also seeks to ensure accountability and transparency in relation to expenses claimable by Councillors and delegated committee members. While expenses in relation to performance of duties is expected, the use of public funded money must be reasonable and meet community expectation.

### 5.2 Mayor, Deputy Mayor and Councillor Allowances

- 5.2.1 A Mayor, Deputy Mayor or Councillor is entitled to receive from the Council an allowance in accordance with a Determination of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.
- 5.2.2 Allowances are taxable income and Councillors should put in place their own processes for documenting claimable expenses.
- 5.2.3 If an elected Councillor fails to complete and declare their completion of Councillor induction training their allowance will be withheld until completed.
- 5.2.4 A Mayor, Deputy Mayor or Councillor may choose to forego part or all of their allowance.

### 5.3 Resources, Facilities and Support

Any equipment or resources remain the property of Council and must be returned within 30 days of expiration of a Councillor's term in office, retirement or resignation and at the beginning of any term of suspension that will exceed two months duration.

Resources include all confidential electronic or hardcopy material obtained in a person's capacity as a Councillor.

Council will provide reasonable additional civic support, facilities and equipment for any Councillor with a disability to enable that Councillor to freely perform their duties.

In order to perform duties and functions as a Councillor the following resources and facilities are provided:

#### 5.3.1 Communication

##### a. Equipment

- A desktop or laptop or notebook
- A tablet
- A mobile phone with sim card
- An internet connection or data only sim card
- A fax/copier/printer machine

##### b. Costs

Council will meet the reasonable purchase, installation, maintenance and service, connection, subscription, rental and usage (data/calls/text) costs for all Council provided communications equipment.

##### c. Council supplied communications equipment is intended for Council Business use however, minimal personal use is acceptable provided it does not interfere with Council business, does not breach any Council policy and is legal.

#### 5.3.2 Stationery

Each Councillor is entitled to the following

- Stationery including business cards
- Name badges including a name badge for the Councillor's spouse/partner if requested
- Personalised letterhead in an electronic template if requested
- A Council email address

Councillors should exercise care to ensure that correspondence on Councillor letterhead does not represent a personal view contrary to a position adopted by Council, and is used only in their role as a Councillor.

Councillors may choose to opt in or out of the above resources. Reimbursement will only be provided for out of pocket expenses for equivalent services paid after requesting support that has yet to be implemented.

A Councillor may request the details of their expenses from the Governance department at any time.

#### 5.3.3 Councillors' Room

A room is provided in the Cheltenham office for use by Councillors in the conduct of their duties of office.

This includes separate work areas with access to computer equipment, meeting space and Council Library including copies of major strategies and studies.

Councillor in-trays are provided in the Councillors room. Any contents are cleared and couriered to the Councillors each Thursday or Friday evening.

#### 5.3.4 Access Cards

Each Councillor will be provided with an access card to the Cheltenham offices with business hours access.

There will be 24 hour, seven day a week access to the Council Chamber, Councillors Room, Mayor's office (for the Mayor only), Oakleigh Room and car park.

#### 5.3.5 Online Presence

In accordance with Council's Media and External Communications Policy the following will be provided:

- a. A section on Council's website containing
  - A photo of the Councillor
  - Contact details
  - Ward map
  - Council committee memberships
  - A short biography
- b. Guidance and advice at request in the use of online and social media channels.

#### 5.3.6 Health

Councillors will have access to free influenza vaccinations

#### 5.3.7 Attendance at Civic Functions by spouse/partner

Spouses/partners may attend Council funded civic functions where it is considered necessary or appropriate.

### **5.4 Mayors resources, facilities and support**

#### 5.4.1 Vehicle

A fully maintained vehicle will be provided to the Mayor in accordance with Council's Vehicle Policy to assist carrying out duties during the Mayoral term.

This vehicle is associated with the office of the Mayor not any individual and must be returned to Council within a week of the end of the Mayoral term.

#### 5.4.2 Office Space

A fully equipped office will be provided to the Mayor including communications equipment and meeting facilities.

#### 5.4.3 Secretarial Support

An appropriate level of secretarial support will be provided to assist the Mayor in undertaking the role effectively.

The level of support will be determined by the CEO in consultation with the Mayor.

#### 5.4.4 Mayoral Gift

The Mayoral Gift is a token of goodwill from the Council on behalf of the community. The Mayoral gift shall not exceed a maximum of \$500.00 per year for each 12-month Mayoral term served and will be provided in the form of a gift within six months of the end of the Mayor's term. Money, items used in a similar way to money, or items easily converted to money will not be gifted. Any gift must be declared in accordance with the Councillor Gift Policy.

### 5.5 Training and Education

#### 5.5.1 Professional Development

Upon the commencement of each electoral term, a purpose designed commencement program will be provided to all Councillors.

In addition to the commencement program, upon request from Councillors, in-house governance training facilitated by officers or an external presenter will be arranged. Council may provide access to external professional development conferences/training on the following topics, subject to the approval processes contained in this Policy:

- Meeting Procedures
- Chairing of Meetings
- Media Training
- Governance Training
- Financial Training
- Team Building and Interpersonal Skills

All professional development expenditure should always be tested against the following criteria:

- Is in the interest of the community;
- Meets the budget determined by Council;
- Clearly offers and promotes public benefit as distinguished from private benefit;
- Is directly relevant to the Councillor's role; and
- Takes place and is able to be utilised during the Councillor's term of office.

#### 5.5.2 Industry Peak Body Provided Professional Development

Councillors may request to attend professional development/training provided by the following industry peak bodies:

- Australian Local Government Association (ALGA);
- Australian Local Government Womens' Association (ALGWA);
- Victorian State Government;
- Municipal Association of Victoria (MAV) (Note includes AICD Program); and
- Victorian Local Governance Association (VLGA).

Council funded attendance at training/conferences provided by the specified industry peak bodies requires Chief Executive Officer approval.

Councillors must apply to the Chief Executive Officer or their delegate in writing.

The monetary value of all approved attendances must be recorded in the quarterly Councillor Allowances and Expenses report on Council's website.

### 5.5.3 Non-Industry Peak Body Provided Professional Development

Councillors may request to attend professional development conferences/training not provided by specified industry peak bodies. However, these requests are subject to a different approval process, given that there may not be a clear association between the provider and the Local Government sector.

Council funded attendance at training/conferences provided by non- industry peak bodies requires Council approval.

Requests must be made by completing an application form and submitting it to the Governance Department. Application forms must contain the following information:

- The conference/training requested to be undertaken;
- The total cost of attendance; and
- How the conference/training meets the criteria set out in the application form.

All application forms received will be attached to a report presented for approval at the next Council Meeting.

The monetary value of all approved attendances must be recorded in the quarterly Councillor Allowances and Expenses report on Council's website.

## 5.6 Attendance at Conferences and Seminars

Councillors attending a conference or seminar relevant to Local Government or the role of a Councillor, are entitled to have paid by Council or reimbursed, the cost of registration, meals, parking, travel (intrastate and interstate – economy class) and accommodation. This will be included on Councils publicly available Travel Register.

5.6.1 Where travel is by flight the standard form of travel will be economy class.

5.6.2 Overseas travel is only to be arranged as a result of Council resolution. Expenses relating to travel, accommodation and meals will be reimbursed in line with the resolution.

5.6.3 Councillors using their private motor vehicle to travel to Council related business including attendance at meetings outside of Council Meetings, conferences,

functions and on-site inspections may be reimbursed petrol/depreciation allowance at the State Government Public Service Standard, this is inclusive of any tolls.

- 5.6.4 Councillors using transport other than their private motor vehicle to travel to meetings, functions and on-site inspections may be reimbursed the cost of such transport.
- 5.6.5 Myki cards will be made available for Councillor business use.
- 5.6.6 If it is more cost efficient or practicable for a Councillor to use a pool vehicle than to claim reimbursement of transport costs, dependant on availability, a pool vehicle may be made available to a Councillor.
- 5.6.7 Cabcharge vouchers/cards may be requested for use on Council Business where access to other transport is not available.
- a. Taxi receipts must be obtained by Councillors to assist with Cabcharge bill reconciliation
- 5.6.8 Councillors will not be reimbursed for any infringement incurred for road, traffic or parking violations.

## **5.7 Insurance**

- 5.7.1 Councillors are covered by WorkCover under the *Workplace Injury Rehabilitation and Compensation Act 2013*.
- 5.7.2 In line with section 43 of the *Act*, Council is required to take out appropriate public liability and public indemnity insurance for the Mayor, Councillors and members of delegated committees. This insurance does not cover criminal or wilful acts.

## **5.8 Reimbursement of Expenses**

Any requests for reimbursement of expenses outlined in this section requires the completion of a Councillor Expenses Claim Form. Members of delegated committees are required to complete the Staff Expenses claim form.

Details of all Councillor and delegated committee member reimbursements are provided to the Audit and Risk Committee.

### **5.8.1 Carer Expenses**

Councillors incurring bona-fide primary carer expenses approved by the Chief Executive Officer or their delegate will be reimbursed where the care is necessary in order for the Councillor to attend:

- Council meetings and Council related business
- Council functions
- Meetings arising as a result of a Councillor being appointed to an external body

Primary care includes the caring of children up to 16 years of age and other dependents as defined in the *Carers Recognition Act 2012*. Carer costs are not eligible for reimbursement for a person who normally or regularly lives with the Councillor, except where a live-in (professional) helper such as a nanny is required to work extra time at additional expense because of the Councillor's duties.

Reimbursement of carer costs is conditional upon a reasonable hourly rate being charged.

#### 5.8.2 Communication

A Councillor may choose to use their own communication device for Council business. In this instance a Councillor may seek reimbursement for Council business related usage.

Councillors making claims in respect of privately owned phones shall be given the opportunity of seeking reimbursement of up to 75 per cent of costs outlined in statements. This reimbursement claim must be accompanied by the bill and declaration of the proportion of Council business calls.

Where a Councillor ceases using their own SIM card, Council will pay for the cost associated with transfer to a Council supplied SIM card to ensure portability of data (contacts) occurs, including phone number if requested.

#### 5.8.3 Internet Plans

A Councillor may choose to utilise their existing internet plan. Reimbursement will be on the basis of the Councillor declaring on their bill the proportion of the data plan cost that relates to Council business. Councillors making claims in respect of privately owned internet plans shall be given the opportunity of seeking reimbursement of up to 75 per cent of costs outlined in statements.

#### 5.8.4 Process for Reimbursement

When a Councillor or delegated committee member requests reimbursement of monies, the following procedure must be followed within a month of incurring the expense:

- Complete a Councillor of Staff Expense Claim Form
- Obtain a relevant receipt and any supporting documentation for the expenditure
- For reimbursement of private vehicle travel costs, complete a Travel Expense Claim form
- Submit documentation to Governance.

In an election year, Councillors' should seek to ensure all expenses are up to date prior to the election, and only regular monthly bills such as mobile phone or expenses incurred in the month prior to the election are outstanding.

Requested must be submitted in the financial year in which they were accrued. Requests submitted in the wrong financial year will not be processed.

#### 5.8.5 Publication

The payment of Councillor expenses (whether paid directly by Council or reimbursed to the Councillor) will be published in the Annual Report, and on the Council's website on a quarterly basis broken down into specific categories as follows:

- Mayoral, Deputy Mayor and Councillor Allowance
- Carer Expenses
- Communications Expenses
- Training and Education Expenses
- Intrastate Travel Expenses
- Overseas and Interstate Travel Expenses
- Other expenses as defined in clause 5.8.6 of this Policy.



### 5.8.6 Other Expenses

Expenses which do not meet any of the categories contained within this Policy may be reimbursed with the approval of the CEO or their delegate if the expense is relevant to the Councillor or delegated committee members role and is:

- Low value
- One off
- An infrequent incidental item/s

### 5.8.7 Expenses Outside the Policy

Expenses which do not fall within the categories specified within clauses 5.8.5 and 5.8.6 of this Policy will require a Council resolution for reimbursement.

## 6 Delegation Authority and Decision Guidelines

### 6.1 Delegations/Authorisations

Not applicable.

### 6.2 Exemptions

Not applicable.

### 6.3 Human Rights Charter

This policy has been reviewed against and complies with the *Charter of Human Rights and Responsibilities Act 2006* by providing the resources necessary to enable individuals to take part in public life and equally perform their duties as elected representatives.

## 7 Related Documents and Resources

### Legislation

- Local Government Act 2020
- Carers Recognition Act 2012
- Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019

### City of Kingston Documents

- Kingston Councillor Code of Conduct
- Kingston City Council Caretaker Policy
- Councillors' Expenses Claim Form
- Staff Expense Claim Form
- Kingston City Council Travel Register
- Kingston City Council Gift and Hospitality Policy
- Kingston City Council Gift Register
- Kingston City Council Travel Register

## 8 Transition arrangements

Not applicable.