

COUNCILLOR'S EXPENSES REIMBURSEMENT AND PROVISION OF RESOURCES POLICY

Policy Details

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Policy Owner	Executive Services
Contact Officer	Chief Executive Officer

Supporting documentation

Legislation	<ul style="list-style-type: none"> Local Government Act 2009 Local Government Regulation 2012
Policies	<ul style="list-style-type: none"> Procurement Policy Entertainment and Hospitality Policy Passenger Vehicle Fleet Policy
Delegations	<ul style="list-style-type: none"> N/A
Forms	<ul style="list-style-type: none"> Claims for reimbursement
Supporting Documents	<ul style="list-style-type: none"> Taxation Rulings issued by the Australian Taxation Office

Version History:

Version	Approval Date	Comment	eDRMS #
8.0	18/08/2021	Changes as per Resolution No. 0821/010	
7.0	24/10/2018	Changes as per Resolution No. 1810/013	
6.0	18/04/2018	Changes as per Resolution No. 0418/026	
5.0	20/06/2016	Changes as per Resolution No. 0716/012	
4.0	23/06/2010	Changes as per Resolution No. 0610/008	
3.0	20/05/2009	Changes as per Resolution No. 0509/005	
2.0	02/04/2008	Adoption of model Expenses Reimbursement Policy	
1.0	16/06/2006	Changes as per Resolution No. 0606/027	

1. POLICY STATEMENT

- 1.1. The Carpentaria Shire Council is committed to ensuring that Councillors are provided with the facilities required to enable them to perform their duties.
- 1.2. Councillors should not be financially disadvantaged when carrying out their roles, and should be fairly and reasonably compensated in accordance with statutory requirements and community expectations.

2. PRINCIPLES

- 2.1. This policy ensures that the council's reimbursement of expenses incurred by councillors is consistent with the local government principles and financial sustainability criteria as defined in the *Local Government Act 2009*.
- 2.2. In addition the principles that underpin this policy are:
 - Councillors should not receive a private benefit through their role as a councillor;
 - the use of public monies in the public interest by responsible budgeting and accounting;
 - fair and reasonable allocation of council resources (allowances, facilities and other benefits) to enable all councillors to conduct the duties of their office;
 - transparent decision-making by public disclosure of policy and resolutions; and
 - accountability for expenditure and use of facilities through full justification and acquittal.

3. POLICY

Scope

- 3.1. Chapter 8 Part 1 Division 2 of the *Local Government Regulation 2012* sets out the requirements for the payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors and the provision of facilities to councillors for that purpose.
- 3.2. This policy applies to all councillors for the reimbursement of expenses incurred, or to be incurred, by them in undertaking their responsibilities.
- 3.3. Council will reimburse councillors for eligible expenses as set out in this policy. Any expenses not provided for by this policy will not be reimbursed without express approval from the Chief Executive Officer.
- 3.4. Councillor remuneration is not covered by this policy. Councillor remuneration is determined annually by the Local Government Remuneration and Disciplinary Tribunal.
- 3.5. Spouses, partners and family members of councillors are not entitled to reimbursement of expenses or have access to facilities allocated to councillors.
- 3.6. Failure to comply with this policy, falsifying claims or the misuse of facilities may breach the Councillors' Code of Conduct and/or represent an offence under the Criminal Code and may be referred to the Crime and Misconduct Commission.

PART 1 - FACILITIES

Category	Facilities Provided
Secretarial Support	<p>The Mayor's office will be assisted with secretarial support by Council's Executive Assistant.</p> <p>Limited secretarial support will be provided to Councillors with prior approval by the Chief Executive Officer.</p>

Category	Facilities Provided
Administrative Tools	<p>Councillors are entitled to use Council facilities as required to assist in discharging their duties and responsibilities including (but not limited to):</p> <ul style="list-style-type: none"> • Shared office space and meeting rooms; • Shared access to photocopiers; • Shared access to printers; • Stationery; • Promotional material necessary for official Council business • Other resources as approved by the Mayor or Chief Executive Officer.
IT Equipment	<p>Councillors are provided with the following IT equipment to assist in discharging their duties and responsibilities:-</p> <ul style="list-style-type: none"> • A laptop or iPad and necessary software; • Printer, as required; • equipment to enable wireless internet access.
Software	<p>Council will provide all software necessary to enable Councillors to carry out their duties as elected members.</p> <p>All software is licensed to the Carpentaria Shire Council and remains the property of Council at the end of the term.</p> <p>All software licensed to council that has been installed on a councillor's tablet device will be removed prior to the end of the Councillor term.</p>
Telephone and Data	<p>The Mayor will be provided with a mobile phone by Council for Approved Council Business. Reasonable private use of the telephone is permitted.</p> <p>The Mayor may elect to use a private mobile phone.</p> <p>Where the Mayor has elected to use a private mobile phone, Council will pay an annual allowance of \$1,000.00 to cover the costs of council related calls.</p> <p>Councillors will be paid an annual allowance of \$600.00 to cover the costs of telephone calls and rental for a home and/or mobile telephone which are associated with the performance of their duties as Councillor. Actual expenses above this amount may be reimbursed upon the production of receipts.</p> <p>The Mayor and Councillors telephone allowance shall be paid monthly in conjunction with Councillor meeting fees.</p> <p>Council will be responsible for any Fringe Benefit Tax Payable.</p>
Safety Equipment	<p>Council will provide all the necessary safety equipment for use on official Council business e.g. safety helmet/boots, safety vests.</p>
Corporate Uniform	<p>Council will provide each Councillor with –</p> <ul style="list-style-type: none"> • A name badge;

Category	Facilities Provided
	<ul style="list-style-type: none"> • Shirts embroidered with Council's logo (up to three shirts per annum if requested); • Jacket or blazer embroidered with Council's logo (1 per term).
Corporate Credit Card	<p>The Mayor will be provided with a corporate credit card for business expenses in accordance with this Policy and the Corporate Credit Card Policy.</p>
Council Motor Vehicles	<p>The Mayor will be provided with a suitable vehicle as determined by Council.</p> <p>Other Councillors may use the Mayor's vehicle for Approved Council Business with the prior approval of and at the discretion of the Mayor.</p> <p>Council will pay all costs associated with the vehicle, including fuel, servicing, repairs, maintenance and insurance.</p> <p>The Mayor's vehicle may be used for all Approved Council Business, together with incidental private use.</p> <p>If there is any doubt, the Chief Executive Officer will determine if any use is incidental private use.</p> <p>Limited private use of Council owned vehicles that is not incidental private use, is permitted if prior approval has been granted by resolution of Council. Council will, in its resolution authorising private use, set out the terms for the Councillor to reimburse Council for such private use.</p>
Fuel Costs	<p>Fuel for Council owned vehicles used for official Council business will be provided or paid for by Council.</p> <p>The CEO may approve the issue of a fuel card to a Councillor.</p> <p>A Councillor who is issued a fuel card must keep all receipts and/or tax invoices for any purchases on the card and provide the documents to the Manager Finance and Administration or other designated officer in a timely manner.</p> <p>Where no fuel card has been provided, Council will reimburse actual costs incurred by a Councillor. Original documents sufficient to verify the actual expenditure must be provided.</p>

Maintenance of Facilities Provided

- 3.7. Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council-owned equipment that is supplied to Councillors for official business use.
- 3.8. All facilities provided to Councillors, with the exception of mobile devices, remain the property of Council and must be returned to Council when a Councillor's term expires.

Private Use of Council Facilities

- 3.9. Based on the principle that no private benefit is to be gained, the facilities provided to Councillors by Council (except for mobile tablet devices) are to be used only for official Council business unless prior approval has been granted by resolution of Council.
- 3.10. A Council resolution authorising private use of Council owned facilities must set out the terms under which the Councillor will reimburse Council for the percentage of private use.

PART 2 - EXPENSES

Category	Expense Reimbursement
Insurance Cover	<p>Council will indemnify or insure Councillors in the event of injury sustained while discharging their civic duties.</p> <p>Council will pay the excess for injury claims made by a Councillor resulting from conducting official Council business.</p>
Professional Development	<p>Council encourages Councillors to undertake relevant professional development and will reimburse expenses incurred for:</p> <ul style="list-style-type: none"> • Mandatory professional development, and • Discretionary professional development deemed essential for the Councillor's role. <p>Mandatory Training</p> <p>Council will reimburse expenses for attendance and will pay for or reimburse Councillors for all associated reasonable costs (including registration, travel, accommodation, meals etc) at the following subject to attendance being approved by Council:</p> <ul style="list-style-type: none"> • Training courses or workshops for skill development related to a Councillors role or portfolio; • Training courses or workshops relating to their legislative obligations i.e. Councillor Induction, Code of Conduct. • Regional, State or National Local Government associated conferences, symposiums, workshops and training courses. <p>Note: Registrations should be made in sufficient time to take advantage of any 'early bird' discounts.</p> <p>Discretionary Training</p> <p>Where a Councillor identifies the need to attend a conference, workshop or training to improve skills relevant to their role as a Councillor, other than mandatory professional development as above, the Councillor may request Council's approval to attend.</p> <p>The funding limit for discretionary training is \$5,000 for each councillor during their four (4) year term in office.</p> <p>All professional development activities must be approved in advance by resolution by Council or by the Mayor and later ratified by resolution of Council.</p>
Out of Pocket Expenses	<p>Councillors are entitled to reimbursement of reasonable out of pocket expenses incurred in the conduct of official Council business.</p> <p>The maximum amount of out-of-pocket expenses (excluding reimbursement of expenses for professional development and as approved by Council) that may be claimed is:</p> <ul style="list-style-type: none"> • Mayor \$2,000 per annum. • Councillors \$500 per annum.

Category

Expense Reimbursement

The Mayor may approve the reimbursement of reasonable out of pocket expenses by other councillors at official Council business at which the Mayor is not in attendance.

Non-Council related expenditure or expenditure in relation to partners, spouses or family members is not permitted.

To comply with s186 of the *Local Government Regulation 2012*, which requires Council to publish expenses incurred by each Councillor during the year under Council's Expenses Reimbursement Policy in its Annual Report, Councillors incurring hospitality expenses are required to maintain documentary evidence of all such expenditure which will be recorded in a register maintained by the Chief Executive Officer on a monthly basis.

Where any conflict exists between this policy and Council's Entertainment and Hospitality Policy, this policy will take precedence.

Councillors' expenses will be reported in Council's Annual Report.

Travel Required to Represent Council

All travel to represent the Council must be approved by Council or the CEO prior to any expenses being incurred. Councillors are to travel via the most direct route, using the most economical and efficient mode of transport.

Overseas Travel

Overseas travel can only be approved by a Council resolution.

Accommodation

All Councillor Accommodation for Council business will be booked and paid for by Council. Council will pay for the most economical deal best suited to the needs of Council business. Where possible, the maximum standards for Councillors' accommodation should be four (4) star rating.

Where accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

Incidental Costs

Council will reimburse any reasonable incidental costs incurred by Councillors required to travel, and who are away from home overnight, for official Council business upon provision of receipts.

Meals

Council will reimburse reasonable costs of meals and refreshments for a Councillor when:

- the Councillor incurs the cost personally and can produce original documents sufficient to verify the actual meal cost; and
- the meal was not provided within the registration costs of the approved activity/event; or during an approved flight.

Reasonable costs of meals and refreshments will be calculated with reference to Australian Taxation Office Guidelines for Reasonable Allowances set for each income tax year.

Should the cost be for a greater value than those listed above and the cost is deemed reasonable by the CEO, then reimbursement for the full cost may be provided.

Category

Expense Reimbursement

Travel Bookings

All Councillor travel, approved by Council, will be booked and paid for by Council.

Economy class is to be used where possible although the CEO and/or Mayor may approve business class if the particular circumstances warrant it.

Airline tickets are not transferable and can only be procured for the Councillor's travel on official Council business. They cannot be used to offset other unapproved expenses (eg cost of partner or spouse accompanying the Councillor).

Frequent Flyer points or other loyalty program benefits accrued on Council business must not be used for personal travel and, where possible, should be utilised to offset future Council travel expenses.

Travel Transfer Costs

Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed eg trains, taxis, buses and ferry fares.

Use of Private Vehicle

Councillors will be reimbursed for private vehicle usage on official Council business. Reimbursement calculations will be based on the relevant Australian Tax Office published rate for the vehicle type.

Where a Councillor elects to use their private vehicle instead of other forms of travel, such as a plane travel, the total amount of reimbursement must be the lower of the calculated amounts plus the cost of taxi transfers.

Example: if an airfare costs \$1,000.00, then the kilometric claim for the vehicle cannot exceed \$1,000.00 even if the actual kilometric claim was, say, \$1,300.00.

Where a Councillor utilises their own aircraft or helicopter to attend approved Council business, Council will reimburse expenses equivalent to the ATO kilometric rates for the largest class of motor vehicle.

If another Councillor travels in the aircraft or helicopter, a claim may also be submitted by the owner equivalent to the number of Councillors travelling.

Example: the Councillor and one other Councillor travel in the aircraft or helicopter on approved Council business. The owner may claim the kilometric rate equivalent to travel by two motor vehicles. The passenger is not entitled to any claim

Fines and Penalties

Any fines or penalties incurred while travelling in Council owned vehicles or privately owned vehicles when attending to official Council business, will not be reimbursed and are the responsibility of the Councillor incurring the fine.

Claims for Reimbursement

- 3.11. All claims for reimbursement of expenses must be made on the approved form and submitted with original receipts to the Office of the CEO. Claims certified by a Councillor as complying with this policy will be authorised for payment by the Chief Executive Officer.
- 3.12. Claims must be presented within 3 months of incurring the expense.
- 3.13. When considering an application for approval of any matter related to this policy, the council or the Chief Executive Officer must have regard to the limits outlined in this policy and any relevant budget allocation.

4. RESPONSIBILITIES

Reporting

Pursuant to section 186 of the *Local Government Regulation 2012*, Council's Annual Report must contain the particulars of the expenses incurred by, and the facilities provided to, each Councillor during the financial year under this policy.

5. DEFINITIONS

To assist in interpretation of this policy and associated guidelines, the following definitions shall apply:

Approved Council Business - includes-

- a) Formal meetings of Council, including Ordinary, Statutory and Special Meetings;
- b) Official committee meetings, including advisory committee meetings of which a Councillor is a member;
- c) Formal public consultation meetings;
- d) Civic functions at which a Councillor is attending in his/her official capacity as a Councillor;
- e) Community functions to which a Councillor has been invited in his/her official capacity as a Councillor;
- f) Official inspections;
- g) Formal training, professional development and conferences approved by Council;
- h) Other activities approved by the Mayor and ratified at a subsequent meeting of Council.

Council - means the Carpentaria Shire Council.

Councillors - means the Mayor, Deputy Mayor and Councillors unless otherwise specified.

Expenses - mean costs reasonably incurred, or to be incurred, in connection with Councillors discharging their duties. The expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge. Expenses are not included as remuneration.

Entertainment and hospitality - means the cost to council of providing entertainment or hospitality as outlined in council's Entertainment and Hospitality Expenditure Policy.

Facilities - mean the facilities deemed necessary to assist Councillors in their role.

Incidental private use includes use incidental to Approved Council Business. (example - stopping at a shop on the way to or from Approved Council Business).

Professional development –includes activities undertaken by Councillors to improve their understanding, competence and knowledge of matters that specifically relate to local government functions, or to improve their competence and knowledge of matters that will assist them in carrying out their role as a Councillor.

Examples of professional development include (but are not limited to): Local Government industry training, conferences, workshops, seminars or specific events that are relevant to a Councillors role; or that are relevant to the development of a Councillor's individual knowledge and competence in conducting their role

Reasonable - shall mean Council must make sound judgements and consider what is prudent, responsible and acceptable to the community when determining reasonable levels of facilities and expenditure.

Training – any facilitated learning activity which is considered by council to be a requirement for councillors to discharge their duties and responsibilities as councillors.