



# BOULIA SHIRE COUNCIL

## Councillor Expenses Re-imbusement Policy

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<b>Related documents:</b>	Form 24 - Councillor Reimbursement Form 134 - Motor Vehicle Policy
<b>Responsible Section:</b>	Executive
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Legislation:</b>	Local Government Act 2009 Local Government Regulations 2012 Criminal Code Act 1899

## Purpose and Scope

Council is committed to ensuring that Councillors are provided with the facilities required to enable them to perform their duties. Councillors should not be financially disadvantaged when carrying out the requirements of the role of Councillor and should be fairly and reasonably compensated in accordance with statutory requirements and community expectations.

The payment and/or reimbursement of expenses and provision of facilities for Councillors:

- is to be open and transparent, prudent, responsible, acceptable to the community and in accordance with statutory requirements;
- based on ensuring economy and efficiency; and
- subject to budget provisions.

The *Local Government Regulations 2012* further states:

*250 Requirement to adopt expenses reimbursement policy or amendment*

- (1) *A local government must adopt an expenses reimbursement policy.*
- (2) *A local government may, by resolution, amend its expenses reimbursement policy at any time.*

*251 Notification of adoption of expenses reimbursement policy*

- (1) *As soon as practicable after a local government adopts or amends its expenses reimbursement policy, the local government must -*
  - (a) ensure a copy of the policy may be inspected and purchased by the public at the local government's public office; and*
  - (b) publish the policy on the local government's website.*
- (2) *The price for purchasing a copy of the policy must be no more than the cost to the local government of making the copy available for purchase.*

*252 Meetings about expenses reimbursement policy*

*A local government can not resolve under section 254J that a meeting at which a proposed expenses reimbursement policy is discussed (including its adoption or amendment, for example) be closed.*

The purpose of this policy is to:

- ensure compliance with community expectations and statutory requirements relating to the payment or reimbursement of legitimate expenses and provision of facilities for Councillors while carrying out their duties and responsibilities as elected representatives of the Council; and
- ensure that all Councillors have the facilities and other support necessary to perform their civic duties.

The scope of this policy provides for:

- payment of expenses incurred, or to be incurred, by the Councillors in the course of discharging their duties and responsibilities as Councillors; and
- the provision of facilities to the Councillors for that purpose.

This policy does not provide for salaries or other form of Councillor remuneration.

## Definitions

Authorising person -	Is the person with delegated authority to approve expenditure or reimbursement for Councillor expenses and facilities.
Council business -	means official business conducted on behalf of, and/or approved by Council, where a Councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business continuity for the Council. Council business should result in a benefit being achieved either for Council, the local government area or the community. Council business includes functions that are a statutory requirement of the Councillor's role or are officially recorded in minutes or other public records. This might also include, attending an event or function to perform official duties or as an official Council representative, such as: <ul style="list-style-type: none"><li>• ceremonial openings of buildings or facilities;</li><li>• fetes and carnivals;</li><li>• annual or presentation dinners;</li><li>• public meetings;</li><li>• private meetings arranged through official Council channels (i.e. documented in official records or diary) for the purpose of conducting bona fide discussions of business of Council; and</li><li>• any other meeting, event or function described of the Local Government Act 2009 under Insurance of Councillors for example attendance:<ul style="list-style-type: none"><li>✓ At the meetings of the local government or its committees that the Councillor is entitled or asked to attend, or at which the Councillor has business for a resident of the local government's area;</li><li>✓ At inspections or deputations, conferences and meetings at which the Councillor's attendance is permitted by the local government;</li><li>✓ At official functions organised for the local government; and</li><li>✓ On residents of the area for the purpose of local government business.</li></ul></li></ul>
Civic Duties -	means Council business.
Councillors -	include Councillors, the Mayor and Deputy Mayor.
Discretionary training -	is any training that is not determined by Council as "mandatory".
Expenses -	refers to expenses described in the Guidelines.
Facilities -	refer to the facilities deemed necessary to assist Councillors in their role as shown in the Guidelines.
Mandatory training -	is any training that Council resolves that all Councillors must attend.
Meal allowance -	is the daily amount allowed for meals while travelling on Council business.
Official capacity -	refers to activities undertaken while on Council business.
Public record -	is any record created, received or kept in an official capacity.
Preferred travel provider -	Council may appoint a preferred travel provider that processes all travel requests, negotiates discount air and accommodation rates and provides assistance to Councillors on all travel related matters.
Reasonable -	refers to what would be perceived as prudent, responsible and acceptable to the community. What the community would expect in terms of limits and Council being able to demonstrate that there is no excessive use or abuse of public funds.

Representing Council - a Councillor is representing Council when Council resolves that the Councillor is to attend an event or function as a representative of Council.

## **Policy Statement**

The reimbursement of expenses and provision of facilities for Councillors must only be for the actual cost of legitimate business use and only in accordance with the Local Government Act 2009, Local Government Regulations 2012 and Attachment A: Guidelines for Expenses Reimbursement and Provision of Facilities for Mayor and Councillors.

Council must provide for public accountability and transparency by:

- disclosure of overseas travel details in the Annual Report;
- Council reports on international travel activities;
- resolutions made during the year authorising the payment or provision of remuneration;
- including expenses paid or facilities provided, to Councillors or members of committees of the local government; and
- particulars of the total remuneration paid or provided, including expenses paid or facilities provided, to each Councillor during the year and the total superannuation contributions paid for each Councillor during the year.

For details about entitlements in regard to the payment or reimbursement of Councillor expenses and the provision of facilities for Councillors, refer to Attachment A: Guidelines for Expenses Reimbursement and Provision of Facilities for Mayor and Councillors.

Spouses, partners and family members of Councillors are not entitled to reimbursement of expenses or to have access to facilities allocated to Councillors, with the exception as referred to in the Motor Vehicle Policy.

Failure to comply with this policy or misappropriation of expenses or facilities may be a breach of the Councillor Code of Conduct and/or an offence under the Criminal Code Act 1899.

# **Attachment A - Guidelines for Expenses Reimbursement and Provision of Facilities for Mayor and Councillors**

## **Purpose of the Document**

The purpose of this document is to provide information about the payment or reimbursement of expenses and the provision of facilities for Councillors of the Council, including the Mayor. Councillor remuneration is not covered by this document. Councillor remuneration is in accordance with the determination of the Local Government Remuneration Tribunal.

## **Approval and Authorisation**

The payment or reimbursement of expenses and the provision of facilities for Councillors is subject to Council approval where necessary (e.g. for travel), budget provisions and the authorisation of Council's Chief Executive Officer or the officer delegated that authority by the Chief Executive Officer.

Wherever practicable, Council officers will provide the specified facilities and manage the payment of expenses on behalf of Councillors. Any claims by Councillors for reimbursement of expenses are to be authorised by the Chief Executive Officer or delegated officer.

## **1. EXPENSES**

The following expenses refer to actual expenses deemed necessary for Council business. Councillors are only entitled to the expenses contained in the categories listed below.

The Mayor will be provided with a Council credit card for business use under the approved administrative process. All claims for reimbursement must be submitted on a monthly basis to the Chief Executive Officer. Claim expenses more than three months cannot be claimed after the expense is incurred. The following credit card limits will apply:

- Mayor \$10,000

### **1.1 Council business**

Where Councillors are attending to Council business (refer to definitions) such as meetings, functions or other activities in an official capacity, Council will pay for the approved expenses associated with that activity.

The Mayor attends conferences as the primary Delegate, and may attend any other relevant Conference/Seminar/Workshop/Forums. The Mayor may be accompanied to these by the Deputy Mayor or other Councillors.

The Council shall appoint the other delegates and/or attendees at the above conferences. Attendance by Councillors at other Conferences/Seminars/Workshops shall be recommended by Council or senior officers in writing to the Council meeting. Council may approve travel for Councillors where Council considers it appropriate to promote or represent Council for a local government purpose.

### **1.1.1 Representing Council at events**

Councillors may be required to attend a range of events and functions as part of their role in attending to Council business. Councillors may, for example, be required to attend significant sporting and other community events in an official capacity.

Council will provide tickets to events for Councillors for the purpose of addressing Council's advocacy strategy and to provide support for community social and economic development activities.

## **1.2 Professional development**

The payment of expenses for professional development requires Council approval.

There are two categories of professional development for Councillors – Mandatory Training and Discretionary Training.

### **1.2.1 Mandatory training**

Where Council resolves that all Councillors or a class of Councillors (e.g. newly elected Councillors) are to attend training courses, seminars, conferences, workshops and/or forums for skill development related to a Councillor's role, Council will meet all costs.

Examples of mandatory training may include training for Councillor induction, code of conduct, meeting procedures and legislative obligations.

### **1.2.2 Discretionary training**

Where an individual Councillor wishes to attend a conference, workshop or training to improve skills relevant to their role as a Councillor (other than mandatory training), Council approval is required to pay the expenses of the event.

The funding limit for individual discretionary training is \$5,000 (\$1,500 per annum) for each Councillor during their four (4) year term in office, with annual amounts approved to roll over.

## **1.3 Travel costs**

Councillors may incur travel costs for a number of reasons including, but not limited to, attendance at Council meetings, travelling to conferences, training or workshops. In general, the most cost effective form of travel must be used. Councillors may request to travel using their own private vehicle for business purposes and claim a mileage allowance.

## **1.4 Accommodation**

When attending conferences, Councillors must take advantage of (any costs savings available from) any package provided by conference organisers and, therefore, stay in the recommended accommodation unless prior approval has been granted by Council. In all other cases, Council must decide what are legitimate accommodation costs that will be reimbursed.

Given the location of the Bouliia Shire Council area, accommodation may be made available for Councillors when attending to Council business if it is impractical to return home for that evening. However any such accommodation, where possible, must be authorised by Council; or for unforeseen reasons, by Mayor or Chief Executive Officer.

Councillors may claim up to \$20.00 per day to cover incidental costs incurred while travelling and staying away from home overnight outside the Council area.

### **1.5 Meals**

Councillors may claim for the reimbursement of each actual cost per meal (breakfast, lunch and dinner) when travelling for business related purposes. Where possible, any such reimbursement must be authorised by Council; or for unforeseen reasons, by Mayor or Chief Executive Officer.

Reasonable beverages, excluding alcohol, may be included as part of the meal reimbursement.

Where Councillors claim for reimbursement, this must be reconciled with actual costs, supported by receipts.

### **1.6 Hospitality expenses**

Where Councillors incur hospitality expenses while conducting Council business, apart from official civic receptions organised by the Council, the maximum amount that may be reimbursed is:

- \$500.00 per annum for each Councillor; and
- \$5,000.00 per annum for the Mayor.

Hospitality expenses related to official receptions and other functions organised by Council officers are met from relevant approved budgets.

### **1.7. Cab Charge, taxi and public transport**

Councillors may claim for cab charge and taxi facilities or reimbursement for public transport tickets (rail, bus, ferry) to attend official Council functions only. Any taxi travel within the Council area will not be reimbursed unless prior authorisation is given.

Incidental personal travel while attending an event must be met by the Councillor. An approved function includes any function approved pursuant to sections 1.2.1 and 1.3 above.

## **2. FACILITIES**

Facilities provided for Councillors must be deemed necessary and required to assist Councillors in their official capacity. In accordance with statutory provisions, Council may only provide Councillors with the facilities listed below.

Council determines the reasonable standard for facilities for Councillors. If a Councillor chooses a higher standard of facility than that prescribed by Council, any difference in cost must be met by the Councillor personally.

All facilities provided to Councillors remain the property of Council and must be accounted for during annual equipment audits. The facilities must be returned to Council when the Councillor's term expires, unless Council agrees to dispose of the facility in some other manner.

## **2.1. Administrative tools and office amenities**

### **2.1.1 Office space and access to meeting rooms**

The Mayor has allocated office space. Council provides access to occasional office accommodation and meeting rooms for Councillors to meet with constituents and the public. Such accommodation may be booked through the Council Office.

### **2.1.2 Secretarial support**

The Mayor's office will be staffed with an Executive Assistant shared with the Chief Executive Officer.

Limited secretarial support will be provided to Councillors by the current secretarial support based in the office of the Mayor and Chief Executive Officer.

### **2.1.3 Computer and Printer for business use**

Councillors are provided with an iPad for Council business use, at their choosing.

Councillors will be reimbursed for any Apps purchased which are required for official business use.

### **2.1.4 Photocopier and paper shredder**

Councillors are entitled to access photocopiers and paper shredders for Council business use at the Council office.

### **2.1.5 Stationery**

Councillors are provided stationery for official purposes only, including, but not limited to:

- Pens and pen sets
- Paper
- Note paper
- Letterhead
- Business cards
- Envelopes

Council stationery is not to be converted or modified in any way and may only be used for carrying out the functions of the role of Councillor.

Stationery does not include any form of advertising by Council.

### **2.1.6 Publications**

Councillors are provided access to copies of relevant legislation, books and journals considered necessary for undertaking their duties.

### **2.1.7 Other administrative necessities**

Subject to Council approval, Councillors may be provided with any other administrative necessities to meet the business of Council.

### **2.1.8 Advertising**

Council will not reimburse or provide funds, services or facilities for the purposes of advertising for Councillors.

### **2.1.9 Community consultation**

Councillors may use facilities provided to correspond with community representatives for the purpose of clarifying issues that are relevant to Council.



## **2.2 Home office**

Councillors may be provided with a multipurpose unit (photocopier/scanner/fax) for Council business use only within a home office environment, should they choose to.

Councillors who opt to use their own multipurpose unit (photocopier/scanner/fax) may be entitled to reimbursement for up to 50% of printer cartridges/toners.

## **2.3 Maintenance costs of any Council owned equipment**

Council will cover all ongoing maintenance costs associated with fair wear and tear of Council owned equipment to ensure it is operating for optimal professional use.

## **2.4 Name badge and uniforms**

Councillors will be provided with any safety equipment such as overalls, safety helmets or glasses, as required, in their role. Councillors will be provided with uniforms, equivalent to the indoor staff Starter Kit and a Blazer, and a name badge if required.

## **2.5 Vehicles, fuel and parking**

### **2.5.1 Vehicles**

All Councillors are eligible to be provided with a Council owned vehicle for official Council business.

Where a Council vehicle is unavailable to Councillors, private vehicle mileage will be re-imbursed at the rate set by the Australian Taxation Office's *Cents per kilometre method*.

The mileage rate will also be paid for Councillors travelling to and from scheduled and unscheduled Council meetings held in Boulia.

### **2.5.2 Fuel**

All Council vehicles will be provided with a choice of one of two (2) Fuel Cards suppliers for use with a Council owned vehicle, for official Council business, paid for by Council.

### **2.5.3 Parking**

Council will reimburse parking costs paid by Councillors while attending to official Council business.

## **2.6 Telecommunication needs**

Councillors may be provided with a mobile telephone which Council will pay for all costs associated with the Council business use, should they choose to. Any personal calls made by the Councillor within reasonable provision of use may be reimbursed to Council.

If a Councillor uses a personally owned mobile device, Council may reimburse up to 50% of the costs incurred (\$500 per annum).

## **2.7. Legal costs and insurance cover**

Councillors will be covered under Council insurance policies while discharging civic duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillor's

liability, personal accident and/or workers compensation, international and domestic travel insurance.

Council may decide, pursuant to Section 240 of the Local Government Act, to cover costs incurred through any inquiry, investigation, hearing or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillor's performance of his/her civic functions. Council shall resolve on this matter on each and every occasion specifically.

### **3. COUNCILLOR ACCOMMODATION AND TRAVEL**

#### **3.1 General conditions – Councillor accommodation and air travel**

All Councillor air travel requires prior approval, where possible, by Council and authorisation by the Chief Executive Officer or delegate. All Councillor accommodation requirements will be coordinated through the office of the Chief Executive Officer or delegate, and where possible requires prior approval by Council and authorisation by the Chief Executive Officer or delegate.

Council is committed to ensuring that travel and related services and products are procured as cost effectively and efficiently as possible using the Council's preferred travel suppliers.

Travel related expenses that do not comply with policy provisions will not be reimbursed.

Requests for ineligible expense claims risk delays in processing, or partial or total forfeiture of reimbursement.

All requests for travel (including associated registrations) should be made in sufficient time to take advantage of discounts and gain access to the widest range of accommodation and flights. Failure to do so will limit flight and accommodation options.

#### **3.2 Responsibilities**

Councillors are required to:

- process all travel related requests in a timely manner through the Chief Executive Officer's office so that available discounts are taken;
- make bookings in a timely manner so that available discounts are taken;
- complete necessary reimbursement process for valid out of pocket expenses each month following completion of the journey;
- complete all necessary registration and travel request forms.

The Chief Executive Officer must:

- ensure the application complies with policy provisions;
- approve travel requests in a timely manner; and
- implement systems of risk management to ensure that expenditure on travel is efficient, economic and appropriate.

The Officer coordinating the travel is responsible for:

- identifying 'best deals' and negotiating special rates with Council's preferred travel providers;
- providing advice to Councillors in relation to travel services, policies and procedures;
- coordinating all travel requests to ensure bookings are made in a timely manner and that all requests are processed in accordance with Council's policy; and
- maintain information on issues such as accommodation, airfares, car hire and other related costs for the purpose of reporting to Council, as required.

### **3.3 Approval**

All Councillor travel requires the approval of Council or in unforeseen circumstance Mayor and Chief Executive Officer. All travel requests from a Councillor must be submitted to Council and should identify the relevance of such event to the Council and as far as practicable indicate the cost of attendance.

Where time does not permit the presentation of a report to Council and Councillor's travel has been approved by the Mayor and Chief Executive Officer, a report of the delegated approval and the circumstances should be submitted to the next available Council meeting.

### **3.4 Air travel**

The most cost effective form of air travel will be used.

### **3.5 Frequent Flyer or Reward Programs**

Points from loyalty programs accumulated by Councillors on their personal rewards program, whilst travelling on official Council business, should not be used for personal gain.

Councillors are permitted to use benefits accrued on Council business to upgrade to a higher class of air travel if the cost to the Council is not increased by the upgrade. The use of points should not override the Council's 'best fare' available policy.

### **3.6 Class of travel**

The standard of air travel for Councillors travelling on Council business shall be economy. Councillors may upgrade to a higher class of travel if there is no additional cost to Council.

### **3.7 Flexible tickets**

Where flexibility is required for return times or connecting flights, a suitably flexible ticket may be purchased with the approval of the authorising person.

### **3.8 Accommodation**

Accommodation arrangements for Councillors must comply with the provisions of section 1.4 of this Attachment of this policy.

### **3.9 Hire cars**

The requirement for a hire car should be identified at the time of seeking Council approval for attendance.

### **3.10 International travel**

For international travel, actual Council business related costs will be reimbursed on presentation of original receipts.

Claims without receipts will not be accepted. Any expenses above the travel advance will be reimbursed. Any overpayment must be repaid to Council.

### **3.11 In-room internet connection for Council business purposes**

Where in-room internet connection is required for undertaking Council business, reasonable connection costs may be claimed on completion of travel. However, it is preferred that Councillors will use a wireless Internet card available by prearrangement through Council's administration officer.

### **3.12 Hospitality expenses**

Hospitality expenses may only be paid in accordance with section 1.6.

Expenses will not be reimbursed for personal items or costs unrelated to Council business; e.g.:

- Alcohol;
- Babysitting fees;
- Kennel fees;
- Occasional Airline club fees;
- Toiletries;
- Barber or hair stylist;
- Traffic infringements;
- In flight and in house movies;
- Tourism related costs;
- Food related items only for mini bar purchases;
- Social events; and
- Reading materials.

As a guide, expenses not normally reimbursed at home, will not be reimbursed when travelling.

### **3.13 Expenses reimbursement process**

Where practical, Council will pay all travel and accommodation expenses before departure, however, any claim for allowable expenses not covered should be made at the completion of travel. Councillors must ensure that all expenses are recorded and that the correct claim for expenses form is completed.

### **3.14 Accompanying partners and personal travel arrangements**

All travel and accommodation for partners of Councillors must be arranged by and paid by the Councillor. Council will not pay for any private travel expenses. In the event costs have been incurred by Council for a Councillor's partner, the Councillor will reimburse Council.

Council will not arrange private travel for Councillors or their partners except where the partner is travelling as an official delegate of Council.

### **3.15 Cancellation of travel and accommodation**

If a Councillor cancels travel previously planned and booked by the Council as part of official business for Council, then the Councillor will be required to reimburse the Council the costs incurred. Submission to the Council to waiver the reimbursement would be required to avoid such costs being imposed.