

Council Expenses Policy

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This policy is part of a suite of policies adopted by Council or the Executive Management Team (EMT).

New or replacement policies can be created and developed within Service Units but can only be added to Council's Policy Register by Strategic Governance following the approval of the policy by Council or the EMT.

Contents

PURPOSE	3
SCOPE OF POLICY	3
POLICY STATEMENT	4
PART 1 – Council Expenses	4
1. Expenses.....	4
2. Use of Private Vehicles and Cabcharge Cards	5
3. Car Parking Fees.....	6
4. Carer Expenses.....	6
5. Councillors with Disabilities	7
6. Insurance.....	7
7. Seminars, Conferences, Professional Development and Training	7
PART 2 – Resources and Facilities	9
8. Company Directors Course	9
9. Professional Memberships and Subscriptions.....	9
10. Meals/Refreshments/Meeting rooms.....	10
11. Community Involvement, Activities and Events	11
12. Gifts and Donations	11
13. Support Facilities	12
14. Name Badge	13
15. Additional facilities for the Office of Mayor.....	13
PART 3 – Allowances	14
16. Councillors’ Allowances.....	14
17. Reporting Arrangements	14
18. Decision Review	15
19. Administrative Updates.....	15
RESPONSIBILITY	15
DEFINITIONS	16
RELATED POLICIES	16
SUPPORTING PROCEDURES	16
ACTION PLANS	16
GUIDELINES	16
RELATED LEGISLATION	17
SUPPORTING RESEARCH AND ANALYSIS	17
DOCUMENT HISTORY	17

PURPOSE

This policy supports Councillors and members of delegated committees to perform their role without disadvantage by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

This policy also outlines the resources and facilities Council will provide to the Mayor and Councillors to support them in the performance of their duties.

SCOPE OF POLICY

This policy applies to:

- Councillors; and
- members of delegated committees unless otherwise stated.

The use of resources and facilities by family members of a Councillor are prohibited unless the use is directly related to a Councillor's official role.

Claims for expenses, resources and facilities other than those specifically provided for in this policy will be submitted to Council for determination.

If a Councillor or member of a delegated committee does not claim a particular expense or does not use a resource or facility provided, this cannot be offset against a claim for an additional amount of some other expense, resource or facility.

Councillors and members of delegated committees should exercise judgement when incurring expenses to ensure the proper use of Council resources.

POLICY STATEMENT

PART 1 – Council Expenses

In accordance with Section 41 of the Local Government Act 2020, Council must adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses

Part 1 of this policy applies to Councillors and members of delegated committees. A reference to a Councillor in this Part is to be read as a reference to a member of a delegated committee.

1. Expenses

- 1.1. In accordance with Section 40 of the *Local Government Act 2020*, Council must reimburse Councillors for out-of-pocket expenses incurred while performing duties which the Council is satisfied:
 - a. are bona fide expenses; and
 - b. have been reasonably incurred in the performance of their role of Councillor; and
 - c. are reasonably necessary for the Councillor to perform that role.
- 1.2. For the purposes of this policy, payment of expenses will be limited to:
 - a. payment of travel expenses for private vehicle use;
 - b. reimbursement of Carer and child care expenses, where appropriate;
 - c. reimbursement of telephone expenses; and
 - d. reimbursement of costs paid by Councillors relevant to and necessary for their role and for the purposes of achieving the objectives of the Council.
- 1.3. Councillors will be reimbursed for bona fide, reasonable and necessary out-of-pocket expenses on the presentation of a signed statement of expenditure on expenses supported by official receipts in addition to other relevant documentation (such as invitations).
- 1.4. Where an expense claim for equipment or an expense can reasonably be considered to attract some personal use, Councillors must provide a signed statement containing their best estimate of the percentage of personal use, which will be subtracted from the expense claim.
- 1.5. Councillors are expected to progressively submit their expense claims on a monthly basis as they are incurred. Claims for expenses during the prior month should be submitted by the last working day of the following month. This enables monitoring of expenditure against budget and accurate and meaningful reporting. All claims relating to each financial year are to be submitted by 30 June of that same financial year.

- 1.6. Council will not reimburse the cost of any infringements incurred by Councillors or for road, traffic or parking violations.
- 1.7. The annual budget will provide a consolidated budget amount for each Councillor to cover the cost of bona fide, reasonable and necessary expenses detailed in 1.3 above.
- 1.8. In a Council election year, the budget will be apportioned between Councillors on a pro-rata basis for the period up to the election and for the period following the election.
- 1.9. Individual Councillors will be provided with a monthly statement (itemised) of their expenses to enable them to monitor their level of expenditure.
- 1.10. Where the cumulative cost of expenses exceeds the budget provision for an individual Councillor in any one financial year, the Chief Executive Officer must only reimburse and/or commit expenditure up to the budget amount. Proposed expenditure that would exceed the budget provision is required to be submitted to Council for approval.

2. Use of Private Vehicles and Travel Related Expenses

- 2.1. Councillors will be reimbursed for travel related expenses including their own private vehicle, taxis and ride share services such as Uber or can use a Cabcharge card for:
 - a. attendance at Council or Delegated Committee meetings;
 - b. attendance at Committee meetings and Strategic Briefing Sessions;
 - c. attendance at ordinary, committee or sub-committee meetings of State, Regional or local organisations or bodies where the Councillor has, by Council resolution been elected as a Council delegate;
 - d. attendance at meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council;
 - e. attendance at a meeting, function or other official role as a representative of the Mayor or the Council;
 - f. attendances at conferences, seminars, professional development and training where the attendance has been approved by the Council or the Chief Executive Officer or delegate;
 - g. to and from the airport, rail or bus station or other point where travel to conferences, seminars, professional development and training commences; and
 - h. attendance at inspections and meetings within or outside Manningham relative to the duties of office as a Councillor.

- 2.2. Where travel is claimed to or from a location other than home, the maximum claimable must not be greater than the distance from the Councillors home or approved principle place of employment to the meeting/activity, unless exceptional circumstances exist.
- 2.3. Reimbursement for private vehicles will be paid in accordance with the Victorian Local Government Award 2015 as varied from time to time.
- 2.4. Councillors seeking reimbursement are required to submit to the Chief Executive Officer or delegate a signed record of private use claim and a copy of a log book entry for travel, other than for regular travel that has previously been determined and agreed.
- 2.5. 'Myki' cards are available from the Councillor Support Team for Council related travel. Where access to these cards is impractical, reimbursement of reasonable expenses can be claimed provided adequate evidence of the travel is produced.
- 2.6. Each Councillor will be provided with a Cabcharge card. Cabcharge cards are to be used by the cardholder only and must not be provided to any other individual for use.
- 2.7. Councillors must provide the Councillor Support Team with the reason for each journey and include the date, time and activity.

3. Car Parking Fees

- 3.1 Councillors may be reimbursed for car parking fees incurred at any event or training attended while performing their duties as a Councillor.

4. Carer Expenses

- 4.1. Council will reimburse the cost of necessary Carer expenses incurred by Councillors in performing their duties. Carer expenses include child care and other forms of care needed to support Immediate Family Members or to another person where the Councillor is in a care relationship as defined in section 4 of the *Carers Recognition Act 2012*.
- 4.2. Councillors will, on the production of a receipt or relevant documentation, be reimbursed the cost of child care expenses for children up to and including the age of 14 years and for other forms of care detailed in 4.1 above where the Councillor attends:
 - a. Council meetings, Strategic Briefing Sessions, Committee meetings and Delegated Committee meetings, site inspections to enable Councillors to familiarise themselves with matters before Council and civic or ceremonial functions convened by the Mayor or Council;
 - b. meetings, including public meetings scheduled by the Council;
 - c. meetings arising as a result of a Councillor being appointed by Council to an external body or organisation;

- d. a meeting or some other official function in the role as Mayor or deputising for the Mayor; and
 - e. conferences, seminars, professional development and training where the attendance has been approved by the Council or the Chief Executive Officer or delegate.
- 4.3. Carer expenses may consist of hourly fees, agency booking fee and reasonable travelling expenses. Fee reimbursement is not payable where the service has been provided by an immediate family member of the Councillor.
- 4.4. Where child care arrangements are provided by an informal babysitter arrangement and no official receipt can be produced, the Councillor must provide a signed statement confirming the name of the carer, hours worked and the cost of the service.

5. Councillors with Disabilities

- 5.1 Reasonable additional expenses and resources may be approved by the Chief Executive Officer or delegate to assist a Councillor with a disability to perform their duties as a Councillor.

6. Insurance

- 6.1 Council must indemnify and keep indemnified Councillors against all actions or claims arising during or after their term of office in respect of anything necessarily or reasonably done or omitted to be done in good faith:
- a. in the performance of a duty or a function or the exercise of a power under the *Local Government Act 2020*, the regulations or a local law or any other Act; or
 - b. in the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a power under the *Local Government Act 2020*, the regulations or a local law or any other Act.
- 6.2 Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's Insurers, whether defended or not.

7. Seminars, Conferences, Professional Development and Training

- 7.1 Council recognises the need for Councillors to attend seminars, conferences, professional development and training that is reasonably necessary to be kept informed on local government matters and to assist them in performing their role.

Policy Register Council Expenses Policy

- 7.2 Members of Delegated Committees who are not Councillors, must seek approval from the Chief Executive Officer before booking any seminars, conferences, professional development or training that will incur any expense. Any proposed expenditure must be reasonably necessary for the member of the delegated committee to perform their role.
- 7.3 The annual budget provision will also cover the cost of conference attendance by Councillors.
- 7.4 Councillors attendance at all international seminars and conferences must be approved by Council.
- 7.5 Attendance by Councillors at the Australian Local Government Association Annual Conference, Local Government Managers Association National Congress and the Company Directors Course do not require Council approval.
- 7.6 Council will provide the following to Councillors attending conferences, seminars, professional development and training:
 - a. Registration, course or sessional fees;
 - b. Dinners/meals – cost of main conference meals if not covered by the registration fees and all other meals within reasonable limits for the duration of the conference, seminar, professional development or training session;
 - c. Accommodation – appropriate accommodation as selected after consultation with the Chief Executive's office from the day prior to the registration day and each day until the conclusion of the conference, seminar, professional development or training. Any additional accommodation costs as a result of the attendance of Councillors partners or family members will be met by the Councillor;
 - d. Transportation – Council will cover the cost of transportation to, during and from the conference. This applies to any of the following forms of travel:
 - i. return economy class air travel (the Council has discretion when considering proposed overseas travel by Councillors to consider whether any special or extenuating circumstances might apply that would warrant travel by Business Class);
 - ii. private vehicle with reimbursement as specified in this policy subject to the reimbursement not exceeding the cost of return economy class air travel available at that time for the particular destination;
 - iii. economy class train or bus travel; and
 - iv. cabcharge.
- 7.7 All arrangements are to be handled through the Councillor Support Team.

- 7.8 Councillors will be required to submit a written report in respect of any conference or seminar attended except for the ALGA Annual Conference, the Local Government Managers Association National Congress, the MAV Councillor Development Weekend, the VLGA Mayors weekend and the Company Directors Course. Where more than one Councillor attends an interstate or overseas conference or seminar, a joint report may be submitted. Conference reports will be published on the Councillor Hub.
- 7.9 In the first year of a Council term, costs associated with the Councillor induction program will be absorbed in the operational budget and will not form part of the quarterly report.

PART 2 – Resources and Facilities

In accordance with section 42 of the Act, Council must make available to the Mayor and Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.

This Part applies to the Mayor and Councillors unless otherwise stated.

8. Company Directors Course

- 8.1 Council will support Councillors undertaking the Company Directors Course conducted by the Australian Institute of Company Directors on behalf of the MAV.
- 8.2 Councillors will be entitled to attend the Course in any of the first three years after being elected with the cost of the Course being paid directly by Council upon registration.
- 8.3 The cost of the course will be deducted from the relevant Councillor's expenses account.
- 8.4 If the cost of the course exceeds the available funds in a Councillor's expense account in any one year, the cost can then be amortised over two financial year periods.

9. Professional Memberships and Subscriptions

- 9.1 Council recognises the need for Councillors to hold memberships and subscriptions to professional associations directly related to their duties, in order to be kept fully informed on matters to assist them in performing their role.
- 9.2 Professional memberships that are considered to be reasonable and necessary bona fide out-of-pocket Councillor expenses are:
- a. The Municipal Association of Victoria;
 - b. The Victorian Local Governance Association;
 - c. The Australian Local Government Women's Association.

- 9.3 Other individual memberships, professional associations or subscriptions which are considered demonstrably beneficial to Council or the performance of the duties of a Councillor may be reimbursed subject to a resolution of Council.
- 9.4 The cost of the professional memberships and subscriptions will be deducted from the relevant Councillor's expenses account.

10. Meals/Refreshments/Meeting rooms

- 10.1 The part-time and voluntary nature of the role of a Councillor necessitates a Councillor attending meetings outside normal business hours. In many instances the timing of meetings renders it impractical for Councillors to make their own meal arrangements prior to attending such meetings.
- 10.2 In recognition of these situations and to facilitate timely attendance at meetings, it is considered appropriate to provide Councillors attending Council meetings, Strategic Briefing Sessions and Delegated Committee meetings with a "working dinner". The working dinner is to take the form of a two-course buffet together with non-alcoholic beverages. This clause applies to members of Delegated Committees who are not councillors.
- 10.3 Councillors (along with Council staff and independent members) attending meetings of committees and working groups convened to deal with Council business may be provided with meals and refreshments, excluding alcoholic beverages.
- 10.4 Councillors may meet with constituents in the Councillors' lounge or other small meeting rooms and light refreshments (tea, coffee and biscuits) will be available. Where a Councillor organises a meeting with a constituent(s) they should endeavour to arrange the meeting outside of the lunchtime period. In a situation where this is not practical, a Councillor may order a light lunch including non-alcoholic beverages. The cost of the lunch will be charged to the individual Councillor's expenses budget provided that the cost does not cause the actual expenditure to exceed the budget allocation and the lunch has been authorised by the Chief Executive Officer. There is no charge for the meeting room.
- 10.5 There may be occasions where a Councillor will not be able to meet a person for Councillor related purposes, at the Civic Centre. Claims can be made for costs associated with these meetings (excluding the cost of any alcohol) subject to the following requirements:
 - a. the meeting could not reasonably be conducted at the Civic Centre; and/or
 - b. the claim does not exceed the upper threshold of current Australian Taxation Office 'reasonable expenses'.

- 10.6 Where the Mayor hosts a visit (delegations, schools, etc) catering including non-alcoholic beverages may be provided at Council's expense. Where an individual Councillor independently hosts a visit, the cost of catering including non-alcoholic beverages is a charge against the Councillor.

11. Community Involvement, Activities and Events

- 11.1 The Mayor and Councillors receive invitations to attend various functions and activities. These may include Council run events, industry bodies, local community groups, not-for-profit organisations, public sector bodies, etc.
- 11.2 Many of these will be free of charge, however where there is a fee for attending , the cost can be:
- 11.2.1 paid directly by Council and deducted from the Councillor's expenses; or
- 11.2.2 claimed as an expense by the Councillor;
provided that:
- an official invitation is received;
 - the Councillor has been invited in an official capacity;
 - attendance can reasonably be seen to support the achievement of Council's objectives.
- 11.3 Council will meet the cost of attendance of a Councillor's partner where:
- the partner is specified on the official invitation; and
 - due to the nature of the function or activity, there is a reasonable expectation that partners attend; and
 - attendance by a partner is considered to be necessary or appropriate to support the business or representational needs of Council.
- 11.4 The cost of a partner attending an event will be deducted from the Councillor's expenses.

12. Gifts and Donations

- 12.1 The giving of gifts or donations by Councillors should be undertaken in a consistent and equitable manner in order to avoid perceptions of impropriety and to ensure the proper use of Council resources.
- 12.2 Council will only reimburse gifts which are reasonable and necessary expenses incurred in the performance of the role of Councillor.
- 12.3 Councillors seek guidance from the Councillor Support Team regarding the availability of corporate gifts before incurring any expense.

- 12.4 Councillors may make monetary donations in their own name at their own expense. Such donations will not be reimbursed by Council.

13. Support Facilities

- 13.1 Council supplies the following support facilities to Councillors to enable the Councillors to undertake their duties of office. All equipment remains the property of the Council. When a Councillor ceases to hold the office of Councillor, they shall immediately cease using the equipment and shall return it at the earliest opportunity but no later than 14 days from the date of cessation.
- 13.2 Council provides:
- 13.2.1. Stationery and equipment – A4 letterhead, bond paper, business cards, satchels, name badge and diary;
 - 13.2.2. Secretarial assistance –secretarial assistance will be made available through the Councillor Support team to Councillors for work directly related to the duties of office;
 - 13.2.3. Councillors’ lounge and office – Councillors have access to a lounge which is also fitted out with appropriate office furniture. It is suitable for meeting with constituents and for research and other Council business activities;
 - 13.2.4. Computing equipment in the form of a laptop and/or tablet device with appropriate software and printer as needed. Councillors will be supplied with electronic copies of meeting agendas and will need to bring a laptop or tablet device to meetings;
 - 13.2.5. A 3 or 4 drawer filing cabinet upon request;
 - 13.2.6. Training – Councillors will be provided with any necessary training/education in the use of equipment and/or software supplied by the Council or any sessions relating to other issues directly related to Council activities; and
 - 13.2.7. A webpage for each Councillor on the Manningham City Council website.
- 13.3 Notwithstanding clause 1.4, Council will reimburse Councillors for their mobile telephone plans, for bona fide and reasonable expenses up to the value of \$100 per month, provided that:
- a. the mobile telephone number is published as the Councillor’s contact telephone number; and
 - b. the mobile telephone expenses directly relate to the performance of their role as a Councillor.

- 13.4 Where Council has arranged the supply of equipment or other telecommunications facilities, the cost of purchase, installation or connection, maintenance, consumables, service or rental is to be at Council's expense.
- 13.5 Council supplied equipment is only to be used in relation to Council business. The onus rests with each Councillor.
- 13.6 Accounts for Councillors' mobile telephone plans are to be forwarded to the Councillor Support Team together with evidence of the payment of the account. Costs incurred in excess of \$100 per month will be the responsibility of the individual Councillor and will not be reimbursed by Council.

14. Name Badge

- 14.1 Councillors will be provided with a name badge bearing Council's logo for official use.

15. Additional facilities for the Office of Mayor

- 15.1 Mayoral Vehicle - Council will provide at its cost a fully registered, insured and maintained vehicle for official and personal use during the mayoral term if the Mayor so requires. The vehicle will be up to a similar standard to the vehicle available to the Chief Executive Officer. The Mayor's partner is permitted to drive the mayoral vehicle for official and personal use during the mayoral term.
- 15.2 Office Facilities - The Mayor will be provided with a suitably equipped office and secretarial support will be available during normal business hours and at other times as arranged with the Chief Executive's office.
- 15.3 Facilities for the Mayor's Partner
 - 15.3.1 The Mayor's partner will be supplied with cab charge facilities on the same terms and conditions as the Councillors.
 - 15.3.2 Council will reimburse travelling expenses for the Mayor's partner whilst accompanying the Mayor on official business.

PART 3 – Allowances

16. Councillor Allowances

- 16.1 The Mayor, Deputy Mayor and Councillors are entitled to receive an allowance from Council in accordance with the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019.
- 16.2 A Mayor, Deputy mayor or Councillor may elect to:
- a) receive the entire allowance;
 - b) receive part of the allowance; or
 - c) receive no allowance.
- 16.3 In accordance with the provisions contained in Australia Tax Office Interpretive Decision 2007/205, Council may enter into a voluntary arrangement with a Councillor under which the Councillor agrees to forego all or part of their Councillors Allowance, including Mayoral Allowance if applicable, in exchange for the Council making contributions to Vision Super, or such other complying superannuation fund nominated by the Councillor and agreed to by the Chief Executive Officer, on their behalf of the amount foregone by the Councillor. (Council Meeting 26/7/11)
- 16.4 Mayoral and Councillors allowances will be paid by EFT, in advance, on a monthly basis.

17. Reporting Arrangements

- 17.1 Quarterly Reporting
- 17.1.1 As part of Council's ongoing commitment to open and transparent government, all payments made to Councillors in accordance with this policy shall be reported quarterly on Council's website and included in the Manningham Quarterly Report.
 - 17.1.2 Councillors will be provided 14 days to review the quarterly report and seek clarification where required.
 - 17.1.3 The published quarterly report will include a total cost in each category detailed in 17.3 below for the Mayor and Councillors. Publication shall occur before the end of the month following each quarter.
- 17.2 A quarterly report will be provided to Council's Audit and Risk Committee detailing all reimbursements under this policy.

- 17.3 Council's Annual Report will include details of expenses, including reimbursement of expenses, for each Councillor categorised separately as –
- a) Travel expenses; and
 - b) Car mileage expenses; and
 - c) Carer and child care expenses; and
 - d) Information and communication technology expenses; and
 - e) Conference and training expenses.

18. Decision Review

- 18.1 In the event that a Councillor is not satisfied with a decision made by officers under this Policy, the matter can be referred to a review panel consisting of the Mayor (or Deputy Mayor if the matter relates to the Mayor) and Chief Executive Officer (or delegate, who is not the original decision maker). In reviewing an application, the panel can determine to support the application, not support the application or refer the matter to Council for consideration.

19. Administrative Updates

- 19.1 From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Manningham Council departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

RESPONSIBILITY

Day to day operation of the policy will be the responsibility of the Councillor Support Team with all payments/reimbursements being approved under delegated authority by the Group Manager Governance and Risk.

DEFINITIONS

Carer – someone who provides care to another person in a care relationship, as defined in section 4 of the *Carers Recognition Act 2012*.

Duties of a Councillor – means duties performed by a Councillor that are necessary or appropriate to their role for the purposes of achieving the objectives of Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.

Expenses – includes:

- Expenses initially incurred by a Councillor for which a claim is subsequently made for reimbursement; and
- Expenses incurred by Council for or on behalf of a Councillor.

Immediate Family Member – includes a spouse or domestic partner of a person, a son, daughter, mother, father, brother or sister that regularly resides with that person.

Member of a Delegated Committee – means any person other than a Councillor who is appointed to the delegated committee by the Council, in accordance with section 63 of the *Local Government Act 2020*.

Professional Development – means the process of improving and increasing the capabilities, knowledge and skills of Councillors necessary and relevant to their role through access to education and training opportunities through outside organisations or in the workplace.

RELATED POLICIES

Councillors IT Support and Equipment Policy.

SUPPORTING PROCEDURES

Nil

ACTION PLANS

Nil

GUIDELINES

Position of Mayor and Deputy Mayor Guidelines

