



# **PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS POLICY & PROCEDURE**

Reviewed Date:	26 November 2019
Next Review Date:	26 November 2020
Responsible Officer	Chief Financial Officer

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## **POLICY STATEMENT**

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors. The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

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## **OBJECTIVES:**

- To provide for the fair and equitable reimbursement of expenses incurred by the Councillors, Mayor and Deputy Mayor in discharging the functions of civic office
  - To provide adequate facilities for use by the Councillors, Mayor and Deputy Mayor to enable them to discharge the functions of civic office
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## **Policy Implementation Procedures, Guidelines and Documents**

### **Related WSC Policies**

Work Health and Safety Policy

## **POLICY**

### **Reporting Requirements**

Council is required by Section 428 of the Local Government Act 1993 to include in their Annual Report:

- A copy of this Policy
- The total amount of money expended during the year on providing these facilities and payment of these expenses
- Additional information as required by the Local Government (General) Regulation 2005

### **Approval Arrangements**

Attendance at conferences, travel on Council business and the like is to be, where possible, approved by a full meeting of the Council. If this is not possible then the approval is to be given by the Mayor.

The Mayor may attend any function, training or conference that he/she deems appropriate without seeking prior approval from the Council or another councillor. Such events are to be reported to the next meeting of Council by way of a report by the Mayor.

When travel involves overnight accommodation, an *Authority to Travel* form must be completed at least one week prior to the event and forwarded to the Executive Assistant for filing (see attached form)

## **PAYMENT OF EXPENSES**

### **Annual Fees - Mayor**

Council will determine annually the fee to be paid to the Mayor in accordance with Section 249 of the Local Government Act 1993. This fee, which is in addition to the Councillor's fee, will be paid to the Mayor monthly in arrears.

### **Annual Fees – Deputy Mayor**

Council will determine annually the fee to be paid to the Deputy Mayor in accordance with Section 249(5) of the Local Government Act 1993. This fee, which is to be deducted from the Mayor's fee, is in addition to the Councillor's fee. This fee will be paid to the Deputy Mayor monthly in arrears.

### **Annual Fees – Councillors**

Council will determine annually the fee to be paid to the Councillor in accordance with Section 248 of the Local Government Act 1993. This fee will be paid to Councillors monthly in arrears as provided by Section 250 of the Act.

### **Payment of Expenses and Limitation of Time**

Where there is a right under this Policy to claim reimbursement of costs and expenses, reimbursement will only be made upon the production of appropriate receipts and tax invoices, and the completion of the required claim forms.

Councillors must seek reimbursement of expenses within three (3) months of incurring that expense. Claims submitted outside of this period shall NOT be paid.

### **Spouse and Partner Expenses**

Except as provided below, Councillors are required to meet all expenses incurred by spouse/ partners in attending conferences and seminars including any additional cost supplement for accommodation.

Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government NSW annual conference may be met by Council. The expenses will be limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner / accompanying person tours etc are the personal responsibility of individual Councillors.

## **SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS**

### **Attendance at Seminars and Conferences**

Council will meet the costs associated with Councillors attending conferences or seminars that have been authorised by Council resolution or approved under delegated authority by the Mayor and General Manager as follows:

- The payment of registration fees
- Accommodation (see page 12)
- Reasonable sustenance and incidental expenses (see page 12)
- Travel

### **Travel Arrangements and Expenses**

#### **Transportation**

Where Council Officers are attending any meeting, conference, seminar or function and are travelling by motor vehicle Councillors will, where practical, travel to and from the meeting, conference, seminar or function with the Officers.

Should travel with an Officer be impractical, then the Councillor will make a request of the Mayor or General Manager (or the General Manager's nominee) to authorise travel by the most direct route to and from the meeting, conference, seminar or function either in a 'pool' vehicle or the Councillor's private vehicle. (See below).

A travelling allowance, based on the rates applicable under the relevant State Award (or its successors), or the cost of the equivalent return first class rail fare or air fare (whichever is the lesser amount) will be paid to the Councillor upon presentation of the appropriate claim form, where the Councillors private vehicle is used.

Where distances or practicality prevent travel by motor vehicle Council will meet the cost of either the return first class travel by rail or return economy class airfare together with taxi fares to and from the railway stations or airports for Councillors attending meetings, conferences seminars or functions.

Where road travel is required over a time period greater than 3 hours each way then Council approved air travel may be utilised.

### **Class of Air Travel**

Economy Class travel will be used for all official air travel, with the exception that Business Class travel may be used for air travel to destinations overseas.

Private chartered flights or hired planes may also be used where appropriate.

### **Use by Councillors of their private motor vehicle(s)**

Where car pool vehicles are unavailable Council will meet the cost of Councillors in using their own motor vehicle for travelling by the most direct route to and from the destination (plus an allowance for incidental kilometres on overnight stays) for:

- a) Meetings of the Council or the meetings of any Committee of the Council, Working Party, Taskforce, Forum or the like, of which the Councillor is a member or any briefing, community consultation, or the like, organised or authorised by the Council.
- b) Business or inspections within or outside the Council area in accordance with a resolution of the Council.
- c) Periodical conferences and/or meetings of organisations of which the Council is a member or other meetings specifically authorised by resolution of Council or where a Councillor has been elected as the Councils delegate to an organisation
- d) Any meeting, conference or function on behalf of the Council or the Mayor when such attendance is authorised.

Councillors are to lodge claims for travelling expenses within a period of three months after which the expense was incurred and the claim is to be on the appropriate form. The Councillor will also lodge with any claims a log of the journey in the “Councillor Expense Claim” form.

The total quantum of travelling expenses paid for the use of a Councillor’s motor vehicle by a Councillor for travelling on Council business is to be either;

- (i) an amount calculated according to the rates applicable under the Local Government State Award (or its successors), or;
- (ii) an amount equivalent to the cost of a return first class rail fare, or air fare whichever is the lesser amount.

### **Frequent Flyer Points**

Councillors shall not be entitled to claim frequent flyer points relating to air travel authorised by this policy. In circumstances where the Councillor has no option but to pay for air travel and frequent flyer points are accrued to his/her personal account, the Councillor will surrender the points to the airline upon reimbursement of the airfare by Council.

### **Accommodation whilst out of the Council Area**

Council will meet the cost of accommodation for Councillors attending to Council business, inspections, meetings, conferences or functions outside the Council area which are authorised by the Council or Mayor.

Council will meet the cost of accommodation for each Councillor at the venue of the conference or seminar or at another suitable location providing an equivalent standard of accommodation in close proximity to the venue.

When travelling by motor vehicle to conferences or seminars that require the Councillor to break their journey the Council will meet the accommodation and meal expenses of the Councillor, provided that the accommodation is located along the most direct and practicable route when journeying to and from the conference or seminar venue.

### **Sustenance and Incidental Expenses**

#### **Sustenance whilst on Council Business within Australia**

Where no meals are provided Council will meet the cost of reasonable sustenance for Councillors attending to Council business, inspections, meetings, conferences, seminars or functions which are authorised by the Council or Mayor

Sustenance will be paid on an actual cost basis or reimbursed following the receipt of an appropriate claim and supported by receipts. Where details to support the expenditure are not available a sum of up to \$35 may be paid for each meal.

#### **Incidental expenses whilst on Council business within Australia**

Council will meet reasonable incidental expenses for Councillors associated with conferences and seminars, or such other forums as the Council approves, on an actual cost basis upon the production of receipts and duly authorised claims.

#### **Sustenance and incidental expenses whilst on Council business outside Australia**

Council will, in the case of approved Overseas Travel for Councillors, pay an allowance equivalent to that applicable in tax ruling TR2003/7 for federal public servants (to be paid as if the Councillors received a salary in the mid-range) or any other document that should replace the above tax ruling.

### **Functions**

#### **Official Functions**

Council will meet the costs of the Mayor and Councillors and their spouse / partner when they attend Council-organised functions.

#### **Community Functions within the Walgett Shire**

In those cases where the Mayor and Councillors are invited to attend any official function that is of such a nature that the councillor's spouse / partner would normally be expected to accompany the councillor, any reasonable costs associated with the attendance of the spouse / partner will be met by Council. This includes instances where a councillor is representing the Mayor.

The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending the function. Peripheral expenses incurred by

spouses / partners / accompanying person such as grooming, special clothing and transport are not considered reimbursable expenses.

The Council will NOT meet any costs associated with attendance at fund-raising activities or rallies held by registered political parties or groups.

### **Training and Educational Expenses**

Councillors will be provided with any necessary training / education in the use of equipment supplied by the Council or in sessions relating to issues like probity, pecuniary interests or other issues that has been authorised by Council resolution or approved under delegated authority by the Mayor or General Manager.

Council will meet the full cost of attendance of Councillors at any of these sessions in the same manner as applicable to a Councillor's attendance at Conferences, Seminars and the like.

### **Care and other related Expenses**

Councillors who require access to childcare in order to attend Council meetings, event and activities will be provided with child care through a registered and accredited child care provider, at Council's expense.

In addition the reimbursement of the reasonable cost of other carer arrangements is also provided for. Carer arrangements include the care of elderly, disabled and/or sick immediate family members of Councillors, to allow Councillors to undertake their council business obligations.

Council will also reimburse the payment of other related expenses associated with the special requirements of Councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities. The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending of the carer to attend functions to support the councillor. Peripheral expenses incurred by carers such as grooming and special clothing are not considered reimbursable expenses.

Councillors seeking to claim carer expenses are to provide sufficient documentation to support their claim. Councillors claiming the carer expense should not be subject to criticism for doing so.

Council will meet Councillors' reasonable medical expenses associated with travel on approved Council business.

### **Insurance Expenses and Obligations**

Council will effect and maintain Personal Accident Insurance and Professional Indemnity cover for Councillors.

Council will also take out full travel insurance, which includes personal effects, personal accident and travel accident or sickness insurance, where appropriate, for Councillors involved in overseas, interstate or intrastate travel on Council business.

Council will effect and maintain insurance to cover any loss or damage to Council property in the possession or control of Councillors.

At any time during the currency of this policy, additional insurance may be taken out to cover Councillors, if and when it is identified.

### **Legal Expenses and Obligations**

If the Mayor or a Councillor incurs legal expenses in an inquiry, investigation or hearing instigated by any of the following:

- Independent Commission Against Corruption
- The Office of the Ombudsman
- The Office of Local Government
- The Police
- The Director of Public Prosecutions
- The Local Government Pecuniary Interest Tribunal
- The Australian Securities Commission
- Any other person, body or authority approved by a resolution of Council

and the enquiry, investigation or hearing results from the Mayor or Councillor discharging their duty, or relates to the office of Mayor or Councillor, then the Council may, after considering this matter (and an estimate of the cost) resolve to pay such expenses incurred.

This assistance is on the basis that the costs do not vary substantially from the estimate considered by Council provided that:

- a) the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor; and
- b) the enquiry, investigation, hearing or proceeding results in a finding substantially favourable to the Councillor; and
- c) the costs are only paid after the hearing, enquiry or investigation.

Council will not meet the legal expenses of proceedings initiated by the Councillor under any circumstance.

## **PROVISION OF FACILITIES FOR COUNCILLORS**

### **PROVISIONS**

Each Councillor will be provided with:

- Business Cards
- Diary
- Name badge

In addition Councillors may be provided with ties/scarves and or corporate clothing such as polo shirts and official jackets for use when representing the Council up to a value of \$700 per term.

## **EQUIPMENT**

### **Computers**

Council will provide each Councillor with an iPad to assist in accessing Council information. Each iPad will be fitted with appropriate software to enable the Councillor to carry out his or her responsibilities.

Each iPad will be loaded with the current policies, plans and key documents of Council and will be able to store Council meeting reports and minutes.

Where Councillors reside outside normal mobile phone coverage areas Council will provide a suitable internet connection.

Business papers will be provided by email, dropbox or at Council's website.

Virus scanning processes will be set to automatically run when the machine is turned on.

All use is to be in accordance with Council's current policies on email and iPad use.

The equipment and information held on it remains the property of the Council.

Reasonable technical support and training will be provided.

## **MEALS**

### **Ordinary Meeting, Committee, Briefings and Working Party Meetings**

Councillors shall be provided with light refreshments at Ordinary meetings, committee, briefing and working party meetings, commensurate with the time of day that the meeting is to be held, and the amount of business to be conducted at the meeting.

## **PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR**

It is recognised that the Mayor of the day has specific needs to adequately meet the demands of civic office.

Accordingly the Mayor, in addition to the facilities outlined elsewhere in this Policy, will be provided with the following facilities:

### **Office Facilities and Secretarial / Clerical Support**

The Mayor will be provided with a fully furnished office and telephone as well as secretarial / clerical support, during normal office hours, for work directly associated with the official functions and duties of the office of Mayor.

Council will meet the cost of postage of correspondence forwarded by the Mayor in the conduct of official duties.



### **Mayoral Vehicle**

Council will provide to the Mayor, at its cost, a registered, insured, maintained and fuelled vehicle for use by the Mayor on official duties and for private use.

The vehicle is provided on the following basis:

- The changeover of the vehicle is to occur in accordance with Council's Motor Vehicle Policy or practices.
- The Mayor is to be provided with a suitably equipped vehicle commensurate with the requirements of the Office of Mayor in accordance with Council's Motor Vehicle Procurement Policy that is in place at the time of purchase. The standard of vehicle shall be equivalent to a Toyota Prado GXL model.
- The Mayor is to enter into Council's standard agreement for the use of the vehicle, which is the subject of this Policy.

### **Mobile Telephone**

A mobile telephone will be provided to the Mayor for use in relation to official functions and duties of the office of Mayor and the Council will meet the cost of maintenance, rental and calls. A call limit of \$1,500 per annum is to be applied.

Council's Mobile Phone Policy shall be applied.

### **Gifts**

The Mayor undertakes a range of civic, ceremonial and promotional activities.

In recognition of this the Mayor will be provided with mementos such as books etc for presentation to people who have made significant contributions to the community, dignitaries or guests who visit the area.

The Mayor at his/her absolute discretion may provide Councillors with mementos for presentation, by the Councillors, to people visiting the area who it is considered have made significant contributions to the community, are dignitaries or are guests who visit the area.

### **Credit/Purchase Card**

- The Mayor will be provided with a Corporate Credit Card to facilitate payment of incidental expenses such as attendance at functions, parking and sustenance in conjunction with discharging the functions of the Mayoral Office.
- The credit card will have a limit of \$5,000.
- The account is to be in the name of Walgett Shire Council, the card being personally issued to the Mayor. The application form is to be signed by the Mayor.
- The credit card is to be used for Council-related business expenditure only.

- The credit card must not be used for obtaining cash advances.
- Upon completion of the Mayoral term, the credit card is to be returned to the General Manager on or prior to the date the term ceases.
- On-going use of the credit card by the Mayor will be in accordance with the Walgett Shire Council “Purchase Card” policy and subject to any other policy relating to the use of such credit facilities adopted by Council from time to time.

### **Community Functions**

In those cases where the Mayor is invited to attend any official function that is of such a nature that the councillor’s spouse / partner would normally be expected to accompany the councillor either within or outside of the Council area, any reasonable costs associated with the attendance of the spouse / partner will be met by Council.

The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending the function. Peripheral expenses incurred by spouses / partners / accompanying person such as grooming, special clothing and transport are not **considered reimbursable expenses**.

The Council will NOT meet any costs associated with attendance at fund-raising activities or rallies held by registered political parties or groups.

### **PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR DEPUTY MAYOR**

It is recognised that the Deputy Mayor of the day has specific needs to adequately meet the demands of civic office and to assist the Mayor.

Accordingly the Deputy Mayor, in addition to the facilities outlined elsewhere in this Policy, may be provided with the following facilities:

#### **Office Facilities and Secretarial / Clerical Support**

The Deputy Mayor will be provided with secretarial / clerical support, during normal office hours, for work directly associated with the official functions and duties of the office of Deputy Mayor.

Council will meet the cost of postage of correspondence forwarded by the Deputy Mayor in the conduct of official duties.

### **PRIVATE USE OF EQUIPMENT AND FACILITIES**

Councillors should not generally obtain private benefit from the provision of equipment and facilities, nor from travel bonuses or any such loyalty schemes. However, it is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

## OTHER MATTERS

### Acquisition and Returning of Facilities and Equipment by Councillors

#### Equipment to Remain the Property of the Council

Any equipment or office machinery provided to Councillors remains the property of the Council. It is to be returned to the Council, in good working order and condition having regard to the age of the equipment, within 21 days of the Councillor ceasing to hold office unless otherwise specified in this policy.

Councillors will be responsible for meeting the cost of repairs to any damaged equipment.

#### Special Circumstances

If special circumstances arise where it is impractical for the strict terms of this policy to be applied the General Manager may authorise a one-off variation to the policy to meet those special circumstances.

#### Status of the Policy

This policy, once adopted, is to remain in force unless it is reviewed beforehand by the Council in accordance with the provisions of Sections 253 and 254 of the Local Government Act 1993.

#### Limits


In accordance with the guidelines issued by the Office of Local Government the following table establishes the reasonable limits for all expenses and facilities covered by this policy.

<b>Expense or Benefit</b>	<b>Type</b>	<b>Per Event</b>
Travel expenses	Air fares	Standard charge applicable at the time
	Private vehicle	Rates as described in the Local Government State Award applicable at the time
Accommodation	LGNSW Conference	Standard room rate charged by the conference venue
	Other conferences and functions	Standard room accommodation up to a maximum of \$400 per night in capital cities and \$250 elsewhere
Sustenance	Conferences and functions	The charge levied by the conference organisers for the meals included in the conference
	Conferences	Up to a maximum of \$60 per head per meal – not including alcohol
Incidentals	Taxi fares, parking fees	Taxi fares up to a maximum of \$100 per day and parking fees up to \$80 per day
Sustenance	Community and Council functions within the shire	Cost of the ticket for the Councillor and partner
Mobile Telephone	Mayor	\$1,500per annum
Carer Costs	Councillors	Maximum \$2,000 per annum

WSC – Policy/Procedure – Payment of Expenses and Provision of Facilities for Councillors

Clothing	Councillors	\$700 per term
Meal at Council Meetings	Councillors	Maximum \$40 per head

**COUNCILLOR EXPENSE CLAIM FORM**

		<b>COUNCILLOR:</b>			
		<b>ADDRESS</b>			
		<b>CREDITOR NO.</b>			
		<b>JOB NO.</b>			
<b>CLAIM FOR THE MONTH OF:</b>					
<b>TRAVEL EXPENSE CLAIM</b>					
<b>DEPART</b>		<b>ARRIVE</b>		<b>MEETING</b>	
Date	Time	Date	Time	Place	DETAILS
					KM
<b>TOTAL KM:</b>					
<b>Motor vehicle details</b>					
<b>Make/Model</b>		<b>Engine Capacity</b>		<b>Under 2.5L / Over 2.5L</b> <small>(tick one that does not apply)</small>	
<b>OTHER EXPENSES</b>				<b>JOB NO.</b>	
<b>FARES AND PARKING FEES</b> (attach receipts)					
Details:				\$	
<b>ACCOMMODATION</b> (attach receipts)					
Details:				\$	
<b>MEALS:</b> a) per attached receipts				\$	
b) @ \$35				\$	
<b>TOTAL CLAIM:</b>				\$	
<b>Signature of Claimant:</b>					
				/ /	
				<b>Date</b>	
				<b>Authorised for payment</b>	
				<b>General Manager/Director</b>	
				/ /	