

COUNCILLOR EXPENSE AND SUPPORT POLICY

1. Policy Statement

- 1.1 In accordance with section 41 of the Act, Council must adopt and maintain a policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.
- 1.2 Councillors and members of delegated committees are entitled, under section 40 of the Act to reimbursement of expenses reasonably incurred in the performance of their duties.

2. Purpose

- 2.1 Councillors are elected to provide leadership for the good governance of the municipal district and the local community, as defined under the *Local Government Act 2020*, by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. The Policy also provides guidance on:

- Entitlements and support
- Processes for reimbursement
- Reporting, monitoring, evaluation and review requirements
- Other measures supporting Councillors to fulfil their duties

3. Scope

- 3.1 This Policy applies to:
- Councillors
 - Members of Delegated Committees

4. Alignment to Whittlesea 2040

- 4.1 The Councillor Expense, Reimbursement and Support Policy primarily guides Council's work toward the following Goal as outlined in *Whittlesea 2040: A place for all: High Performing Organisation*

5. Overarching Governance Principles

- 5.1 The development of this Policy considered the *Local Government Act 2020's* Overarching Governance Principles and the following were applied:

Lawful	<input checked="" type="checkbox"/>
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Community engagement	<input type="checkbox"/>
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Financially viable	<input checked="" type="checkbox"/>
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Best community outcome	<input checked="" type="checkbox"/>
Sustainable	<input checked="" type="checkbox"/>

Innovation & improvement	<input checked="" type="checkbox"/>
Collaboration with government bodies	<input checked="" type="checkbox"/>

Consistent with government plans	<input type="checkbox"/>
Transparent	<input checked="" type="checkbox"/>

6. Definitions

Act: means *the Local Government Act 2020 (Vic)*

Carer: means a carer as defined under section 3 of the *Carers Recognition Act 2012*

Chief Executive Officer (CEO): means the person appointed by Council to be its Chief Executive Officer, or any person acting in that position

Council: means the City of Whittlesea being all the Councillors collectively

Councillor: means an elected representative of the community

Delegated Committee: means a delegated committee established by Council under section 63 of the Act

Information and Communication Technology (ICT) equipment: means any device including mobile phones, iPads, laptops and any peripheral or related devices or accessories

Mayor: means the Councillor elected to the Office of the Mayor

Municipality: means the City of Whittlesea municipality

OCCEO: means Office of Council and CEO

Out-of-Pocket Expenses: means expenses that has been met by the Councillor or delegated committee member, using their own funds, which may later be reimbursed.

Travel Expenses: means cost for travelling by car, taxi, public transport, or air in relation to Council business or business related to the delegated committee.

7. Policy Principles

7.1 The general principles underpinning this Policy are as follows:

- councillors must meet the standards of conduct set out in the Councillor Code of Conduct prescribed under section 139 of the Act;
- encouraging diversity in participation, equity, inclusion and access; and
- accountability and transparency.

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7.2 This Policy ensures reimbursement of expenses is in accordance with the Act and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the Council.

7.3 Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that are:

- bona fide expenses;
- have been reasonably incurred in the performance of their role; and
- are reasonably necessary to perform their role.

7.4 The Council administration is committed to ensuring that all claims are processed effectively and efficiently as possible.

8. Legislative Framework

8.1 This Policy has been set out in accordance with sections 39-43 of the Act.

8.2 The following Acts, policies and documents have relevance to this policy:

- *Carer's Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Children Youth and Families Act 2005*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Gender Equity Act 2020*
- Councillor Code of Conduct
- Public Transparency Policy
- Audit and Risk Committee Charter
- Council's Fraud and Corruption Control Policy and Risk Management Framework
- Governance Rules

9. Allowance for Mayors and Councillors

9.1 Section 39 of the Act provides the framework for payment of annual allowances to Mayors, Deputy Mayors and Councillors.

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- 9.2** The allowances framework provides a three-level structure for allowances based on Council population and total revenue and is determined in accordance with the Victorian Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

In addition to the allowance, an amount equivalent to the superannuation guarantee contribution is payable into their superannuation fund.

- 9.3** Allowances are taxable income and paid fortnightly in advance. Personal taxation implications are the responsibility of individual Councillors.
- 9.4** Details of current allowances fixed for the Mayor and Councillors of the City of Whittlesea are available for public inspection on Council’s website and at the Council Office, 25 Ferres Boulevard, South Morang.

10. Resources and Facilities for the Mayor and Councillors

The following resources, facilities and support will be provided to Councillors to assist in performing their duties as a Councillor.

10.1 Mobile Communications

- 10.1.1** All Councillors will be provided with, as deemed appropriate by the CEO, information technology, including an internet data plan. Councillors will also be issued with a mobile number and a City of Whittlesea email address. The following equipment will be provided:

- Smart Phone
- Laptop or iPad
- A multifunction colour printer, scanning, copying and all associated consumables including toners and paper which will be made available in the Councillor Room at Council

- 10.1.2** The make, model and style of the ICT devices provided will be determined by the CEO and Chief Information Officer based on current telecommunications plans and offers available to Council and in consultation with the Councillor. IT support will only be provided in relation to the devices issued to Councillors by Council.

- 10.1.3** Mobile devices and communication systems owned or managed by the City of Whittlesea are to be used in an effective, safe, ethical, and lawful manner in accordance with Council policy . Use may be monitored, and misuse may be referred to IBAC or Local Government Inspectorate for investigation.

- 10.1.4** Councillors must not, while using Council’s mobile devices and communication systems, engage in any activity which violates or infringes the rights of others, or which a reasonable person would consider to be abusive, profane, offensive or defamatory.

- 10.1.5** Councillors must return all Council issued equipment to the City of Whittlesea on the next business day at the conclusion of a Councillor’s term, unless otherwise agreed by the Executive Manager Office of Council and CEO.

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10.1.6 If any Council issued equipment needs to be replaced, for whatever reason, it shall be returned to the responsible Council Officer at the same time as the replacement equipment is issued.

10.2 Data

10.2.1 Council will meet the fixed charges of the Smart Phone and internet services. Council will also meet the call or data costs for those services incurred for duties as a Councillor.

10.2.2 Usage of all ICT devices will be restricted to the Councillor to whom they have been assigned and the assigned Councillor shall be responsible for all usage incurred on the devices.

10.2.3 Councillors will take care to safeguard any personal or Council information stored on devices so as it cannot be accessed by other persons. All devices must be kept in a secure location when not in use.

10.2.4 Councillors may use Council provided devices for incidental private use. Incidental private use is defined as use that incurs costs of no more than 10% of the total monthly call and data costs.

10.2.5 Council will not provide or contribute to the costs of existing internet services or plans of a Councillor beyond what is set out in this Policy, unless mutually agreed with the CEO.

10.2.6 Any excessive costs as assessed by the CEO, incurred by a Councillor whilst travelling overseas, must be reimbursed to Council by the relevant Councillor within 14 days.

10.2.7 Council is not responsible for loss of personal/private data stored on Council devices.

10.2.8 Councillors must not open files or click on link in attachments, emails or social media, if the source is unknown, suspicious or untrustworthy.

10.3 Support (Help Desk and Training)

10.3.1 Support for Councillors to set up their Council issued ICT equipment and day to day trouble shooting assistance is provided by Council's Information and Communications Service Desk Officers.

10.3.2 For the initial three (3) month period upon being elected, requests for ICT assistance shall be made directly to the OCCEO and thereafter directly to Council's Helpdesk on 9217 2170 or via email to helpdesk@whittlesea.vic.gov.au.

10.3.3 In addition to training provided through induction, further training in the use of ICT resources issued to Councillors may be arranged on an as required basis at the Councillor request.

10.3.4 All Councillors must undertake the required Cyber training and other required IT training.

11.1 Travel

11.1.2 Mayor and Councillors may book Council fleet vehicles for use when performing official Council duties. The provision of the vehicle is subject to the following terms and conditions:

(a) Use of the vehicle is in accordance with Council's [Light Vehicle Policy](#)

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- (b) The vehicle must only be utilised for official Council business
- (c) Any damage, accident or fault is to be reported to the Executive Manager Office of Council and CEO as soon as practicable
- (d) The use of carpooling of the Council fleet vehicles by Councillors must be considered to reduce cost to Ratepayers.

11.2 Private Vehicle Use

11.2.1 Councillors are entitled to be reimbursed for reasonable travel expenses incurred in the use of their private vehicle, including electric vehicles, for Council purposes.

11.2.2 Reasonable travel expenses include travel to and from:

- meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed as the Council delegate;
- site inspections or meetings; and
- any meeting or other activity which Council formally resolves the Councillor should attend in an official capacity to represent the Council.

11.2.3 In the event that a Councillor is involved in an accident in their private vehicle, whilst on official Council business, Council will refund any excess paid up to the amount of \$500.00 upon presentation of current Car Insurance Policy Documents.

11.2.4 All travel claims will be from the Councillor's notified place of residence. All expense claims must be submitted on the Councillor Reimbursement of Expense Claim Form for Private Vehicle Usage (**Appendix C**). The Councillor will be reimbursed in accordance with the applicable and current vehicle allowance as specified in the City of Whittlesea Enterprise Agreement in operation at the time claims are submitted. For remote area travel, the remote travel allowance as determined by the Independent Remuneration Tribunal (**Tribunal**) will apply for eligible Mayor, Deputy Mayor and Councillors, up to a maximum of \$5,937.50 per annum, or as amended from time to time by the Tribunal

11.2.5 Councillors that have an environmentally friendly vehicle which does not fit a standard cylinder vehicle classification are eligible for the 4 cylinder or less vehicle reimbursement classification amount.

11.2.6 Vehicle travel that exceeds an individual round trip of 600km requires CEO prior approval.

11.3 Taxi / Uber

11.3.1 Where it is not possible or convenient to use public transport or a private motor vehicle, a taxi or Uber service can be used by Councillors for travel required for their official duties. Councillors will be supplied, upon request, with a Cab charge Card or eTICKET.

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11.3.2 If a Councillor incurs costs for the use of a Cab charge Card or eTICKET in any month, the OCCEO will send the Councillor a copy of those charges along with a Councillor's Declaration of Cab charge Usage Form (**Appendix A**).

11.3.2.1 The Councillor's Declaration or Cab charge usage Form must be completed and returned to the OCCEO via email: (Email address yet TBC) within 14 days of the account being sent.

11.3.3 Expenses incurred will be recorded against the Councillor on the Councillor Expense Register.

11.4 Interstate Travel

11.4.1 Interstate travel for official Council business is subject to the following terms and conditions:

- (a) Councillors must obtain approval from the Council by way of a resolution at a Council meeting that is open to the public, prior to travel;
- (b) The OCCEO will arrange travel including:
 - Registration;
 - Transportation; and
 - Accommodation.

11.4.2 The CEO will maintain a register of interstate travel in accordance with the legislation.

11.5 International Travel

11.5.1 International travel for official Council business is subject to the following terms and conditions:

- (a) Councillors must obtain approval from the Council by way of a resolution at a Council meeting that is open to the public, prior to official work related travel;
- (b) The travel must be in the best interests of the community;
- (c) The OCCEO will arrange travel including:
 - Registration;
 - Transport
 - Accommodation and meals
 - Insurance
- (d) To protect Council system networks and data from any potential cyber-attacks, Council owned and issued devices (phones, iPads, Laptops etc.) must not be taken overseas for official work-related travel or personal travel.
- (e) If Councillors are taking their own devices overseas, access to Council systems i.e. emails must be blocked to ensure the security of Council's networks.

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- (f) To ensure the appropriate protection of Council information and data, and in accordance with advice from ASIO, alternate mobile phones, electronic devices and phone numbers may be allocated by the CEO. Access to some systems may be restricted at the discretion of the CEO.
- (g) Any excessive costs as assessed by the CEO, incurred by a Councillor whilst travelling overseas, must be reimbursed to Council by the relevant Councillor within 14 days.

11.5.2 The CEO will maintain a register of international travel in accordance with the legislation.

11.6 Infringements

11.6.1 The cost of any penalties incurred by the Councillor for road, traffic or parking infringement, or other similar penalties or fines, will not be reimbursed by Council.

12.1 Private Use of Council Issued Equipment

12.1.1 Private use of a Council issued device, including data, above 10% must be declared by the Councillor and must be reimbursed to Council.

12.1.2 The Governance Team will provide a Declaration Usage of Resources Form (**Appendix B**) via email to Councillors on quarterly basis, which will specify the monthly cost of the Council provided mobile phone and internet data plan. Itemised accounts will also be provided to each Councillor of their mobile phone and data accounts.

12.1.3 Each Councillor must make an estimate of their private use and declare on the Declaration of Usage Resources Form that:

- (a) no more than 10% of the call charges of the Council provided mobile phone (up to a maximum monthly cost of \$20) is attributable to incidental private use;
- (b) no more that 10% of the internet connection plan is attributable to private use.

12.1.4 Each Councillor must sign, and date the Councillor's Declaration Usage of Resources Form and return it to the Governance Team via email (Email address yet TBC) within 14 days of the details being sent.

13.1 Child or Dependent Care

13.1.1 In accordance with sections 41(2)(c)-(d) of the Act, Council will reimburse the cost to a Councillor or delegated committee member where, when on official Council business:

- the provision of childcare is reasonably required
- the provision of care for a dependent is reasonably required

13.1.2 Care expenses, not funded by any other parties, that may be claimed include but are not limited to:

- childcare centre fees
- home care

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- hourly fees
 - agency booking fees
 - reasonable travel expenses for transporting the carer to the dependent or the dependent to the carer
- 13.1.3 Except by prior written agreement of the CEO or Executive Manager Office of the Council and CEO, payments for carer and childcare services will not be made:
- to a person who resides with the Councillor
 - has any financial or pecuniary interest with the Councillor
 - has a relationship with the Councillor or their partner (i.e. immediate family member)
 - has recognised care responsibility (i.e. parent or other regular caregiver)
- 13.1.4 Evidence of out-of-pocket costs incurred by the Councillor must be provided with any claim.
- 13.1.4.1 Any claims for child or dependent care by a Councillor will be considered and have regard to the definitions and provisions of the *Carers Recognition Act 2012*.
- 14.1 Professional Development Training**
- 14.1.1 As specified in the Act, it is mandatory for all Councillors to complete professional development training annually to ensure they understand their role and responsibilities.
- 14.1.2 A failure to complete the mandatory professional development training will result in allowances being withheld until training is completed.
- 14.1.3 If a Councillor is on leave, they will have one month to complete any professional development training missed without having their allowance withheld.
- 14.1.4 It is important Council identifies the training needs of Councillors and ensures that they have access to ongoing training and professional development throughout their elected term.
- 14.1.5 Any additional training and professional development by Councillors must be directly related to their performance as a Councillor. Such training and development could involve seminars, conferences, and more formal study courses.
- 14.1.6 Council will provide a maximum of \$10,000 per financial year per Councillor, \$5,000 in the final year of a Councillor term, for training and professional development (refer Note 1). All approved associated costs will be recorded against the individual on the Councillor Expense Register.
- 14.1.7 Where a Councillor’s additional training and professional development involves related costs such as accommodation, travel, or other general costs, these should be identified by the Councillor when seeking prior written approval from the CEO.

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Note 1 – The CEO may upon written application consider approving training and professional development opportunities, or conference attendance that exceeds the annual \$10,000 per Councillor threshold subject to available budget. If approved, the individual Councillor’s annual training and development budget allocation will be apportioned over the remaining Council term.

14.1.8 No additional training or training expenses outside any legislated professional development training will be approved, in the final six (6) months of a Councillor term.

14.2 Mayoral Training

14.2.1 The Mayor and Deputy Mayor must complete Mayoral training within one month after their election. The training will be required irrespective of whether the person has previously held the position of Mayor or Deputy Mayor.

14.2.2 Failure to complete the training as required under Act will result in allowances being withheld until the training is completed.

14.3 Councillor Group Training and Development

14.3.1 The CEO or their nominated delegate, in consultation with Councillors, will identify group training and development opportunities. This group training is in addition to any mandatory training as determined by the CEO and in accordance with the Local Government Act. Where group training is organised, the allocated total cost will be apportioned against all Councillors whether in attendance or not.

14.4 Training and Development Pre-Approval Process

14.4.1 Councillors will seek CEO pre-approval for the funding of training and development or conference attendance prior to the training taking place.

14.4.2 Training, development or conference attendance will be arranged by the OCCEO.

14.4.3 Councillors will outline the benefit and reasons when seeking approval.

14.5 Authorisation

14.5.1 The CEO, unless otherwise resolved by Council, is authorised to approve the funding of Councillors’ attendance at training and development or confirming attendance and payment for events on criteria that ensures:

- attendance is in the community interest and reflects the identified needs of the Councillor
- equity, fair and reasonable access to all Councillors to training and development, noting that events will generally be attended by the Mayor in the first instance.

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14.6 Attendance at Events When Performing Duties as a Councillor

- 14.6.1 Councillors may seek approval from the CEO to attend official events when performing duties as a Councillor and have these costs paid for by Council or reimbursed, as outlined in Section 15.
- 14.6.2 Events must be directly related to the municipality and must not be events organised by political parties.
- 14.6.3 This section is to be read in conjunction with the Council's Gift Policy.

15. Reimbursements

15.1 Mobile Phone Reimbursement

- 15.1.1 Where a Councillor chooses to use their own mobile phone, reimbursement of official Council business calls can be claimed.
- 15.1.2 A Councillor seeking reimbursement must submit their personal mobile phone account to the OCCEO highlighting the call and data charges that are attributable to performing their official duties as a Councillor.

15.2 Expenses Reimbursement

- 15.2.1 All claims must be made on the approved expense reimbursement form or the online platform which Council makes available.
- 15.2.2 Original receipts must be attached for all claims. Credit Card Eftpos receipts will not be accepted, an accompanying Tax Invoice must be included.
- 15.2.3 In any case where a Councillor is unable to provide a receipt of costs incurred, a Statutory Declaration may be accepted by the CEO. Appropriate and sufficient reasoning for being unable to produce a receipt must be provided by the Councillor. The CEO has the discretion to accept or reject a Statutory Declaration.
- 15.2.4 Claims must be lodged with the OCCEO within 7 days of the end of each month.
- 15.2.5 Reimbursements will be provided monthly by Electronic Funds Transfer (EFT).

15.3 General Expenditure Reimbursement

- 15.3.1 General expenditure incurred may be claimable and must relate directly to the performance of duties as a Councillor.
- 1531.1 General expenditure may include such expenses as the reasonable and minor purchase of refreshments (i.e. a coffee), car parking and public transport tickets.
- 15.3.2 A claim for reimbursement of general expenditure requires evidence in the form of a Tax Invoice including name and address of the supplier and details of the goods or services supplied.

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15.3.3 Reimbursements will be paid by Electronic Funds Transfer (EFT) within 21 days of receipt and approval of a properly completed Councillor Reimbursement of Expenses Claim Form (**Appendix D**).

16. Submitting Claims

16.1 All claims for reimbursement must be fully substantiated and details lodged on the Councillor Reimbursement of Expenses Claim Form (**Appendix D**).

16.1.1 The period for the lodgement of any claim must not exceed three (3) months without written approval of the CEO.

16.1.2 No claims will be permitted that exceed three (3) months.

16.1.3 Any outstanding claims at the end of a financial year must be submitted within two (2) weeks after the start of a new financial year.

17. Approval of Claims

17.1 Claims for reimbursement of expenses by Councillors must be approved by the CEO or their delegate. Mayoral expenses shall be approved jointly by the CEO and Executive Manager Office of Council and CEO.

18. General

18.1 The following general provisions apply to out-of-pocket expenses that will be reimbursed to, or paid on behalf of, a Councillor:

- Travel must be undertaken as efficiently and by the shortest route possible.
- Where domestic travel is by air, including to New Zealand, Economy bookings will be the standard.
- For international travel, excluding New Zealand, Business Class bookings will be the standard.
- Travel claims will only be made on the basis of the actual form of transport used.
- Expenses incurred that are not directly related to the official Council duties of a Councillor, cannot be included in the calculation of a claim for reimbursement.
- Council will not incur any costs associated with the travel or accommodation or any other incidentals of others, including partner, children, etc.
- Travel arrangements for attendance at interstate or international events will be scheduled for the Councillor to arrive one (1) day prior to the event and one (1) day after the event unless otherwise agreed to by the CEO.
- The selection of airlines, hotels, transfer providers and any other arrangements will be determined by the CEO with all bookings being made by the OCCEO.
- Councillors will not be reimbursed for any arrangements (ie. booking of flights, accommodation, etc) that have been made directly by the Councillor.

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19. Other Support and Assistance

19.1 Mayoral and Deputy Mayor Support

19.1.1 Administrative support will be made available during business hours by the EA to the Mayor and Deputy Mayor to assist the performance of their official duties.

19.1.2 Office accommodation and associated equipment will be provided to assist the Mayor at the City of Whittlesea, Council Offices, 25 Ferres Boulevard, South Morang.

19.2 Building Access

19.2.1 Each Councillor will receive a security access card allowing 24 hour access to the Councillors Room, meeting rooms and CEO office area only at City of Whittlesea, Council Offices, 25 Ferres Boulevard, South Morang.

19.3 Car Parking

19.3.1 Car parking will be available for the Mayor in the underground car park at the City of Whittlesea, Council Offices, 25 Ferres Boulevard, South Morang.

19.3.2 Car parking will be available for Councillors at the City of Whittlesea, Council Offices, 25 Ferres Boulevard, South Morang.

19.3.3 Councillors will be required to register their vehicle at the commencement of their term, and advise of any changes to vehicle use, to avoid the issuing of any Parking Infringements in the vicinity of the City of Whittlesea, Council Offices, 25 Ferres Boulevard, South Morang.

19.4 Meeting Rooms and the Councillors Room

19.4.1 The Councillors Room is reserved for exclusive use by Councillors. The room is equipped with computer access and a printer and is suitable for office work, reading and research and small meetings.

19.4.2 Light refreshments, including water, tea/coffee and soft drinks will be made available in the Councillors Room.

19.4.3 Councillors private and secure pigeon holes are located within the Councillors Room.

19.4.4 With advanced notice, other meeting rooms at the City of Whittlesea, Council Office, 25 Ferres Boulevard, South Morang, may be secured for meetings through the OCCEO. Meeting equipment, tea/coffee and water can be made available for meetings upon request.

19.4.5 A Councillor must not make a booking on behalf of a community member.

19.5 Administrative Support and Stationery / Mail / Miscellaneous

19.5.1 Reasonable administrative support will be made available during normal business hours by the OCCEO primarily in the form of assistance with diary management, responding to correspondence, enquiries and requests for service as part of their official duties as a Councillor.

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19.5.2 On request, the OCCEO will manage reasonable requests for stationery held or obtained for the Council requirements.

1952.1 E-card templates for significant dates will be made available for use by individual Councillors. It is the Councillor responsibility for sending these E-cards.

19.5.3 Each Councillor will be provided with two (2) City of Whittlesea name badges for use while on Council business.

19.5.4 Council meeting papers and the majority of information from the organisation will only be made available electronically. Appropriate system training and support will be provided to all Councillors.

1954.1 No paper/printed copies of Council meeting papers or Minutes will be provided unless Section 19.7.1 applies.

19.5.5 Where Council or delegated Committee meetings extend through normal meal times, Council will provide suitable meals served on the premises.

19.6. Professional Memberships and Subscriptions

19.6.1 The CEO may approve the costs of joining an ongoing membership of relevant professional associations where they are satisfied that the membership will enhance the Councillor's development.

19.6.2 Any Membership or Subscription is due for payment within the last six (6) months of the Councillor term, will not be paid by Council.

19.7 Access and Inclusion

19.7.1 Council is committed to ensuring equitable access, social inclusion and respect for human rights and may provide appropriate support to ensure Councillors can complete their duties proficiently.

19.7.2 Council will meet reasonable expenses to assist a Councillor with a disability in performing their role as a Councillor. The CEO will be responsible for facilitating any process or plan to best support a Councillor.

19.8 Councillors' Welfare

19.8.1 The Mayor and CEO can provide support to Councillors, specific guidance or coaching that may be required to enhance their performance as a Councillor.

198.1.1 A Councillor is entitled to counselling on a confidential basis through Council's approved Employee Assistance Program.

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19.9 Civic and Community Events

19.9.1 From time to time, Council representatives are invited to attend community functions and events. It is usual for the Mayor and/or Deputy Mayor to represent the Council at these functions and any payment required to attend the function is paid by the Council.

19.9.1.1 If another Councillor attends the function, either representing the Mayor or in an official capacity as Council representative to that particular group, any attendance charge will be paid by the Council.

19.9.2 The cost of Council representatives attending civic functions and events hosted by other Councils will be paid by the Council.

19.9.3 Council will not be responsible for coordinating Councillor attendance or providing support for any political events.

20. Insurance

20.1 Councillors are covered by the following Council Insurance Policies, whilst performing official duties:

- (a) Public liability
- (b) Professional indemnity
- (c) Councillors and Officers Liability
- (d) Workcover
- (e) Personal Accident

20.2 Council will pay the insurance policy excess in respect of any claim made against a Councillor arising whilst performing duties, where the claim is accepted by Council's Insurers.

20.3 Insurance does not cover any criminal, wilful or negligent acts of the Councillor or related parties, which remain the responsibility of individual Councillors.

21. Indemnity for Councillors – Legal Costs

21.1 Subject to subsection(2) of the Act, a Council must not indemnify a Councillor for legal costs incurred by the Councillor as a result of:

- (a) an application made under section 143 or 154; or
- (b) a process or proceeding relating to:
 - (i) An application made under section 143 or 154; or
 - (ii) A decision or determination made under section 147 or 167.

21.2 A Council may indemnify a Councillor for costs incurred by the Councillor to obtain representation considered necessary under section 141(2)(c) or 163(2)(b).

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22. Accountability and Audit

22.1 Claiming of Expenses

22.1.1 Councillors are accountable for completing the Councillor Reimbursement of Expense Claim Form (**Appendix D**) in accordance with this policy and submitting the Form to the Governance Team.

22.2 Audit and Reporting

22.2.1 Quarterly reporting, in accordance with the Local Government Act, on Councillor mandatory expense categories and reimbursements will be reported to Council in the following format i.e. details of expenses, including reimbursement of expenses for each Councillor categorised separately as:

- (a) Travel Expenses (including car mileage, flights, Cabcharge or equivalent and accommodation expenses)
- (b) Dependant and Childcare Expenses
- (c) Information and Communications Technology Expenses (specifying mobile phone expenses and data cost)
- (d) Conference and Training Expenses
- (e) Functions / Events Expenses (including all costs associated with attendance)
- (f) Councillor Allowances

22.2.2 These reports will be:

- submitted to the City of Whittlesea Audit and Risk Committee on a six (6) monthly basis;
- included in Council's Annual Report; and
- made available on the City of Whittlesea website on a quarterly basis.

22.2.3 To ensure public transparency 'Miscellaneous' expenses which are expenses that are not captured by the categories listed in 21.2.1 will also be reported.

22.2.4 Audits of Councillor expenses and reimbursements may be carried out from time to time as part of Council's annual audit program.

23. Standing down a Councillor by VCAT

23.1 If a Councillor is charged with an offence such as:

- an offence against the *Local Government Act 2024*, for which the maximum penalty is at least 120 penalty units or a period of imprisonment of at least 12 months;

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- an offence against a law of Victoria, or a law of another State, a Territory or the Commonwealth, that is punishable by a period of imprisonment of at least 2 years for a first conviction

the Councillor

- must give written notice of that fact to the Chief Executive Officer immediately on becoming aware of that fact; and
- must not perform the functions and duties or exercise the powers of a Councillor; and
- must not attend any meetings of the Council, any delegated committee meetings or any Council premises.

23.2 If a Councillor is stood down under any of the above, their allowance will be withheld until the charge is withdrawn or the proceedings relating to the charge (including any appeal) are finally determined.

23.3 A Councillor will be entitled to their allowance, including any allowance previously withheld in accordance with 23.2, unless the Councillor is convicted of the offence.

Forms

[Councillor Expense Reimbursement and Support Policy - Draft Forms.docx \(sharepoint.com\)](#)

Appendix A – Councillor’s Declaration of CabCharge Usage

Appendix B – Councillor’s Declaration of Usage of Resources

Appendix C – Councillor Reimbursement of Expense Claim Form for Private Vehicle Usage

Appendix D – Councillor Reimbursement of Expense Claim Form

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