

Councillor Resources and Facilities Guidelines - General

Purpose

These Guidelines provide a broad overview of how Council can provide assistance and support to the Mayor and Councillors in carrying out their role and official duties as Councillors.

These Guidelines acknowledge the significant demands and expectations placed on the Mayor and Councillors and provides for appropriate resourcing and facilities to be available to Councillors to help them successfully fulfil their role.

Section 75B of the *Local Government Act* 1989 provides that a Council must adopt and maintain a policy in relation to reimbursement of expenses of Councillors and members of Council committees.

In addition, Councillors receive a Councillor allowance. The current allowance rates can be found on Council's website at www.whittlesea.vic.gov.au.

The cost of allowances and any reimbursed expenses paid to Councillors and the costs of related services and resources are included as part of Council's annual budget process.

General Principles

The Guidelines identify resources and facilities which are made available to Councillors and outline those circumstances under which Councillors may incur and seek reimbursement for out-of-pocket expenses while carrying out their role.

Councillor expenses are those expenses necessarily incurred by Councillors or on behalf of Councillors for the purpose of Council business. The determining factor to be applied by Councillors is *'If I was not a Councillor, would I incur the expense?'* Where this criterion is met to the satisfaction of the Chief Executive Officer the expense will either be paid for by Council or will be reimbursed to the Councillor who has incurred the out-of-pocket expense while performing their duties as a Councillor. Expenses incurred by Councillors that are not Council business related will not be reimbursed.

Out-of-pocket expenses are those expenses incurred when performing duties of a Councillor, such as the cost of travelling, car parking, communication costs, provision of childcare services and other incidental expenses.

When making claims for reimbursement of expenses, Councillors shall provide original receipts and documentation to support a claim, where practicable. All claims for reimbursement of expenses should be made in accordance with procedures set out in the Appendix using the claim form relevant to the expense.

Council facilities and services, as detailed in these Guidelines, are available to the Mayor and Councillors while performing the official duties of office. The facilities and services may be available for use by members of a Councillor's family when the use is directly related to attendance at a civic function or another aspect of the Councillor's civic duties.

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Claims for facilities and expenses other than those included in this document should be referred to the Chief Executive Officer or delegate.

The claim forms which Councillors are required to complete when seeking reimbursement are updated from time to time as required.

Duties as a Councillor

Section 75(2) of the Local Government Act 1989 defines 'duties as a Councillor' as duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, Regulations, Ministerial Guidelines or Council policies.

Such duties would generally include, but are not limited to, the following activities:

- Attendance at meetings of the Council or its committees;
- Attendance at briefing sessions, meetings, workshops and civic events or functions convened or scheduled by Council, the Mayor or a senior member of Council staff;
- Attendance at conferences, workshops or training programs approved by Council or the Chief Executive Officer;
- Attendance at meetings of community groups, organisations or service authorities to which a Councillor has been appointed as Council representative;
- Meetings with residents, community groups and other stakeholders, site visits and the like;
- Attendance at a meeting, function or event as the official representative of Council; or
- Attendance at site inspections in relation to a Council approval process or Council project.

Reporting to Councillors

Councillors will be provided with quarterly reports on directly attributable Councillor expense categories such as conferences, functions and training as well as expenses reimbursed to Councillors in the reporting period. Councillors will be provided a reasonable time to review the report and seek clarification where required.

Councillors shall be given an opportunity to reimburse Council for any expenditure incurred on non-Council related business e.g. local communication or travel costs. Where a Councillor chooses to reimburse Council, reimbursement should occur within 90 days of the expense being incurred.

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Publication

Details of Councillor expenses will be published on Council's website quarterly. Any published information will include explanatory notes to make the nature of each entitlement clear to the public and media. Expenses incurred as part of interstate and international travel on behalf of Council will also be recorded in the Travel Register (see section 2.6).

Details of payments made to Councillors for a financial year will be disclosed in Council's Annual Report in accordance with the *Local Government (Planning and Reporting) Regulations 2014*, including reimbursement of prescribed expenses.

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1. SCOPE OF SUPPORT

1.1. SCOPE OF SUPPORT

- 1.1.1. Resources and facilities will be made available to the Mayor and Councillors when they attend:
- a) Meetings of Council or its Committees
 - b) Meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or Council
 - c) Meetings arising from appointment by Council to an external body
 - d) Meetings, functions or other official roles as a representative of the Mayor or Council
 - e) Conferences, seminars and the like undertaken in accordance with the Councillors' Professional Development Policy
 - f) Meetings with residents, community groups and other stakeholders, site visits and the like.
- 1.1.2. A Council resolution is required if a Councillor proposes to undertake interstate or international travel on Council business and have the costs associated with that travel and attendance at the activity or event paid for or reimbursed by Council.
- 1.1.3. Payment of, or reimbursement for, resources and facilities not provided for in these Guidelines must be approved by the Chief Executive Officer prior to the expense being incurred (as far as practicable).

2. COUNCILLOR SUPPORT AND EXPENSES

2.1. DEPENDANT CARE EXPENSES

- 2.1.1. Councillors, when attending or undertaking the activities listed in section 1.1.1 of this document, may be reimbursed for necessary expenses incurred for dependant care, including childcare.
- 2.1.2. Expenses may comprise:
- a) Hourly fees
 - b) Agency booking fee
 - c) Reasonable travelling expenses.
- 2.1.3. Council will reimburse reasonable expenses incurred for dependant care, including childcare in situations as outlined above, subject to the provision of appropriate written evidence or a written declaration of costs from the Councillor.

2.2. HOME / WORKPLACE FACILITIES AND COMMUNICATION EQUIPMENT

2.2.1. After each General Election of Councillors, each Councillor (whether newly elected or re-elected) will be entitled to order items to enable them to establish or supplement an ergonomic home office consistent with WorkSafe Guidelines. Such items include (but are not limited to) desk, chair, storage equipment such as filing cabinets and bookcases and stationery. Items will be purchased at the request of the Councillor, based on their certification that the item(s) meet their reasonable Council business needs. These items are not required to be returned to Council after the Councillor ceases to hold that office.

2.2.2. In addition, the following facilities will be offered to Councillors:

- a) A laptop computer, and printer
- b) Necessary operating systems, utilities and application software
- c) Internet access
- d) A telephone connection, separate to the private telephone of the Councillor
- e) A mobile phone with hands free kit;

Items a) and b) are to be returned to the Council after the Councillor ceases to hold that office, unless presented to the Councillor in accordance with Council policy or resolution. Items c), d) and e) may be retained by the Councillor but all costs and obligations associated with these services will be transferred from the Council to the former Councillor.

2.2.3. The standard of equipment and terms of access will be consistent with Council and corporate policies, standards and the capacity to deliver and support.

2.3. OFFICE FACILITIES

2.3.1. Meeting rooms owned or controlled by Council may be booked by Councillors for meetings, interviews and other functions in performing their duties.

2.3.2. A library of corporate documents is maintained and available for use by Councillors through the Councillor Portal.

2.3.3. Councillors will be provided with an access card to the Civic Centre with 24 hour, 7 day a week access to the Council Chamber and Councillors Room.

2.4. SECRETARIAL SUPPORT

2.4.1. Secretarial support will be made available at the Council office to assist Councillors with activities which are necessary in performing their duties.

2.5. PUBLICATIONS AND STATIONERY

2.5.1. Councillors will be supplied with relevant publications.

2.5.2. Councillors will be supplied with the following stationery:

- a) Paper, and other minor stationery items
- b) Computer consumables
- c) Business cards
- d) Christmas cards, envelopes and postage.

2.5.3. Each Councillor and their partner (and children if requested) will be provided with name badges.

2.6. TRAVEL, ACCOMMODATION & MEALS

- 2.6.1. Council will meet all reasonable costs incurred in travel, accommodation, meals and associated expenses that are related to performing their duties.
- 2.6.2. Travel should be undertaken by the most economical means, appropriate to the circumstances, as follows:
- a) Public transport (MYKI cards are available for Councillor use, on request);
 - b) Taxi or hire car such as Uber, either through cab charge card or reimbursement;
 - c) Council pool vehicle, costs to be calculated by way of the rate per kilometre travelled as applied by the Australian Taxation Office;
 - d) Private vehicle, with reimbursement of costs to be made by way of the rate per kilometre travelled as applied by the Australian Taxation Office;
 - e) Air travel by economy class with bookings and payment to be made by Council.
- 2.6.3. Accommodation will be made available during the period of travel including, if travel scheduling requires, one night before and after the event being attended. Any other expenses such as taxi fares and meals will also be restricted to one night before and one night after the event being attended. Accommodation will be at a standard appropriate to the circumstances. Where accommodation is requested beyond dates reasonably required to attend the event, Councillors will make their own accommodation booking and seek reimbursement of relevant costs from Council.
- 2.6.4. Meals will be made available during the period of travel at a standard appropriate to the circumstances.

2.7. CIVIC ENTERTAINMENT

- 2.7.1. All official civic entertainment expenses will be met from the annual allocation approved as part of Council's budget and any expenditure incurred will be recorded as an expense against the relevant Councillor.
- 2.7.2. If the Mayor attends an event or function to which they have received a formal invitation, Council will pay or reimburse any costs associated with the Mayor's attendance at the event or function.
- 2.7.3. If a Councillor attends an event or function to which they have received a formal invitation, Council will pay or reimburse any costs associated with the Councillor's attendance at the event or function.
- 2.7.4. Wreaths and other commemorative items can be purchased for the Mayor on behalf of Council if they relate to ANZAC Day, Australia Day, the 2009 Bushfires and any other occasion or event at the discretion of the Mayor or the CEO.

2.8. INSURANCE

- 2.8.1. Councillors are covered under the following Council insurance policies while performing their duties as referred to in section 1.1.1:
- a) Public & products liability
 - b) Professional indemnity
 - c) Councillors' and officers' liability
 - d) Personal accident (accompanying partners are also covered)
 - e) International travel insurance
 - f) Motor vehicle insurance while driving Council owned vehicles (excess paid by Council)

- g) Loss of no claim bonus / payment of excess in the event of an accident while using their own vehicle (subject to having comprehensive insurance, limit is \$1,000 with no excess); and
- h) Loss or damage to personal property in excess of the policy excess (currently \$1,000).

2.9. FACILITIES FOR COUNCILLORS WITH DISABILITIES

- 2.9.1. Council will provide reasonable additional facilities and reimbursement of expenses incurred to any Councillor with a disability to enable the Councillor to perform their duties.

2.10. ADDITIONAL FACILITIES FOR THE MAYOR

- 2.10.1. In recognition of the leadership role of the Mayor and additional workload imposed by the mayoral duties, the following facilities will be provided to the Mayor in addition to those detailed elsewhere in this schedule:
 - a) A fully maintained vehicle
 - b) Secretarial support
 - c) Dedicated office accommodation
 - d) Undercover car parking at the Council office.

2.11. TRAINING AND PROFESSIONAL DEVELOPMENT

- 2.11.1. In recognition of the diverse and increasing range and complexity of Council decision making, Council will encourage and facilitate professional development and training to enhance the knowledge, experience and performance of Councillors.
- 2.11.2. An annual limit of \$10,000 per councillor will apply in relation to professional development and training costs. Council approval is required for any expenditure by a Councillor above the annual limit.

2.12. ONLINE PRESENCE

- 2.12.1. Councillors will be provided with a page on Council's website containing:
 - A photo of the Councillor;
 - Contact details including email and mobile phone;
 - Council and associated Community Committee membership; and
 - A brief biography.

3. EXCLUSIONS

3.1. EXPENSES NOT COVERED

- 3.1.1. Expenses incurred by Councillors for the following will not be paid for or reimbursed by Council, and shall be the responsibility of the individual Councillor, unless approved by a resolution of Council in each instance:
 - a) Legal expenses, except where related to an insurance claim or possible conflicts of Interest, subject to Council's Guidelines on Requests by Councillors for Legal Advice relating to conflicts of interest
 - b) Penalties for traffic and parking infringements
 - c) Damage or loss to personal possessions except where covered by insurance.

4. ACCOUNTABILITY

4.1. CLAIMS

4.1.1. Claims for reimbursement must be made on the appropriate form and be supported by tax invoices, receipts, or other appropriate documentation where practicable.

4.1.2. Claims for reimbursement:

- a) Will normally only be paid in arrears
- b) Should be submitted monthly
- c) Must be submitted within twelve months of the expense being incurred
- d) Must be signed by the Councillor claiming reimbursement certifying that the claim is correct
- e) Will be approved for payment by the Chief Executive Officer or their delegate.

4.2. REPORTING

4.2.1. Prescribed details of international and interstate travel will be recorded and made available for public inspection as required by the *Local Government (General) Regulations 2015*. The prescribed details comprise name, date, destination, purpose and total cost.

4.3. AUDIT

4.3.1. Expenses paid for or reimbursed to Councillors may be subject to review by the internal auditor.

4.4. WORKCOVER

Councillors are included in the Victorian WorkCover Scheme. This will provide Councillors with access to workers' compensation benefits such as weekly benefits or medical and like expenses.

The City of Whittlesea is participating in a MAV Program to develop an independent entity to manage Councillor WorkCover claims on behalf of councils.

4.5. OHS

Councillors are not considered to be employees under the *Occupational Health & Safety Act* (The Act). They are, however, covered under Section 23 Duties of employers to other persons.

Where the City of Whittlesea (Council) has control or management in relation to matters that may create risks to the health and safety of Councillors, Council is responsible for eliminating or reducing those risks so far as is reasonably practicable.

PROCEDURES FOR CLAIMING REIMBURSEMENT OF EXPENSES

INTRODUCTION

These procedures have been prepared to provide guidance to Councillors in relation to claiming reimbursement of reasonable bona fide out of pocket expenses incurred while performing their duties as Councillors.

Claims for reimbursement of expenses should preferably be made monthly and lodged no later than the end of the following month.

All reimbursement claims must be certified and approved by the CEO before being reimbursed.

Please note that Councillor related expense reimbursement may be subject to external audit.

1. TRAVEL EXPENSES

Councillors are required to complete a Travel Expenses form in relation to any expenses incurred while travelling on Council business. Some of the common travelling expenses are listed below with the relevant guidelines for making a claim.

Air fares

The cost of air fares in relation to interstate travel to attend a conference or other Council related events are paid directly by Council so no reimbursement is required. These costs will be recorded on the form by Council officers and sent to the Councillor for certification.

Car Parking

Use this form to claim reimbursement for car parking fees incurred while on Council business. A copy of the parking fee receipt needs to be provided to Council for reimbursement of the expense to be authorised.

Myki Fares

Public transport fares incurred while on Council business can be reimbursed if a Council supplied MYKI card is available, on request. The Councillor must provide details of the date, purpose and cost of the travel for reimbursement to occur.

Taxi Fares

Cabcharge cards will be issued upon request. When the card is used, the Councillor will retain the receipt for their records. Council officers will enter the cost of the travel on the Councillors expense claim form and send it to the Councillor for certification. Councillors will be required to record the purpose of the trip on the form.

Council Vehicles

Councillors wishing to use a Council pool vehicle for Council business should request this in writing (email is sufficient) and provide their licence details at the time of making the request. The Councillor should also provide details of the date and purpose of the travel and these details will be recorded against the booking.

The cost associated with the use of the Council vehicle will be recorded as a Councillor expense and will be calculated at ATO rates.

2. CAR MILEAGE EXPENSES

The Car Mileage form is used to claim reimbursement of costs associated with the use of a private motor vehicle for Council business.

Reimbursement will be at ATO rates.

Enter details of the travel including the date, purpose and number of kilometres travelled in the relevant columns of the form and the reimbursement amount is automatically calculated.

3. CHILD CARE EXPENSES

Council will reimburse reasonable expenses incurred for dependant care, including childcare while the Councillor has been performing their duties as Councillor subject to the provision of appropriate written evidence (an invoice) or a written declaration of costs from the Councillor.

Expenses may comprise hourly fees, agency booking fee and reasonable travelling expenses.

4. INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) EXPENSES

The ICT form will mainly be used to record expenses related to Councillors IT devices and internet usage. This would also include the cost of purchasing equipment and any monthly data usage and call cost charges.

Usage Costs

In most cases, the costs associated with the usage of these devices are paid for by Council directly and will be recorded on the form by the officers. The form will be sent to Councillors to be certified that the relevant expenses related to Council business.

Home Internet Service Charges

If a Councillor does not have an existing home internet service and requires one to perform their role as a Councillor, they will need to arrange for one to be installed in their own name. It is the Councillor's responsibility to claim reimbursement for that part of the bill which relates to Council business. Use this form to claim reimbursement.

If a Councillor has an existing home internet service in Council's name, relevant monthly costs will be entered on this form and the form will be sent to the Councillor for certification.

If a Councillor has an existing home internet service in a private capacity in the Councillor's name, they can claim reimbursement of that part of the bill that relates to Council related business using this form. Once the claim is approved by the CEO, the relevant expenses will be reimbursed.

5. CONFERENCE AND TRAINING EXPENSES

Any out of pocket expense incurred when attending a conference or a training course would be claimed on this form. This might include food and beverages.

Conference registration fees, training course fees and accommodation costs are usually paid by Council directly. Officers will add these costs to the form and forward the form to the Councillor for certification.

6. MISCELLANEOUS EXPENSES

This form is used to claim out of pocket expenses which do not fall within the other five categories which are prescribed by legislation and reported in Council's Annual Report.