



PAYMENT OF
EXPENSES &
PROVISION OF
FACILITIES TO THE
MAYOR &
COUNCILLORS
POLICY
P3.0111.3

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PAYMENT OF EXPENSES & PROVISION OF FACILITIES

DIVISION: CUSTOMER & CORPORATE STRATEGY

BRANCH: GOVERNANCE & RISK

CATEGORY: 1

Policy summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Monetary limits

Expense or facility	Maximum amount	Frequency	Policy clause
General travel expenses	Private vehicle use - rates set out in Local Government State Award	As required	6.1
Interstate, overseas and long distance intrastate travel expenses	N/A Council resolution required to approve travel and all expenses to be personally funded (or paid from the Councillor's annual allowance)	As required	6.2
Accommodation	To be personally funded (or paid from the Councillor's allowance) if for a conference; if for a civic event and appropriate approval is sought, accommodation costs may be reimbursed by Council	As required	6.4
Professional development	Expenses for professional development are allocated within the annual budget	Per year	6.6

Expense or facility	Maximum amount	Frequency	Policy clause
Conferences and seminars	To be personally funded (or paid from the Councillor's allowance)	As required	6.7
Information and communications technology (ICT) expenses	The Mayor and Councillors are provided with the below options: <ul style="list-style-type: none"> • A tablet device up to \$1,200 (excl GST) • Desktop computer device or mobile computer device (laptop) up to \$2,000 (excl GST) • Mobile phone up to \$1,000 (excl GST) • Multi function printer up to \$450 (excl GST) • Mobile computer device data charges up to \$50 (incl GST) • Mobile phone up to \$200 (incl GST) call charges 	Per term Per month	6.8
Carer expenses	Up to \$31.95 per hour per Councillor	Per year	6.9
Home office expenses, facilities and stationery	\$500 per Councillor	Per year	6.10 & 9.2
Access to facilities in a Councillor common room	Provided to all Councillors	Not relevant	9.1
Council vehicle and fuel card	Not relevant	Not relevant	10.1
Reserved parking space at Council offices	Provided to the Mayor	Not relevant	10.1
Furnished office	Provided to the Mayor	Not relevant	10.1
Number of staff supporting Mayor and Councillors	In addition to the support provided to Councillors, secretarial support is provided to the Mayor	Not relevant	9.3

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be reported as required by legislation.

Part A – Introduction

1. INTRODUCTION

- 1.1 The purpose of this policy is to:
- Ensure that there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred, by Councillors; and
 - Clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.2 Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the *Local Government Act 1993* and reviewed annually.
- 1.3 The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.4 Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5 Within the first 12 months of each term of Council, this policy must be adopted, even if the proposed changes are considered 'not substantial'. The initial adoption of this policy must be subject to public notification and allow at least 28 days for public submissions.
- 1.6 At any time, other than the required adoption of this policy within the first 12 months of each term of Council, if the proposed amendment is not substantial then Council is not required to provide public notice. The term 'not substantial' should be taken to mean minor changes to the wording of the policy, or changes to monetary provisions or rates that are less than five per cent. It also means minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the policy will require public notice.

2. POLICY OBJECTIVES

- 2.1 The objectives of this policy are to:
- enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties;
 - enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties;
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors;
 - ensure facilities and expenses provided to Councillors meet community expectations;
 - support a diversity of representation; and
 - fulfil Council's statutory responsibilities.
- 2.2 This policy applies equally to the Mayor and all Councillors.

3. PRINCIPLES

3.1 Council commits to the following principles:

- **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions;
- **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor;
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor;
- **Equity:** there must be equitable access to expenses and facilities for all Councillors;
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations; and
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. PRIVATE OR POLITICAL BENEFIT

- 4.1 Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking the role of elected members.
- 4.2 Councillors should not obtain private benefit from the reimbursement of expenses, provision of equipment and facilities, nor from travel bonuses or any other loyalty schemes.
- 4.3 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 compensatory payment.
- 4.4 Where more substantial private use occurs, Councillors will be expected to make a payment to cover the level of private use. This payment will be made on a full cost recovery basis.
- 4.5 Councillors must be scrupulous in their use of Council property, including intellectual property, official services and facilities and should not permit misuse by any other person or body.
- 4.6 Councillors should avoid any action or situation, which could create the appearance that Council property, official services or public facilities are being improperly used for their benefit or the benefit of any other person or body.
- 4.7 Councillors must not convert any property of Council to their own use unless properly authorised.
- 4.8 Council facilities, equipment and services are not to be used to produce election material or for any other political purposes. Councillors should not generally obtain private benefit from the provision of equipment or facilities, nor from any travel bonus or other such loyalty scheme.

- 4.9 The interests of a Councillor in their re-election is considered to be a personal interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. Council letterhead, council crests and other information that could give the impression it is official council material must not be used for these purposes.

Part B – Expenses

5. GENERAL EXPENSES

- 5.1 Council is committed to ensuring that Councillors are reimbursed for expenses reasonably incurred in their role of Councillor so that they are not financially or otherwise disadvantaged in undertaking their civic duties.
- 5.2 To ensure consistency and transparency all expenses and costs claimed must be done so in accordance with the requirements of this policy.
- 5.3 For the purpose of clarity, it is noted that Councillor-related business refers to functions and duties that Councillors are required to undertake to fulfill their legislated role and responsibilities for Council that should result in a direct benefit for Council and/or the local government area.
- 5.4 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. SPECIFIC EXPENSES

6.1 General travel arrangements and expenses

- 6.1.1 All travel by Councillors should utilise the most direct route and the most practicable and economical mode of transport subject to any personal medical conditions.
- 6.1.2 Councillors will be reimbursed for travel expenses incurred relating to Council business and/or representing Council at civic events, ceremonial functions and Council related meetings. Reimbursement may include the use of a private motor vehicle, public transport, taxi, parking fees and road tolls.
- 6.1.3 Councillors using private vehicles will be paid the mileage allowance at the then-current rate set by the appropriate Local Government State Award, but subject to any such payment not exceeding economy class air fares to and from the particular destination. The mode and method of transportation to be used shall be agreed with the Mayor (or Deputy Mayor in case of a claim by the Mayor) and the General Manager prior to the travel taking place, and where possible Councillors should attempt to travel with other representatives from Council in order to minimise costs.
- 6.1.4 For the purposes of clarification in this policy, the ACT is taken to be included as part of NSW due to the proximity and ease of travel.

6.2 Interstate, overseas and long distance intrastate travel expenses

- 6.2.1 Full Council resolution approval is required prior to any interstate or overseas travel being undertaken by Councillors (excluding travel to ACT which may be authorised by the Mayor and General Manager). The report to Council should include all details of the travel, including itinerary, expected costs and expected benefits. Travel will be approved on an individual trip basis.
- 6.2.2 Council will not undertake any overseas travel unless a direct and tangible benefit for Council and the local community can be established.
- 6.2.3 Any costs incurred relating to interstate or overseas travel for Council business are to be personally funded (or paid from the Councillor's annual allowance).
- 6.2.4 Before a proposal for overseas travel is approved, a detailed proposal, including nomination of the Councillor(s) undertaking the trip, purpose of the trip, expected benefits, duration, itinerary and detailed costs, will be furnished to Council as part of the Council Business Paper.
- 6.2.5 After returning from overseas, Councillors or an accompanying member of staff will provide a detailed report to a meeting of Council on the aspects of the trip relevant to council business and/or the local community.
- 6.2.6 Councillors wishing to extend their stay in a destination they have visited for Council purposes, or to travel to an alternative location, will require the prior approval of the Mayor (or the Deputy Mayor in the case of a claim by the Mayor) and the General Manager. In such instances Councillors should recognise that Council's responsibility for their travel ends when the business activity ends and not when they return home. Any additional costs incurred following the completion of the business activity, including accommodation, are not considered to be reimbursable expenses.
- 6.2.7 Bookings for approved air travel are to be made through the General Manager's office.
- 6.2.8 For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.2.9 For journeys by air of more than three hours, the class of air travel may be premium economy.

6.3 Travel expenses not paid by Council

- 6.3.1 Under this policy, Councillors are personally responsible for all administrative charges for road toll accounts and traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

6.4 Accommodation and meals

- 6.4.1 Councillors are to personally fund (or use their Councillor annual allowance) any accommodation costs incurred as a result of conference attendance.
- 6.4.2 In the rare occasion that accommodation is required as part of a civic event, ceremonial function or other Council related meeting, accommodation costs may be reimbursed by Council subject to approval by the General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor).
- 6.4.3 Councillors will not be reimbursed for alcoholic beverages.

6.5 Refreshments for Council-related meetings

- 6.5.1 Appropriate refreshments will be available for Council meetings, Council Committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.

6.6 Professional development

- 6.6.1 Council provides an amount in the annual budget for 'Councillor Professional Development' expenses to support and encourage active learning and skill development. Payment of additional expenses/costs in relation to such training will be as per this policy.
- 6.6.2 In the first year of a new council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.6.3 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.6.4 Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development;
 - relevance to Council priorities and business; and
 - relevance to the exercise of the Councillor's civic duties.
- 6.6.5 In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.6.4, as well as the cost of the professional development in relation to the Councillor's remaining budget.

6.7 Conferences and seminars

- 6.7.1 Councillors are encouraged to attend conferences as a formal representative of Council as part of discharging their functions of civic office.
- 6.7.2 Requests to attend conferences interstate or overseas must be approved by a Council resolution prior to attendance. The report to Council should outline the benefits of attendance by the Councillor.
- 6.7.3 The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager may approve attendance by Councillors at conferences within the State (ACT is taken to be included as part of NSW due to the proximity and ease of travel) without the need for Council resolution.
- 6.7.4 Any costs incurred relating to conference attendance, including registration fees, transport to and from the conference, accommodation, official lunches and dinners relevant to the conference and incidental expenses are to be personally funded (or paid from the Councillor's annual allowance) and are not reimbursable under this Policy.
- 6.7.5 For the purpose of clarity, the definition of a 'conference' relates to a formal meeting designed for consultation, exchange of information or discussion. Typically, conferences will involve registration costs, accommodation, travel to and from the conference, sustenance and incidental costs such as taxi fares, telephone calls, etc.
- 6.7.6 The conferences, and training and development opportunities, that Councillors will generally attend are:
- (a) Local Government NSW Annual Conference;
 - (b) special 'one-off' conferences called by Local Government NSW;
 - (c) annual conferences and seminars of the major professions in Local Government; and
 - (d) seminars which assist Councillors in increasing their awareness and improving their understanding of their legal & other obligations and responsibilities as elected representatives.
- 6.7.7 Any Councillor who does attend a conference must report back to Council with a full written report on the beneficial aspects of the conference. A report may be submitted via a mayoral minute, a notice of motion or a memorandum via the General Manager. One report may be submitted on behalf of a number of Councillors in attendance.
- 6.7.8 It is noted that this restriction on reimbursement for conferences does not apply to other Council related meetings. Examples of such other meetings may include external Committee meetings, MACROC meetings, civic and ceremonial functions, citizenship ceremonies, Australia Day ceremonies, ceremonial functions, community group events and Chamber of Commerce meetings relating to the interests of the local government area.

6.8 Information and communications technology (ICT) expenses

- 6.8.1 Council will provide a mobile phone for use in order to carry out the Councillor's civic functions and responsibilities. Call charges and mobile phone data usage costs incurred for Council related business will be processed in accordance with the monetary limits table within this policy, subject to increases in the Consumer Price Index (CPI) (Sydney All Groups) figures for the full year to 30 June. Councillors are responsible for disclosing any personal calls made on their monthly statement and are to reimburse Council for such personal calls accordingly.
- 6.8.2 Council will provide the following equipment to Councillors, if requested, subject to the reimbursement of expenses in accordance with the monetary limits table within this policy, subject to increases in the Consumer Price Index (CPI) (Sydney All Groups) figures for the full year to 30 June:
- (a) mobile phone (standard as provided to staff);
 - (b) desktop computer device or mobile computer device (standard as provided to staff) and a printer/fax multi-function machine;
 - (c) a tablet will be provided to Councillors as the preferred mechanism for distribution of Council's Business Paper; and
- Council will also provide necessary ongoing maintenance to ensure all Council issued technology equipment is operational, and printer cartridges and consumables as needed.
- 6.8.3 Council provides Councillors the use of ICT devices for Council related business (as per Council's 'Acceptable Use of Technology and Systems Policy').
- 6.8.4 In the case of a Councillor using their own personal tablet for Council related business, Council will reimburse data usage costs relevant to Council business, in accordance with the monetary limits table within this policy.
- 6.8.5 If a Councillor decides to use their own personal mobile phone for Council related business, Council will reimburse an amount in accordance with the monetary limits table within this policy for Council related business call costs and mobile phone data usage costs. Call charges associated with private use must be met by the Councillor.
- 6.8.6 Councillors must complete a 'Councillor Travel and/or Expense Claim Form' for each billing period in relation to telecommunication charges associated with Council related business. All claims for reimbursement for phone, tablet and internet costs must be made within three months of the date of the provider's invoice. Any amounts exceeding the limit must be approved for payment by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.

6.9 Special requirement and carer expenses

- 6.9.1 Councillors will be reimbursed for the reasonable cost of care arrangements including child care expenses and the care of immediate family members who are elderly, disabled and/or sick in order to allow Councillors to attend Council and other official meetings/functions or to attend to their responsibilities and duties as a Councillor. Carer costs will be paid to cover the period 30 minutes prior to the scheduled commencement time of the meeting/function and one hour after the conclusion of the meeting/function.
- 6.9.2 The rate of reimbursement for care will be up to the amount in accordance with the monetary limits table within this policy, or as varied by Council from time to time, payable on the provision of receipts or a declaration by the Councillor for such payments ('Councillor Travel and/or Expense Claim Form'), within three months of the period being claimed. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of care and other related expenses.

6.10 Home office expenses

- 6.10.1 Each Councillor may be reimbursed, in accordance with the monetary limits table within this policy, per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery.

6.11 Spouse and Partner Expenses

- 6.11.1 Where a Councillor is accompanied to a civic event, ceremonial function, conference or Council related meeting by a spouse/partner, costs incurred for the attendance of the spouse/partner shall be the responsibility of the Councillor. These costs relate to travel, partner's program and out of pocket expenses.
- 6.11.2 There may be limited instances where certain costs incurred by a Councillor on behalf of their spouse/partner are properly those of the Councillor expended in the performance of civic duties. Accordingly, Council will reimburse reasonable expenses in attending these functions and meetings. Such functions could include those which a Councillor's spouse/partner would be reasonably expected to attend such as Council civic and ceremonial receptions, Australia Day ceremonies or, on occasion, citizenship ceremonies.
- 6.11.3 Any further expenses incurred in relation to spouses/partners will not be reimbursed by Council. For the purposes of clarification, costs for a spouse/partner attending a conference and ancillary conference costs are not reimbursable under this policy.
- 6.11.4 Outside of these provisions, the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager may approve payment for the attendance of a spouse/partner as part of a Council group booking to a local charity event or similar function as may occur from time to time.

7. INSURANCES

- 7.1 Councillors will receive the benefit of insurance cover to the limit specified in Council's insurance policies for the following matters arising out of the performance of their civic duties and/or exercise of their council functions:
- (a) Public Liability – public liability and professional indemnity insurances apply in relation to claims arising out of a Councillor's (alleged) negligent performance of civic duties or exercise of their functions as a Councillor, subject to any limitations or conditions set out in the policy.
 - (b) Professional Indemnity – for matters arising out of a Councillor's performance of civic duties or exercise of functions provided the performance or exercise of the relevant civic duty or function is, in the opinion of Council, bona fide and/or proper.
 - (c) Personal accident – coverage where personal injury occurs whilst on Council business Australia wide.
- 7.2 Travel insurance, if considered appropriate, for any approved overseas travel on Council business is to be personally funded (or paid from the Councillor's annual allowance).

8. LEGAL ASSISTANCE

- 8.1 Council may, by way of resolution specifying the amount involved, indemnify or reimburse the reasonable legal expenses:
- (a) of a Councillor defending an action arising from the performance in good faith of a function under the *Local Government Act 1993* or any other Act for and on behalf of Council; or
 - (b) of a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the *Local Government Act 1993*; or
 - (c) of a Councillor for proceedings before the Local Government Pecuniary Interest Tribunal, the Independent Commission Against Corruption, Office of Ombudsman, Office of Local Government, Department of Premier and Cabinet, NSW Police Force, Director of Public Prosecutions or Council's Conduct Review Committee / Reviewer, provided, the subject of the proceedings arises from the performance in good faith by the Councillor of a function under the *Local Government Act 1993*.
- 8.2 If points 8.1(a), (b) or (c) have been satisfied, Council will reimburse the reasonable legal expenses only if the enquiry, investigation, hearing or proceedings taken against a Councillor results in a finding substantially favorable to the Councillor.
- 8.3 In addition, the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.

- 8.4 Legal costs will not be met for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5 Council must not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.
- 8.6 Council must not meet the legal costs of a Councillor seeking advice in respect of possible defamation or in seeking a non-litigious remedy for possible defamation.
- 8.7 No legal expenses may be incurred by a Councillor without the express resolution of Council prior to the expense being incurred.

Part C – Facilities

9. GENERAL FACILITIES FOR ALL COUNCILLORS

9.1 Facilities

- 9.1.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- (a) a Councillors' Room is provided in the Council Offices to assist Councillors in dealing with resident and ratepayer matters and Council business generally; and
 - (b) the provision of an Executive Services Coordinator to assist and support Councillors.

9.2 Stationery

- 9.2.1 Council will provide the following stationery to Councillors each year in accordance with the monetary limits within this policy:
- letterhead, to be used only for correspondence associated with civic duties;
 - business cards;
 - ordinary postage stamps;
 - Christmas or festive cards.
- 9.2.2 As per Section 4, stamps shall only be used to support a Councillor's civic duties. Councillor mail will only be posted using the stamps provided. Any stamps not used will not be carried over to the next year's allocation.

9.3 Administrative support

- 9.3.1 Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support will be provided by the Executive Services Coordinator.
- 9.3.2 As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. ADDITIONAL FACILITIES FOR THE MAYOR

- 10.1 In order to reflect the additional time and commitment required to carry out the responsibilities of the Mayor, in addition to the support provided to Councillors, the following is provided to the Mayor:
- (a) Mayoral Office - to assist in carrying out the Mayoral functions;
 - (b) secretarial support is provided by the Executive Services Coordinator;
 - (c) a dedicated Mayoral car-parking space in the Council car-park adjacent to the Council Offices; and
 - (d) a dedicated Mayoral vehicle is currently not provided for private or Council use, however the Mayor may request the use of a Council pool vehicle or, if a Council pool vehicle is unavailable, a hire vehicle, similar to the current Council fleet vehicles, for official Council business, if a vehicle is required.
- 10.2 As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Part D – Processes

11. APPROVAL, PAYMENT AND REIMBURSEMENT ARRANGEMENTS

11.1 Approvals

- 11.1.1 Various approval arrangements are indicated throughout this policy and vary from full Council resolution approval to approval by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 11.1.2 The Executive Services Coordinator will assist Councillors with respect to seeking reimbursement of expenses incurred in their role as a Councillor, assisting with travel and accommodation arrangements, attendance at civic events, training and education, and the provision of facilities under this policy.
- 11.1.3 All claims for reimbursement must be made within three months of the date of the receipt and on the appropriate 'Councillor Travel and/or Expense Claim Form' (**Annexure A**), together with production of relevant supporting evidence.

- 11.1.4 Any claim will be reconciled with the relevant supporting evidence and authorised as follows:
- (a) authorised by the General Manager and Mayor (or Deputy Mayor where the claim is made by the Mayor) for spouse and partner expenses, incidental expenses, advance payments, travel, accommodation, childcare and carer fees;
 - (b) authorised by two of the 'Authorised Officers' as set out in clause 11.1.5 if the particular expense category does not require approval by the General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor).
- 11.1.5 The General Manager, Mayor, Director Customer & Corporate Strategy, Manager Governance & Risk, Senior Governance Officer and Executive Services Coordinator are 'Authorised Officers' for the purpose of completing the 'Councillor Travel and/or Expense Form'.

11.2 Direct payment

- 11.2.1 Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager for assessment against this policy, with sufficient information and time to allow for the claim to be assessed and processed.

11.3 Reimbursement

- 11.3.1 Claims for reimbursement of expenses will only be made on production of receipts for such amounts where indicated in this policy and on completion of the appropriate 'Councillor Travel and/or Expense Claim Form', itemising the expenses. Reimbursement of general expenses will not be allowed.
- 11.3.2 Claims for reimbursement of expenses less than \$75.00 (exclusive of GST) should be accompanied by a receipt, tax invoice, statutory declaration, or some other form of supporting evidence.
- 11.3.3 Claims for reimbursement of expenses over \$75.00 (exclusive of GST) must be accompanied by a tax invoice.
- 11.3.4 Payment of expenses will not be made to support a Councillor's attendance at political fundraising functions. Participation in Council elections is also a private matter and Councillors must not use Council resources in the course of this participation.
- 11.3.5 Out of pocket expenses or incidental expenses associated with attending civic events, ceremonial functions or Council related meetings will be reimbursed on presentation of receipts and completion of a claim form as provided above.

- 11.3.6 Examples of incidental expenses include telephone or facsimile calls, taxi fares, parking fees or meals where not part of the Council related meeting or function. Councillors may claim such expenses by completing the 'Councillor Travel and/or Expense Claim Form' (**Annexure A**) and attaching the relevant receipts. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of incidental expenses.

11.4 Advance payment

- 11.4.1 Councillors may request, through the General Manager, payment in advance in anticipation of expenses being incurred for such matters as attending civic events, ceremonial functions and Council related meetings.
- 11.4.2 On return Councillors must produce all receipts for the expenditure of those funds, with a full reconciliation to be completed and authorised by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 11.4.3 Councillors are to produce the receipts and complete the reconciliation within one month of the expenditure being incurred.

11.5 Reimbursement to Council

- 11.5.1 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council will invoice the Councillor for the expense; and
 - the Councillor will reimburse Council for that expense within 14 days of the invoice date.
- 11.5.2 If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

12. DISPUTES

- 12.1 Should a dispute arise as to payment of a claim for reimbursement of expenses or provision of facilities, the matter should be submitted in writing by the Councillor to the General Manager, who will determine the matter in conjunction with the Mayor (or Deputy Mayor in the case of a claim by the Mayor) in accordance with the terms of this policy.

13. RETURN OR RETENTION OF FACILITIES

- 13.1 On completion of the term of office, extended leave of absence or at the cessation of civic duties and where requested, Councillors are required to return all equipment and facilities issued by Council within 28 days. This includes unused consumables.

- 13.2 Any internet allowance provided under this policy is only applicable up until the last month of term of office held by a Councillor.
- 13.3 All equipment provided to Councillors contained in this policy, remain the property of Camden Council.
- 13.4 The General Manager will consider requests from Councillors to purchase equipment previously allocated to them at an agreed fair market price.
- 13.5 The prices for all equipment purchased by Councillors will be recorded in Council's annual report.

14. REPORTING

- 14.1 Section 428 of the *Local Government Act 1993* (the Act) and Clause 217 of the *Local Government (General) Regulation 2005* (the Regulations) require Council to include in its annual report:
- (a) Council's policy on the provision of facilities for, and the payment of expenses to, Mayors and Councillors;
 - (b) the total amount of money expended during the year on providing those facilities and paying those expenses; and
 - (c) additional information as required by the Regulations.
- 14.2 Detailed reports on the provision of expenses and facilities to Councillors will be reported as required by legislation.

15. AUDITING

- 15.1 The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

16. BREACHES

- 16.1 Suspected breaches of this policy are to be reported to the General Manager.
- 16.2 Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct.

* * *

RELEVANT LEGISLATIVE INSTRUMENTS:	<p><i>Local Government Act 1993</i> - sections 252-254, 428</p> <p><i>Local Government (General) Regulation 2005</i> - clauses 217, 403</p> <p>'Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors', Office of Local Government, October 2009</p> <p>DLG Circular 10/26, <i>Misuse of Council resources</i></p> <p>DLG Circular 11/27, <i>Findings from review of Councillor expenses and facilities policies</i></p> <p>LG Circular 09-36 Guidelines for Payment of Expenses and Facilities</p> <p>LG Circular 05-08 legal assistance for Councillors and Council Employees.</p>
RELATED POLICIES, PLANS AND PROCEDURES:	P3.0109.8 Code of Conduct
RESPONSIBLE DIRECTOR:	Director Customer & Corporate Strategy
APPROVAL:	Council

HISTORY:

Version	Approved by	Changes made	Date	TRIM Number
P3.0111.3	Council	Changes to be in line with OLG Circular 17-17 – Better Practice Template Report (exhibit policy) – (22 Aug 2017) – 17/260406 ORD182/17 - no submissions received	20/09/2017	17/297047
P3.0111.2	Council	Minor formatting and editing changes Report (exhibit policy) – (06 Oct 2015) – 15/324922 Report (adopt policy) – (09 Nov 2015) – 15/317244	24/11/2015	ORD317/15 15/332843
P3.0111.1	Council	Changes to value of allowances; formatting changes; updates to position titles. Report (exhibit policy #1) (28 Oct 2014) – 14/163299 Report (exhibit policy #2) (09 Dec 2014) – 14/195752	10/02/2015	ORD41/15 15/8739
5.57	Council	Report (exhibit policy) (22 Oct 2013) – 13/43837	26/11/2013	ORD322/13 13/56178
5.57	Council	Report (exhibit policy) (23 Oct 2012) – 13/52080	27/11/2012	ORD296/12 13/52362
5.57	Council	Report (adopt policy) – 13/51099	08/11/2011	ORD270/11
5.57	Council		23/11/2010	ORD262/10
5.57	Council		27/10/2009	ORD252/09
5.57	Council		25/11/2008	ORD302/08
5.57	Council		11/09/2007	ORD238/07
5.57	Council		12/02/2007	ORD25/07

Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Code of Conduct	Means the Code of Conduct adopted by Council
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in the monetary limits table within the policy summary
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> • meetings of Council and Committees of the whole • meetings of Committees facilitated by Council • civic receptions hosted or sponsored by Council • meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
year	Means the financial year, that is the 12 month period commencing on 1 July each year



ANNEXURE A
COUNCILLOR TRAVEL &/OR EXPENSE CLAIM
 SECTION 252 LOCAL GOVERNMENT ACT 1993

COUNCILLOR:	
MONTH:	

TRAVEL EXPENSES				
MEETING DETAILS	DATE	KMS	RATE *	VALUE
			SUB TOTAL:	\$

* Kilometre rate (cents per kilometre) depending on vehicle capacity and current Local Government (State) Award.

OTHER EXPENSES		
DETAILS	VALUE	
SUB TOTAL:		\$

If additional space is required, please include attachment.
 Note: For amounts over \$75.00 (exclusive of GST) a Tax Invoice **must** be provided.

TOTAL VALUE FOR REIMBURSEMENT: \$

CERTIFICATION
 I hereby certify that this claim is in accordance with Section 252 of the *Local Government Act* and Council's 'P3.0111.3 Payment of Expenses & Provision of Facilities to the Mayor and Councillors Policy'.

SIGNATURE OF CLAIMANT:	
DATE:	

Payment of this claim will be made by Electronic Funds Transfer (EFT), through Council's normal Creditor payment facility. Claimants should ensure that correct banking details are held by Council.

_____ Mayor/Deputy Mayor	_____ Authorised Officer (if within limits provided by the Policy)
_____ General Manager	_____ Authorised Officer (if within limits provided by the Policy)