



COUNCILLOR SUPPORT AND EXPENSES

POLICY

2009

This policy, which incorporates the statutory requirements prescribed for a Councillor reimbursement policy in accordance with section 75B of the Local Government Act 1989, was adopted by resolution of Darebin City Council on 16 November 2009

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1. INTRODUCTION

1.1 Policy Objectives

Councillors are elected to provide leadership for the good governance of the municipal district and the local community. Councillors of the City of Darebin will be provided with administrative support, resources and facilities and will be reimbursed for the reasonable expenses incurred while performing their duties as a Councillor.

The objective of this policy is to establish the resources, facilities and support to be provided to Councillors and the entitlements for Councillors to have out-of-pocket expenses incurred while performing their duties as a Councillor either reimbursed or paid direct by the Council.

The policy also provides guidelines for Councillors on the process for claiming expenses and outlines the methods and standards for reporting and accountability.

1.2 Legislative Framework

1.2.1. Allowances

The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community'.

The Government acknowledges the value and significance of local government Councillors – both through their skills and ability to represent and engage with their constituents and their leadership in developing solutions to the pressing social and cultural, environmental and economic challenges facing communities everywhere.

Sections 73A to 74C of the Local Government Act 1989 (the Act) provide the framework for payment of annual allowances to Mayors and Councillors.

The allowance framework, which reflects the Victorian Government's *Policy Statement on Local Government Mayoral and Councillor Allowances and Resources* released in April 2008, provides a three-level structure for allowances based on Council population and total revenue. In addition an amount equivalent to the superannuation guarantee contribution (currently 9%) is payable. The allowances are reviewed and adjusted annually by the Minister for Local Government.

Details of current allowances fixed for the Mayor and Councillors of Darebin City Council are available for public inspection at the Council offices.

Allowances are taxable income and are paid quarterly in advance. Personal taxation implications are the responsibility of individual Councillors.

1.2.2. Resources and Facilities

Section 75C of the Act provides that a Council must make available for the Mayor and the Councillors the minimum resources and facilities prescribed.

1.2.3. Expenses

Sections 75 to 75C of the Act provide for the reimbursement of expenses of Councillors and members of Council committees.

Section 75 provides that a Council must reimburse a Councillor for expenses if the Councillor applies in writing and establishes in the application that the expenses were reasonable bona fide Councillor out-of-pocket expenses incurred while performing duties as a Councillor.

‘Duties as a Councillor’ means 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.

Section 75A provides that a Council may reimburse members of Council Committees for necessary out-of-pocket expenses incurred while performing duties as a Committee member.

1.3 Duties as a Councillor

Duties of a Councillor will therefore include attendance at:

- 1.3.1. Meetings of the Council or its Committees;
- 1.3.2. Briefing sessions, workshops and civic or ceremonial functions convened or scheduled by the Council or the Mayor;
- 1.3.3. Meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative;
- 1.3.4. A meeting, function or other official role as a representative of the Council or the Mayor; and
- 1.3.5. Other meetings, inspections or events attended by a Councillor in an official capacity,

together with the associated research, discussions and communication.

The basic test to be applied to determine whether or not an expense is bona fide is whether the expense is necessary because it is either supplemental to, incidental to, or consequent on, the exercise of the duties as a Councillor.

1.4 Members of Council Committees

Sections 3 and 4 of this policy apply to members of Standing Committees of the Council.

2. RESOURCES, FACILITIES AND SUPPORT

In accordance with the Victorian Government policy statement on support for Councillors, a range of resources, facilities and support will be provided to Councillors to assist in performing their duties as a Councillor.

2.1 Home Office and Mobile Communications

2.1.1. The following equipment will be provided to Councillors:

- A laptop computer with wireless internet broadband connection;
- Docking station and monitor for the laptop computer at the Councillor's place of residence;
- A multifunction device for printing, scanning, photocopying and fax facilities at the Councillor's place of residence;
- A four-drawer filing cabinet;
- Cordless telephone and answering machine connected to a dedicated 'Council business' telephone line installed at the Councillor's place of residence; and
- Mobile telephone or mobile phone/personal digital assistant (PDA) together with hands-free car kit.

2.1.2 All equipment remains the property of the Council and must be returned at the end of a Councillor's term of office.

If, at the conclusion of the term of office, the equipment is not required for Council use, a Councillor may purchase all or any part of the equipment at the value determined by the Director Corporate Services taking into account the age and condition of the equipment, depreciation and market value.

2.1.3 The Council will meet the line costs of the dedicated telephone line and call costs for duties as a Councillor. The Council will also meet the fixed charge for the mobile telephone and wireless internet broadband connection and the call/data costs incurred for duties as a Councillor.

2.1.4 Details of telephone land line, internet broadband service and mobile telephone (PDA) expenses will be provided to Councillors for review monthly. Councillors are expected to reimburse the cost of non-Council use of telephone land line, mobile phone / PDA charges and the wireless internet service.

2.2 Building Access and Parking

Each Councillor will receive a key and security access card allowing 24 hour access to the Civic Area at Darebin Civic Centre at 350 High Street, Preston and the carpark at the rear of the Centre.

2.3 Meeting Rooms and Councillor Office

- 2.3.1. The Civic Area on the first floor of Darebin Civic Centre includes an office/lounge area and meeting rooms available for use by Councillors.
- 2.3.2. The Councillors' office/lounge is reserved for exclusive use by Councillors. The room is equipped for computer access and is suitable for office work reading and research, and small meetings.
- 2.3.3. Other meeting rooms in the Civic Area can be booked for meetings through the Chief Executive Officer's staff. Meeting equipment and tea/coffee, biscuits and chilled water can be made available for meetings upon request.
- 2.3.4. Other meeting rooms owned and controlled by Darebin City Council and which can be accessed without staff attendance can be used (subject to availability) by Councillors for meetings associated with their role as a Councillor. This does not extend to use by community groups or organisations.

2.4 Stationery and Secretarial Support

- 2.4.1. Secretarial support will be made available by the Chief Executive Officer for Councillors to assist them with diary management and in responding to correspondence, enquiries and requests for service as part of their official duties as a Councillor.
- 2.4.2. Councillors will be supplied as required with standard Council stationery including letterhead, envelopes, business cards and computer consumables required for their duties as a Councillor. An allocation of Corporate seasons greetings cards will be provided each year.
- 2.4.3. Council's letterhead stationery is used only for official Council business. Two types of letter stationery will be available to Councillors:
- One with Council logo and Councillor photograph – this stationery can be used for official replies prepared for a Councillor by the Chief Executive Officer's staff.
 - Personalised letter stationery (no Council logo) provided to Councillors for incidental and unofficial use by Councillors.

Any other proposals for use of Council's letterhead should be discussed with the Chief Executive Officer.

- 2.4.4. Councillors will be entitled to post through the Council mail service, corporate Christmas cards and items on Council supplied stationery which relate to Council business (excluding electoral or bulk ward related material).

2.4.5. Council business papers, personal mail and other Council information will be couriered to Councillors' places of residence weekly or as required. Increased use of electronic mail for information distribution and communication with Councillors will continue.

2.4.6. Councillors will be provided with a business diary and satchel/briefcase upon request.

2.5 Name Badge and Apparel

2.5.1. Each Councillor will be provided with a City of Darebin name badge for use while on Council business.

2.5.2. Councillors will be provided with approved corporate apparel upon request.

2.6 Facilities for the Mayor

2.6.1. A fully Council maintained executive vehicle (selected from the range of vehicles available under the Council Motor Vehicle Policy) will be provided to the Mayor for Council and reasonable private use during the term of office.

2.6.2. The vehicle will be fitted with a hands free mobile telephone car kit and fleet card for fuel purchases.

2.6.3. Secretarial support will be made available by the Chief Executive Officer to assist the Mayor (and where appropriate the Mayor's partner) in performing their official duties.

2.6.4. Office accommodation and associated equipment will be provided to assist the Mayor at the Darebin Civic Centre at 350 High Street, Preston.

2.7 Insurance

2.7.1. Councillors are covered under the following Council insurance policies, while discharging their duties as a Councillor including attendance at meetings of external bodies as Council's representative.

- Public Liability
- Professional Indemnity
- Councillors and Officers Liability
- Personal Accident (accompanying partners are also covered).

2.7.2. The Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

2.7.3. Council equipment provided to Councillors to assist in performing their role, is covered for damage or theft under Council's insurance

policies. Councillors are expected to exercise due care in protecting the equipment from damage or theft.

2.8 Civic and Community Events

Councillors (and their partners) will be invited to attend many civic and community functions and events over their term of office as Councillors.

2.8.1. Civic and Mayoral Functions

Civic receptions are formal and usually large events where Council welcomes or pays tribute to an organisation or a person of national, state, regional or local significance or acclaim.

Mayoral functions are less formal but more regular events hosted by the Mayor including receiving visitors to the city, citizenship ceremonies, national celebration or remembrance days, launch of Council strategies or programs, opening of council facilities.

On other occasions the Mayor, on behalf of the Council, may provide hospitality to groups or individuals who are regarded as key stakeholders in the City and with whom the Council seeks to develop and maintain effective working relationships.

Arrangements, invitations and formalities for Civic and Mayoral functions are at the discretion of the Mayor with advice from the Chief Executive Officer. There are opportunities for Councillors to invite guests to some Civic events during the year.

A Council resolution would be required to initiate a significant function which has not been provided for in the Civic Functions Budget.

The common element which underpins hospitality extended by the Mayor on behalf of the City is that such hospitality is judged to be of assistance to the City of Darebin in furthering the interests and objectives of the Council.

2.8.2. Mayoral Event

In addition to the regular and annual civic functions, the Mayor of the Day has discretion to host one Mayoral Event during the term of office. If the event raises funds it is the custom that the proceeds from the event are directed to a local community organisation or to a cause which has a direct beneficial effect on the community of Darebin.

The Mayor should ensure that the function/event is in proportion to the expected community benefit. It is good practice for the Mayor to present the theme and beneficiary to Councillors for discussion prior to organising the event.

2.8.3. Community Functions

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

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

2.8.4. Meals and Refreshments

Where Council or Committee meetings are held at times which extend through normal meal times, Council will provide suitable meals served on the premises.

Light refreshments will be made available in the Councillors' Lounge.

2.9 Professional Development

2.9.1. Professional development for Councillors is encouraged and supported.

2.9.2. Councillors are encouraged to attend conferences, seminars, workshops and training programs to enhance their personal skills and knowledge to better perform their role as a Councillor.

2.9.3. Proposals for attendance at conferences and training programs are to be discussed with the Chief Executive Officer so that proposals can be assessed on an equitable basis. This would include:

- Details of conference/training program, location, date and duration;
- Relevance of conference/training to Council business and/or a Councillor's personal development requirements;
- Estimated cost of conference/training including fees, travel and accommodation for the Councillor;
- Benefits expected to flow from attendance; and
- Equitable distribution of the Budget allowance.

2.9.4. After attending a conference, Councillors are expected to provide a summary report to the Council. The summary should outline the benefits of the conference to themselves personally and to Council operations.

2.9.5. Proposals for conferences, study tours, delegations or visits in an official capacity outside of Australia require endorsement by Council.

- 2.9.6. Where a conference or seminar involves interstate or overseas travel, Councillors need to complete a *Travel Register* form, and where relevant, a *Travel Diary*. Details of interstate or overseas travel are included in a travel register available for public inspection.

3. EXPENSES TO BE REIMBURSED

3.1 Family Care

- 3.1.1. Family care expenses will be reimbursed for the care of a dependant when the primary care giver is engaged in official duties as a Councillor.
- 3.1.2. Family care includes childcare, specific home care and any other support provided in the case of a dependant.
- 3.1.3. Family care expenses include hourly fees paid by the Councillor and/or agency booking fees if applicable.
- 3.1.4. No payments will be made to any member of the Councillor's immediate family, or to a person who resides with the Councillor.

3.2 Councillors with Disabilities

The Council may resolve to meet reasonable additional expenses to assist a Councillor with a disability to perform his/her duties as a Councillor.

3.3 Travel

3.3.1. Green Travel Plan

Council's Green Travel Plan encourages a range of travel options conducive to the environment. Public transport can be a convenient and efficient form of travel for many Council business events in Darebin and in the central business district of Melbourne.

Public travel expenses incurred by Councillors in the course of official duties as a Councillor will be reimbursed.

3.3.2. Private Vehicle Use

Councillors using their private vehicles to carry out official duties as a Councillor will be reimbursed at the motor car allowance rate determined by the Australian Tax Office for tax deduction purposes.

3.3.3. Taxi Fares

Where it is not possible or convenient to use public transport or a private motor vehicle, a taxi can be used by Councillors for travel required for their official duties as a Councillor. Councillors will be supplied, upon request, with a cabcharge card. Travel of a private nature will not be reimbursed or paid by Council.

3.3.4. Council vehicle pool

If it is assessed as the most practical means of transport, a vehicle from the Council motor vehicle pool may be provided for use by a Councillor or a group of Councillors.

3.4 Communications Equipment and Services

Where, by arrangement, a Councillor directly arranges for communications equipment or services, the Council will reimburse the installation costs and use charges incurred for duties as a Councillor. Usage of a private nature will not be reimbursed.

3.5 Conferences and Seminars

3.5.1 The cost of attending approved conferences and training programs (including registration fees, accommodation and meals) will be paid by the Council. Reasonable bona fide out-of-pocket expenses will be reimbursed on the production of related receipts.

3.5.2 Where a conference or training program involves interstate or overseas travel, Councillors must complete a *Travel Register* form and where relevant, a *Travel Diary*.

3.6 General

The following general provisions and guidelines apply to determine the amount of out-of-pocket expenses that will be reimbursed to, or paid on behalf of, Councillors:

3.6.1. Reimbursements will normally be made in respect of expenses already incurred. Cash advances may be made in special circumstances approved by the Chief Executive Officer.

3.6.2. Travel must be undertaken as efficiently and by the shortest route possible.

3.6.3. Where travel is by air or by other means of public transport, economy class will be the standard.

3.6.4. Travel claims will only be made on the basis of the actual form of transport used and in the form of a reasonable allowance towards, or reimbursement of, necessary out of pocket expenses.

3.6.5. Expenses incurred which are not directly related to the official Council duties of a Councillor, cannot be included in the calculation of a claim for reimbursement.

3.6.6. The cost of any penalties incurred for road, traffic or parking infringements will not be reimbursed.

3.6.7. If a particular expense is not claimed, this cannot be offset against a claim for an additional amount of another expense.

3.6.8. Council will reimburse the cost of a Councillor's partner accompanying the Councillor to engagements where the presence of the partner is necessary to support the business or representation needs of the Council. The engagement will normally be of a nature where other attendees will be accompanied by partners.

4. ACCOUNTABILITY AND AUDIT

4.1 Claiming of Expenses

The following provisions apply when making a claim for reimbursement of expenses:

- 4.1.1. All claims for expense reimbursements must be made on the *Councillor and Committee Member Expense Claim Form* (copy attached).
- 4.1.2. Original receipts must be attached for all purchases (credit card receipts will not be accepted).
- 4.1.3. Where the provider of the goods or service is registered for GST, a 'Tax Invoice' must be obtained for all purchases in excess of \$55 (including GST); if a 'Tax Invoice' is not submitted, the GST component cannot be reimbursed.
- 4.1.4. Claims are to be lodged with the Chief Executive Officer's staff or the Manager Customer and Civic Services in a timely manner (preferably monthly) to ensure transparency and accountability.
- 4.1.5. Claims for reimbursement will be authorised by the Chief Executive Officer or his/her delegate.
- 4.1.6. Reimbursements will be paid by electronic funds transfer (EFT) within 21 days of receipt of a properly completed and supported claim form.

4.2 Audit and Reporting

A quarterly report on Councillor expenses and reimbursements by category will be prepared, circulated to all Councillors and submitted to each (quarterly) meeting of Council's Audit Committee.

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

5. REVIEW

This policy will be reviewed within 12 months of each general election unless the Council determines that an earlier review is required.