



## GLEN INNES SEVERN COUNCIL

### Payment of Expenses and Provision of Facilities to the Mayor and Councillors

<b>RESOLUTION NUMBER:</b> 9.04/07	<b>MEETING:</b> 26 April 2007
9.09/07	<i>Reviewed:</i> 27 September 2007
3.09/08	25 September 2008
.....	24 September 2009

#### **PART 1 INTRODUCTION**

##### **1:1 Purpose of the Policy**

To ensure:

- (a) That there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred by the Mayor and Councillors, and;
- (b) That the facilities provided to assist the Mayor and Councillors to carry out their civic duties are reasonable.

##### **1:2 Objectives and Aims of the Policy**

- (a) To provide for the fair and equitable payment and re-imbusement of reasonable expenses, not considered to be included in the annual fees payable to the Mayor and Councillors, as outlined in this policy; and
- (b) Where such expenses are incurred by the Mayor and Councillors in carrying out their functions of civic office; and
- (c) To provide consistency in the application of payments;
- (d) To provide adequate facilities for use by the Mayor and Councillors to enable them to carry out their functions of civic office; and
- (e) To enable budgets to be set accordingly.

##### **1:3 Making and Adoption of the Policy**

- (a) This Policy is made and adopted in accordance with the requirements of the *Local Government Act 1993* (as amended), Chapter 9, Part 2, Division 5, Sections 252-254 and the *General Local Government (General) Regulations 2005* Section 403.
- (b) This Policy is the first Policy adopted by Glen Innes Severn Council and overrides the former Glen Innes Municipal Council's Policy Number 100, version 2 (27.07.04), which became the policy of the Amalgamated Council by virtue of the Amalgamation Proclamation dated on 15 September 2004.

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- (c) This Policy has been publicly exhibited for 28 days and widely publicized to ensure that the benefits provided to Councillors are acceptable to, and meet the expectations of, the local community.
- (d) Council is required to review and submit this policy to the Director General of the Department of Local Government by 30 November each year even if no or minor changes are made.
- (e) If changes and amendments to this policy are “substantial” within the meaning of changes of the wording/meaning and/or monetary figures are more than 5%, or a **new** category of expenses are added, the amended policy must be placed on public exhibition for 28 days before adoption.

#### 1:4 Reporting requirements

Section 428 (2) ( f) of the *Local Government Act 1993* (as amended) requires Council to include in its annual report:

- The total amount of money expended during the year on Mayoral and Councillors Fees; and
- A statement of the total amount of money expended during the year on the provision of such expenses and provision of such facilities.
- It is also recommended that expenses be reported on in line with Part 2 of this Policy, that is, expenses should be itemised.

#### 1:5 Applicability – Legal Provisions

This Policy is made under section 252 –254 of the *Local Government Act 1993* and in accordance with clause 403 of the *Local Government (General) Regulation 2005*.

#### 1:6 Other Government Legislation and Policies

- (a) Circular 06/57 Department of Local Government *Guidelines for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors*.
- (b) Circular 05/08 *Legal Assistance for Councillors and Council Employees*.
- (c) Circular 02/34 Unauthorised uses of Council Resources.
- (d) Council’s Code of Conduct.
- (e) ICAC – *No Excuse for Misuse, preventing the misuse of Council resources*.

#### 1:7 Approval Arrangement

All approvals under this Policy shall be made by resolutions of the Council or jointly by the Mayor, or Deputy Mayor and the General Manager or delegated Acting General Manager, or as specifically stated in the Policy.

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## 1:8 Review

This Policy will be reviewed annually at the September Ordinary Council Meeting, in line with meeting reporting requirements under the *Local Government Act 1993*, Section 252 and 253.

## **PART 2 PAYMENT OF EXPENSES**

### **GENERAL PROVISIONS**

The payment of expenses to Councillors is outside the provisions of the annual fee determination made by the Local Government Tribunal paid to Councillors.

#### **2:1 Payment of expenses generally**

- (a) Any expenses claimed must be related to representing the Council at official ceremonies, functions, meetings, conferences and seminars as approved by Council in carrying out the civic duties of the Councillor.
- (b) Claims for reimbursement of these expenses will only be made on production of receipts and/or claim form for such amounts, that the amount be in line with this policy, and that the approval to pay these claims have been signed by the Mayor or Deputy Mayor and General Manager or Acting General Manager.
- (c) All claims must be provided within two (2) months of receipt.
- (d) Payment in advance will only be provided in exceptional circumstances and such an advance must be fully accounted for upon return, and any unspent amount be returned to Council.
- (e) A "general expense allowance" will not be available under any circumstances.

#### **2:2 Establishment of Monetary limits and standards**

Monetary limits for Conference associated expenses and reimbursement of reasonable out-of-pocket expenses or incidental expenses occurred by a Councillor while attending conferences, seminars or training will be paid as per the schedule below:

Type of Expense	Daily Limits
Accommodation (Capital Cities only)	\$300.00
<b>Accommodation (other than Capital Cities)</b>	<b>\$180.00</b>
Taxi/Train Fares/Parking Fees	\$50.00
<b>Additional Meals and refreshments</b>	<b>\$80.00</b>
Other incidental expenses (phone calls, faxes, newspapers)	\$20.00

Note: when a conference is held at a particular venue with a higher daily accommodation limit, this could be facilitated through the approval by the Mayor and General Manager.

Council will only meet the expenses for the duration of a function that included travel on the day before and/or after, pending time schedules.

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### 2:3 Spouse / Partner Expenses

- (a) Council may by resolution agree to pay expenses for a spouse/partner or accompanying person, where a function is formal or ceremonial in nature and it is considered that it is reasonable that he/she should attend.
- (b) Council may, by resolution, agree to cover the cost of registration/partners program and conference dinner for the accompanying person for the annual Local Government Shires Association or other conference of benefit to the Council. Note: Accommodation, travel, refreshments or incidentals, or expenses for special tours outside the scope of the conference program, will not be reimbursed.

## SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

### 2:4 Attendances at seminars and conferences

Any Councillor may attend a conference either as formal representative of Council or as part of learning and skills development to assist Councillors to carry out their functions.

- (a) Councillors may be nominated to attend conferences, seminars and similar functions by resolution of Council or by the Mayor and General Manager under delegated authorities. (Note: this shall not preclude the Mayor from nominating a substitute attendee for functions on those occasions where the Mayor is unable to attend).
- (b) Council will pay for normal registration costs, conference dinner, accommodation; incidentals, refreshments not covered by the conference registration fee (see 2:2 for limits on reimbursements), and travel to and from the function.
- (c) Travel associated with Conferences/Seminars and the like should be by the most economic method of transport. Flights should be by economy class. A Council pool car is preferred to private vehicle – where private vehicle is used, reimbursement will be provided per kilometre and the amount reimbursed will be calculated at the rate specified by the Australian Taxation Office (ATO).
- (d) After returning from a conference/seminar, Councillors should provide a brief (1-3 pages) written report to the Council on the aspects of the conference/seminar relevant to Council business and/or the local community.

Note: Attendance at the Local Government Shires Association's Annual Conference shall be limited to a maximum of three (3) Councillors - one (1) being the Mayor and two (2) other nominated Councillors - and the General Manager or delegated Director.

### 2:5 Training and Educational Expenses

Council will meet reasonable costs associated with training and educational courses, provided they are directly related to the role of a Councillor. Expenses similar to those of conferences and seminars will apply, with an annual limit of \$1,500 total cost per Councillor.

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## 2:6 Travel arrangements and expenses

- (a) Councillors will be reimbursed for travel expenses incurred related to Council business and/or representing Council such as:
- travel to and from Council meetings;
  - Community Committee meetings under section 355 in the *Local Government Act 1993*;
  - Seminars and conferences;
  - Functions and Ceremonies/Events.
- (b) If a Councillor's private vehicle is used for transport, the amount reimbursed will be calculated at the rate specified by the Australian Taxation Office (ATO).
- (c) Reasonable claims may also include public transport, taxi, parking fees and road tolls (up to \$50.00 per day) during travel outside the Local Government Area.
- (d) Under this Policy, Councillors are personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.
- (e) All travel should be undertaken by utilizing the most direct route of the most practical and economical mode of transport.
- (f) Councillors residing outside the Local Government Area will be reimbursed for travel to and from the borders of Glen Innes Severn Local Government Area.
- (g) Where possible, a Council vehicle will be made available to Councillors for travel to seminars/conferences and training.
- (h) Council will not undertake any overseas travel unless a direct and tangible benefit to the local community can be established. Any such trip must be approved by full Council.

## 2:7 Internet/Phone/Fax

- (a) Council will reimburse all Councillors up to **\$50.00** per month for home Internet connection/usage upon the provision of details of usage on the specified form for reimbursement of expenses.
- (b) Council will reimburse all Councillors up to \$30.00 per month for the use of home phone and fax expenses upon the provision of details of usage on the specified form for reimbursement of expenses.

## 2:8 Care and other related expenses

- (a) Council will consider reimbursement of reasonable fees for the cost of care arrangements, where the Councillor is the primary carer, including child care, aged care or for the care of a person with a disability, to permit Councillors to attend to their responsibilities and duties.

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- (b) The level of reimbursement for this care will be at the current market rate on evidence of payment and approved by the Mayor or General Manager.

## **2:9 Insurance expenses and obligations**

Council provides Councillors with the following insurance cover:

- (a) Public Liability & Professional Indemnity;  
 (b) Councillors & Officers Liability Insurance;  
 (c) Personal Injury and Travel Insurance for approved travel and while on Council business.

## **2:10 Legal Assistance**

Council may indemnify or reimburse the reasonable expenses of a Councillor:

- (a) Defending an action arising from the performance in good faith of a function under the Local Government Act (section 731); or  
 (b) Defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act; or  
 (c) For proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act, and the Tribunal or investigative body makes a finding substantially favourable to the Councillor.

For more details refer to the Department of Local Government Circular 05/08; which provisions form an integral part of this policy.

## **PART 3 PROVISION OF FACILITIES**

### **GENERAL PROVISIONS**

Council will provide facilities and equipment to each Councillor to ensure that they can undertake their civic duties in an appropriate manner.

### **3:1 Provision of facilities generally**

- (a) Reasonable refreshments will be provided at committee meetings, community meetings, workshops, and meetings with State and Federal Government officials and functions/events with visiting dignitaries or other delegations.  
 (b) Councillors will be provided with name badges, business cards and leather briefcases.  
 (c) Councillors will be provided with corporate necktie or scarf.

### **3:2 Provision of Equipment and Facilities for Councillors**

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- (a) A laptop, printer and fax machine will be provided for all Councillors to use for business purposes.
- (b) Councillors will be provided with a room to meet with community members as part of their civic duties.
- (c) Councillors are able to utilize Council’s photocopier for Council business.

**3:3 Provision of Additional Equipment and Facilities for Mayors**

- (a) The Mayor is provided with a furnished office space to use for Council business/civic purposes.
- (b) The Mayor has access to the General Manager’s Personal Assistant for business/civic administrative tasks.
- (c) The Mayor is provided with a Council mobile phone for business related calls. This phone must be returned to Council when no longer in the role of Mayor.
- (d) Access to a Council vehicle for Official use.
- (e) Dedicated parking.

**3:4 Private use of equipment and facilities**

- (a) Councillors may use their Laptop, fax and printer for reasonable private use.
- (b) The Mayor may use the Council mobile phone for private calls on condition that the cost of all private calls be refunded to Council if any monthly bill exceeds **\$40.00**.

**3:5 Acquisition or return of facilities and equipment**

- (a) On the completion of their term of office, extended leave or at cessation of their civic Duties, Councillors are required to return all equipment – laptop, printer and fax – and the Mayor’s allocated Council mobile phone, within 28 days.
- (b) Under certain circumstances the Councillor may be given the option to purchase the equipment previously allocated to them at an agreed fair market price or written down value.

.....  
General Manager

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Date

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