

COUNCILLOR EXPENSES AND SUPPORT POLICY

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Responsible Director:	Corporate Performance
Relevant Legislation/Authority:	Local Government Act 2020
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1. PURPOSE

- 1.1 This policy supports Councillors and members of delegated committees to perform their role, as defined under the *Local Government Act 2020* (Vic), by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. The policy also provides guidance on:
- entitlements;
 - processes for reimbursement;
 - reporting requirements; and
 - other measures supporting Councillors to fulfil their duties.

2. BACKGROUND

- 2.1 In accordance with section 41 of the Act, the City must adopt and maintain a policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of Council committees and must make a copy available for inspection at the City office.
- 2.2 Councillors and members of delegated committees are entitled, under section 40 of the Act to reimbursement of expenses reasonably incurred in the performance of their duties.
- 2.3 This policy has been developed to establish clear guidelines and enable claims for reasonable out of pocket expenses to be processed without the need to seek Council approval for individual claims.

3. SCOPE

This policy applies to:

- Councillors
- Members of delegated committees.

4. DEFINITIONS

In this policy:

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

Carer A carer is defined under section 4 of the *Carers Recognition Act 2012*.

Chief Executive Officer means the person appointed by Council to be its Chief Executive Officer, or any person acting in that position.

City means the Greater Bendigo City Council, being a body corporate constituted as a municipal Council under the *Local Government Act 2020* (Vic).

CTM means Corporate Travel Management.

Council means all the Councillors collectively.

Councillor means a person holding the office of member of Greater Bendigo City Council.

Delegated Committee means delegated committees defined under section 63 *Local Government Act 2020* (Vic).

Delegated Committee member means a person appointed to a Delegated Committee.

Mayor means the Councillor elected to the Office of Mayor of the City.

Municipality means the Greater Bendigo municipality.

Out-of-pocket expense means an expense that has been met by the Councillor or delegated committee member, using their own funds, which may later be reimbursed.

5. PRINCIPLES

The general principles underpinning this policy are as follows:

- the Councillor Code of Conduct prescribed under Section 139 of the Act
- encouraging diversity in participation, equity, inclusion and access; and
- accountability and transparency.

6. POLICY

Councillors

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

- 6.2 Councillors will be reimbursed for out-of-pocket expenses that are:
- bona fide expenses; and
 - have been reasonably incurred in the performance of the role of Councillor; and
 - are reasonably necessary for the Councillor to perform this role.
- 6.3 All claims for expenses must be lodged within three months of the expenses being incurred. At the end of the financial year all claims must be received no later than one month after the financial year. Any claims received after this time will require a Council resolution to pay in the current financial year.
- 6.4 Travel Expenses
- 6.4.1 Private vehicle use
- (a) Councillors may use their own vehicle when performing duties within the municipality; and
 - (b) Councillors, whenever possible to use a City fleet vehicle or public transport when performing duties outside the municipality; and
 - (c) Anything else in accordance with section 6.10 of the policy.
- 6.4.2 Intrastate travel
- Travel preferably utilising fleet vehicle/public transport
- (a) The City will arrange on request from the Councillor and cover the cost of approved travel expenses as set out in section 6.6.5 of this policy; and
 - (b) Private travel arrangements in conjunction with approved and funded travel, must ensure that all costs incurred with private travel are clearly delineated from funded travel arrangements; and
 - (c) Anything set out in section 6.6.5(d) of this policy that relates to spouse/partners; and
 - (d) Within one month of funded travel, the Councillor will report to Council verbally and in writing outlining:
 - Purpose for the travel;
 - Its relevance to any Council plan, strategy, program or project;
 - Perceived benefits to the Council and/or the community and/or the individual;
 - Any other aspects deemed relevant; and
 - (e) Anything else in accordance with section 6.10 of the policy.
- 6.4.3 Interstate travel
- Where duties are required to be performed interstate:
- (a) Councillors must obtain approval from the Mayor prior to travel; and
 - (b) The City will arrange prepaid travel, where possible through CTM; and

- (c) Private travel arrangements in conjunction with approved and funded travel, must ensure that all costs incurred with private travel are clearly delineated from funded travel arrangements; and
- (d) Anything set out in section 6.6.5(d) of this policy that relates to spouse/partners; and
- (e) Within one month of funded travel, the Councillor will report to Council verbally and in writing outlining:
 - Purpose for the travel;
 - Its relevance to any council plan, strategy, program or project;
 - Perceived benefits to the Council and/or the community and/or the individual;
 - Any other aspects deemed relevant; and
- (f) Anything else in accordance with section 6.10 of the policy.

6.4.4 International Travel

Where duties are required to be performed overseas:

- (a) Councillors must obtain approval from Council prior to travel; and
- (b) The City will arrange travel (including insurance) where possible through CTM; and
- (c) Telecommunications – In order to minimise costs international travel pass, calling cards and local SIM cards must be considered as an alternative to hotel phones and mobile phone roaming for travel and the City will reimburse the cost of such cards.
- (d) Private travel arrangements in conjunction with approved and funded travel, must ensure that all costs incurred with private travel are clearly delineated from funded travel arrangements; and
- (e) Within one month of funded travel, the Councillor will report to Council verbally and in writing outlining:
 - Purpose for the travel;
 - Its relevance to any Council plan, strategy, program or project;
 - Perceived benefits to the Council and/or the community and/or the individual;
 - Any other aspects deemed relevant; and
- (f) Anything else in accordance with section 6.10 of the policy.

6.5 Carer and dependent-related expenses

- 6.5.1 The City will provide reimbursement of out-of-pocket expenses where the provision of childcare is reasonably required for a Councillor to perform their role (s 41).
- 6.5.2 This applies to the care of a dependent, while the Councillor is undertaking their duties; and may include expenses such as hourly fees and booking fees, if applicable.

- 6.5.3 Council will provide reimbursement of costs where the provision of carer services is reasonably required when a Councillor, who is a carer (see Definitions) incurs reasonable expenses in the performance of their duties.
- 6.5.4 By prior agreement, and between the Councillor and the Manager Governance, the City may pay expenses directly to provider services and where appropriate.
- 6.5.5 Except by prior written agreement of the Manager Governance, payments for carer and childcare services will not be made:
- to a person who resides with the Councillor;
 - has any financial or pecuniary interest with the Councillor;
 - has a relationship with the Councillor or their partner (ie immediate family member); or
 - has recognised care responsibility (ie parent or other regular care giver).
- 6.5.6 Evidence of out of pocket costs incurred by the Councillor must be provided with any claim.
- 6.5.7 The level of financial support shall be determined by the Manager Governance in consultation with the claimant.

6.6 Councillor Support

6.6.1 Information Technology

The City will provide information technology items including:

- Equipment
 - software
 - support and basic training
- (a) All information technology provided remains the property of the City unless other arrangements have been agreed upon by the Councillor and the Manager Governance.
- (b) The Information Management Unit may audit and update the information technology from time to time. Councillors are required to regularly provide items for maintenance.
- (c) Councillors to maintain equipment in fair/reasonable condition.
- (d) Faulty equipment, breakages or issues are to be reported to Civic and Governance Support as soon as practicable.
- (e) Lost, stolen or misplaced equipment must reported to the Manager Governance as soon as practicable.
- (f) Reasonable personal use up to a maximum of 25 per cent of total usage is permitted as long as it does not affect the primary use of the equipment.
- (g) All items to be returned to the City on the next business day at the conclusion of a Councillor's term, unless otherwise agreed by Manager Governance.

6.6.2 Office and Meeting Facilities

- (a) The City will provide Councillors with access (individual fob/security tag) to the City's office and designated spaces.
 - (i) Designated spaces may be used by all Councillors for related Council business during usual business hours or by prior arrangement with Civic and Governance Support.
 - (ii) Councillors may book rooms for meeting with external parties through Civic and Governance Support.
 - (iii) Where a fob or security tag is misplaced or stolen, Councillors must contact Manager Governance as soon as practicable (and may be responsible for replacement costs).

6.6.3 Training and Development

(a) Professional Development

The City will meet the cost of training and development courses, seminars and activities of professional and personal development within the limits of the budget approved by Council and the relevance of the course for the Councillor and the Council.

- (i) The budget and the individual allocations will be set as agreed by Council on a yearly basis following assessment of professional development
- (ii) To assist this process, the Mayor will undertake a professional development assessment with each Councillor

(b) Memberships

The City will pay professional membership where there is a demonstrated or perceived benefit to the Councillor performing their duties, and to the City as agreed by the Council.

6.6.4 City Vehicles

(a) Mayoral Vehicle

The City may provide the Mayor with a vehicle for his/her exclusive use during their term. The provision of the vehicle is subject to the following terms and conditions:

- (i) Use of vehicle in accordance with *Fleet Policy* and *Driver's Licence Policy*;
- (ii) The Mayor may use the vehicle for reasonable private use.
- (iii) Any damage, accident or fault to be reported to Manger Governance as soon as practicable.

(b) Fleet Vehicles

Use of fleet vehicles in accordance of Fleet policy and Driver's Licence policy.

- (i) Councillors may book fleet vehicles for use when performing duties and may be arranged through Civic and Governance Support
- (ii) Where required, a designated fleet vehicle will be made available for use by a Councillor with disability for the purpose of supporting that Councillor to effectively undertake their role as a Councillor.

6.6.5 Conferences and Functions

(a) Conferences, Seminars and Meetings –

- (i) The City will bear reasonable costs enabling Councillors to attend an event whilst performing duties
- (ii) Reasonable costs may include:
 - Registration fees
 - Main conference dinner (if not covered by registration cost)
 - Accommodation
 - Transfer to and from event (taxi, public transport) and in accordance with section 6.4 of this policy.

(b) Charity Events

- (i) The City may cover the costs to allow attendance of the Mayor (Acting Mayor or Deputy Mayor in the absence of the Mayor), as representative for the City.
- (ii) Where Councillors attend a charity fundraising event for which contribution is required, Councillors attend at their own expense.

(c) Political Functions

- (i) The City will not financially support any political party. However, the City may cover the costs to allow attendance of the Mayor (Acting Mayor or Deputy Mayor in the absence of the Mayor), as representative for the City where there is a demonstrable benefit to the City.
- (ii) With the exception of (c)(i), where Councillors attend a political party fundraising event for which payment is required, Councillors attend at their own expense.

(d) Spouse/Partner Accompanying Councillor

The City may cover cost of a spouse or partner's attendance to functions where expressly invited and appropriate when accompanying a Councillor:

- (i) Within the Municipality
- (ii) Intrastate, when a Councillor is fulfilling authorised duties, the payment of expenses for a spouse or partner to attend

appropriate functions shall be limited specifically to the entry fee and meal.

- (iii) If the spouse or partner is the Councillor's carer, support will be provided in accordance with section 6.6.6 and 6.6.7 of this policy.

6.6.6 Access and Inclusion

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

- (a) The City will provide support to a Councillor upon consideration of written report from a medical practitioner or other relevant qualified professional or the Councillor making the claim where appropriate.
- (b) The level of support provided by the City will be approved by the Manager Governance.
- (c) The level of financial support shall be determined by the Manager Governance in consultation with the claimant.

6.6.7 Councillors' Welfare

- (a) Councillors may approach the Mayor or CEO regarding any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor.
- (b) A Councillor is able to seek counselling on a confidential basis through City's approved Staff Counselling Services.

6.6.8 Insurance

- (a) Councillors are covered by the following Council Insurance Policies, whilst performing duties:
- Personal Accident Insurance
 - Public Liability Insurance
 - Professional Indemnity Insurance
 - Councillors and Officers Liability Insurance
 - Travel Insurance; and
 - WorkCover (as a deemed employee).
- (b) The City will pay the insurance policy excess in respect of any claim made against a Councillor arising whilst performing duties, where the claim is accepted by the City's insurers. The insurance does not cover criminal or wilful acts.
- (c) Spouses and partners are covered by the City's Personal Accident Insurance when accompanying Councillors whilst performing.

6.6.9 Legal Expenses

Legal expenses incurred by a Councillor shall be the responsibility of that Councillor unless with the prior approval of:

- Mayor; or
- CEO; or

- Council resolution.

6.7 Monitoring, Evaluation and review

- 6.7.1 Quarterly reports of all Councillor and delegated committee member expenses will be provided to Council, and the Council's Audit and Risk Committee.
- 6.7.2 The report will include:
- expenses incurred by Councillors during the quarter
 - reimbursement claims made by Councillors during the quarter
 - reimbursements made to Councillors during the quarter.
- 6.7.3 Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation.

Members of Delegated Committees

6.8 Members of Delegated Committees will be reimbursed for out-of-pocket expenses that are:

- (a) bona fide expenses;
- (b) have been reasonably incurred in the performance of the role; and
- (c) are reasonably necessary for the member of a Delegated Committee to perform this role.

6.9 Carer and dependent-related expenses

- 6.9.1 The City will provide reimbursement of costs where the provision of care for a dependent is reasonably required for a member of a delegated committee to perform their role (s 41)
- 6.9.2 The city will provide reimbursement of costs where the provision of carer services is reasonably required when a delegated committee member who is a carer (see definition section) incurs reasonable expenses in the performance of their duties.
- 6.9.3 This applies to the care of a dependent, while the Councillor or delegated committee member is undertaking their duties; and may include expenses such as hourly fees and booking fees, if applicable.
- 6.9.4 Council will provide reimbursement of costs where the provision of carer services is reasonably required when a Councillor or delegated committee member who is a carer (see Definitions) incurs reasonable expenses in the performance of their duties.
- 6.9.5 Claims under this section must be made in the prescribed form as outlined in 6.10.
- 6.9.6 Except with the prior written agreement of the Manager Governance, payments for carer and childcare services will not be made:
- (a) to a person who resides with the delegated committee member;

- (b) has any financial or pecuniary interest with the delegated committee member;
- (c) has a relationship with the delegated committee member or their partner (ie immediate family member); or
- (d) has recognised care responsibility (ie parent or other regular care giver).

6.9.7 The level of financial support shall be determined by the Manager Governance in consultation with the claimant.

6.10 Procedure

Payment of out-of-pocket expenses will be made in accordance with the *Councillor Expenses Procedure*.

7. Review

A Councillor may request the CEO review of a decision made by the Manager Governance under this Policy.

8. ROLES AND RESPONSIBILITIES

For the purpose of clarification in given effect to this Policy, Councillor duties may include, but are not limited to:

- attendance at meetings of Council and its committees
- attendance at briefing sessions, workshops, civic events or functions convened by Council
- attendance at conferences, workshops and training programs related to the role of Councillor, Mayor or Deputy Mayor
- attendance at meetings, events or functions representing Council
- duties in relation to constituents concerning Council business.

This Policy also applies to members of Council Delegated Committees when undertaking approved travel in accordance with their agreed role.

9. RELATED DOCUMENTS

Readers are encouraged to access relevant documents and/or resources which are available as per the below.

These include:

- *Code of Conduct*
- *Council Expenses Procedure*
- *Driver's licence Policy*
- *Fleet Policy*
- *Governance rules*
- *Public transparency policy*
- *Governance framework*
- *Information privacy policy*
- *Carers Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*

- *Equal Opportunity Act 2010*
- *Gender Equity Bill 2020*

Further information or advice on this policy should be directed to Governance

10. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

11. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a City unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

12. DOCUMENT HISTORY

Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
<i>14/10/2015</i>		<i>Executive Services</i>	<i>Developed</i>	<i>1</i>	
<i>Aug, 2020</i>	<i>Manager Governance</i>	<i>Governance</i>	<i>Review (significant)</i>	<i>2</i>	<i>June, 2022</i>