

Hobsons Bay Council Support and Expenses Policy

2020 Version 8.0



1 Purpose

This policy supports Councillors and members of Delegated Committees to perform their role, as defined under the *Local Government Act 2020*, by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. The policy also provides guidance on:

- (a) entitlements
- (b) processes for reimbursement
- (c) reporting requirements
- (d) administrative support and the provision of resources and facilities

This policy is intended to ensure that Councillors and members of Delegated Committees are supported to perform their duties without disadvantage.

2 Background

Section 40 of the Act requires Council to adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of Delegated Committees.

Section 8 of the Act sets out the role, functions, duties and powers of a Council. Section 28 of the Act defines the role of a Councillor. Section 39 of the Act provides for payment of annual allowances to Mayors, Deputy Mayors and Councillors. In addition, Councillors will be provided an amount equivalent to the superannuation guarantee. This amount may be paid into a superannuation account of the Councillor's choice.

3 Definitions

Carer	a carer as defined under section 4 of the <i>Carers Recognition Act 2012</i>
Delegated Committee	a Delegated committee as defined under section 63 of the <i>Local Government Act 2020</i>

4 Policy and Principles

4.1 Official duties of a Councillor

For the purpose of this policy, activities attended by a Councillor or member of a Delegated Committee should demonstrate a benefit to the Hobsons Bay community.

The duties and activities considered to be necessary or appropriate for the purposes of achieving the objectives of a Council include, but are not limited to:

- (a) meetings of Council or its Committees
- (b) meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or Council
- (c) meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as a Council representative
- (d) a meeting, function or other official role as a representative of the Mayor or Council
- (e) other meetings, inspections or events attended by a Councillor in an official capacity

4.2 Reimbursement of Expenses

Councillors may seek reimbursement of the following expenses by completing the Councillor Expense Claim Form:

- (a) Vehicle/Travel
- (b) Training/Conference
- (c) Family Care

The claim form will include a declaration by the Councillor that the expenses being claimed are accurate and have been incurred whilst undertaking Council business.

Where the activity is attended by a Councillor on a voluntary basis, or where there is no resolution or policy position of Council in support of attendance, then the activity will not be deemed to be performing the duties of a Councillor or Delegated Committee member and associated costs should be met by the Councillor.

Where there is uncertainty as to whether costs should be met by the Councillor, the matter will be referred to the Director Corporate Services for determination.

The payment of a Councillor allowance and reimbursement of Councillor expenses may have taxation implications, which is the responsibility of each individual Councillor.

4.3 Insurance

The Chief Executive Officer will ensure that policies of insurance are maintained to provide the relevant protections to Councillors while performing their duties as a Councillor or member of a Delegated Committee.

4.4 Home/workplace facilities

Each Councillor is entitled to receive IT equipment and home/workplace facilities to assist them to perform their duties as a Councillor.

Councillors may select from the following range of IT equipment:

- (a) Desktop Computer
- (b) Laptop/Notebook
- (c) Tablet device
- (d) Mobile telephone
- (e) Bring Your Own Device (BYOD)
- (f) Printer
- (g) Monitor
- (h) Computer peripherals such as docking station, keyboard, mouse, and stylus

The selection of technology options made by each Councillor must be approved by the Director Corporate Services to ensure each solution is cost effective, fit for purpose and can be securely supported by Council's IT service.

Council will pay all connection fees, rental charges and Council related call charges associated with the use of the mobile telephone, for all calls made within Australia. It is expected that Councillors will reimburse the Council for personal calls, after conducting a review and authorising their account statement.

Council will pay all charges associated with the use of the technology devices for Council related business. Councillors must adhere to the policies for security, maintenance and use of equipment, which may be amended or changed from time to time, in particular the Information Security Agreement.

All Council issued devices will be installed with Council's standard operating environment to manage security and privacy.

4.5 Transfer or purchase of Council assets

All equipment remains the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement/resignation of the Councillor, unless asset ownership transfer arrangements have been approved by the Director Corporate Services (or delegate).

Three months prior to the election period Councillors will be given an option to purchase their equipment. If the Councillor elects to do so the price of each item will be determined on a fair value basis (i.e. average value of any asset) and will be determined by:

- (a) averaging the depreciated asset value as detailed in Council's asset register
- (b) the highest advertised price available of the specific item for used equipment and the lowest advertised value

The fair value price is not negotiable and should the fair value price be unacceptable to the Councillor then the transaction should not proceed.

4.6 Transfer of mobile telephone number

A Councillor wanting to retain their Council owned mobile telephone number must complete the required transfer document of the provider and submit it to Council for sign off.

Any associated costs in the transfer and any fees or charges incurred at this time and after will be met by the Councillor wanting to transfer the number.

4.7 Civic entertainment

All formal Council civic entertainment expenses where Council is the host will be met from the annual Council budget.

Councillors will be reimbursed for reasonable expenses incurred while entertaining visiting dignitaries on behalf of Council including the cost of drinks accompanying a meal.

4.8 Meals and refreshments

Where Council or Delegated Committee meetings are held at times that extend through normal mealtimes, Council will provide suitable meals and refreshments served on the premises.

4.9 Meeting Rooms and Councillors' Office

Councillors can book meeting rooms owned and controlled by the Council for meetings, interviews and other functions where the primary purpose is to allow the Councillor to discharge their duty. The Councillor must be in attendance.

The Councillors' office is reserved for exclusive use by Councillors.

The room is equipped for computer access and is suitable for office work, reading, research, filing of Council documents and small meetings.

4.10 Facilities for the Mayor

The Mayor using their own motor vehicle is entitled to an amount equivalent to the mean average vehicle operating cost for a medium vehicle as published by the Victorian Public Service, commensurate with the appropriate Executive Officer Level vehicle to cover expenses associated with servicing, fuel and insurance of the Mayor's motor vehicle.

4.11 Stationery and secretarial support

Secretarial support will be made available 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.

Councillors will be supplied with business cards and a diary upon request.

Council business papers, personal mail and other Council information will be couriered to Councillor's place of residence weekly or as required.

Councillors will be provided with a blazer displaying the Hobsons Bay City Council logo upon request. From time to time Councillors may request to be provided with promotional material including caps, tee shirts, hats or other appropriate promotional material.

4.12 Building access and parking

Each Councillor will receive one access card allowing 24-hour access to the Councillors' office area at the Hobsons Bay Civic Centre and access to the Council offices at the Hobsons Bay Civic Centre during normal business hours.

Designated car parking will be available at the Civic Centre offices as required.

A ticket machine parking permit will be provided allowing free parking in the Hobsons Bay municipality (time restrictions still apply).

4.13 Name badges

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

4.14 Conferences and professional development

Professional development of Councillors and Delegated Committee members is strongly encouraged.

Selection of training or attendance at a conference or seminar should be relevant to the individual Councillor or Delegated Committee member and be of demonstrable benefit to the enhancement and development of the individual's skills and abilities with regard to effective community representation.

Newly elected Councillors shall be supported in their role through a comprehensive induction program as soon as possible after an election. This will include legislative requirements, roles and responsibilities of Councillors, policy development, strategic planning as well as issues affecting the Hobsons Bay City Council.

As required by section 32 of the *Local Government Act 2020*, a Councillor must complete Councillor induction training within 6 months after the day the Councillor takes the oath or affirmation of office.

In accordance with section 33(1) if a Councillor fails to take or complete Councillor induction training and fails to make a written declaration as required by section 32(3) the Councillor's allowance will be withheld until the Councillor has completed induction training and made the written declaration.

Attendance at any meetings or conferences, at a total cost to Council in excess of \$3,000, must be subject to a resolution of Council.

Attendance by Councillors at conferences, functions, seminars and other professional development activities at a total cost to Council of less than \$3,000 shall be arranged at the discretion of the individual Councillor, up to a maximum annual expenditure of:

- (a) \$5,000 per Councillor or
- (b) \$10,000 for the Mayor

In addition, and as exceptions to the above:

- the Mayor and up to three other Councillors may be authorised to attend the Annual National General Assembly of the Australian Local

Government Association, which provides councils with the opportunity to more fully participate and engage in discussion on matters of national importance to local government. Where, apart from the Mayor, the number of Councillors wishing to nominate for this Assembly exceeds three, determination of attendance will be by a resolution of the Council and

- any or all Councillors may be authorised to attend the Municipal Association of Victoria ('MAV') Councillor Development Weekend, which is the key event of the MAV professional development calendar for Councillors

Application to attend any interstate or overseas meetings or conferences involving Council expenditure should be discussed with the Chief Executive Officer prior to arrangements being made and will be by a resolution of Council.

Council will pay registration fees for attendance at conference sessions.

Council will pay for the main conference dinner if not covered by the registration cost, together with all meals within reasonable limits for the duration of the conference.

Council will provide a Councillor with transport to, from and during conferences. Council's preferred method for transport will be the use of a ride sharing service.

Accommodation for Councillors will be available from the day prior to registration day and each day on which official sessions of the meeting or conference are held.

Councillors will be provided with a reasonable standard of accommodation. As a guide four-star accommodation is considered appropriate. Councillors may accept room upgrades if the upgrade is at no additional cost to Council.

Accommodation will be organised at the hotel used for the conference, or if this is not available as close as possible to the event location.

Accommodation requests over and above the general standard will require authorisation by the Director Corporate Services.

Councillors appointed to attend conferences and seminars shall have expenses for transport, accommodation, registration fees and meals relating to the conference or seminar will have these expenses covered by Council.

Any additional accommodation costs incurred as a result of the attendance of partners and/or children shall be borne by the Councillor. All additional costs including upgrades and additional facilities will be met by the Councillor.

Upon return from any meeting or conference, the Councillor must provide and certify, a reconciliation of all expenditure incurred in attending the conference or meeting together with details of any overseas or interstate travel by completing the Conference/Training Attendance Form. Within five days of returning from that conference or meeting, the certification must be completed and submitted to the Executive Assistant to the Mayor and Councillors.

Within two weeks of returning from any meeting or conference approved at a meeting of Council, the attending Councillor must provide a report on the event to the Council.

4.15 Travel expenses

The cost of travel undertaken by Councillors while performing their duties as a Councillor will be reimbursed. Travel of a private nature, not related to the Councillor's duties, key goals and objectives, will not be reimbursed. Further information relating to the types of travel expenses for which reimbursement may be claimed is also discussed in this policy.

Decisions regarding mode of transport must be based on public benefit having regard to factors including timing, convenience, availability, cost and individual commitments in each case.

4.16 Private vehicle use and car parking costs

Councillors using their private vehicles to carry out their official Council duties such as attending meetings or participating in delegations outside the city area to which the Councillor has been appointed as a representative of the Council, will be reimbursed on a per kilometre basis in accordance with the Local Government Industry Award 2010.

The cost of car parking incurred outside the Hobsons Bay municipality while performing their duties as a Councillor will be reimbursed.

4.17 Public transport

Councillors may use public transport to assist them to carry out their duties as a Councillor. In such circumstances the cost of the public transport fare will be reimbursed.

4.18 Taxis and ride sharing services

Councillors may use ride sharing services for travel to assist them to carry out their duties as a Councillor.

Use of hire vehicles (i.e. chauffeur driven luxury vehicles with negotiated fare) will only be approved subject to prior authorisation by the Chief Executive Officer

4.19 Infringements

Councillors must not infringe against parking restrictions or any Victorian Road Rules and are personally liable for any infringement penalties received.

4.20 Carer and dependent related expenses

In accordance with section 40(1)(c) of *the Local Government Act 2020*, Council will provide reimbursement of costs where the provision of childcare is reasonably required for a Councillor or member of a Delegated Committee to perform their role. This applies to the care of a dependent, while the Councillor or Delegated Committee member is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable.

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, as defined under section 4 of the *Carers Recognition Act 2012*, incurs reasonable expenses in the performance of their duties.

The following guidelines will apply to the reimbursement of carer and dependent related expenses:

- (a) arrangements for the provision of family care are the responsibility of the individual Councillor
- (b) payment of carer expenses will be based on the current market rate and is subject to review
- (c) Councillors will be reimbursed expenses on presentation of a completed claim form, and appropriate tax invoice showing the name of the carer, and details of dates, times and fees. Invoices must be provided on a monthly basis
- (d) as Hobsons Bay is a Child Safe Organisation, it is recommended that the care provider be a qualified carer, or as a minimum requirement, have a valid Working with Children Check
- (e) payments for carer and childcare services will not be made to a person who resides with the Councillor or Delegated Committee member; has any financial or pecuniary interest with the Councillor or delegated committee member; or has a relationship with the Councillor, Delegated Committee member or their partner

4.21 Facilities and Expenses for Councillors with Disabilities

Council may resolve to provide reasonable additional facilities and meet reasonable additional expenses to assist a Councillor with a disability to perform their official Council duties.

4.22 Hobsons Bay Election Period Policy

During an Election Period (commencing on the last day of nominations until 6pm on the Election Day), no Councillor may use Council resources for election purposes or any purpose that may be perceived as being used for the election. Further information can be obtained from Council's Election Period Policy.

5 Procedural Guidelines

5.1 Claiming of Expenses

Reimbursement of expenses will be made upon presentation of the completed claim form and attached receipts as evidence of all expenses.

Expense claims shall be submitted by Councillors on a monthly basis, and no later than three months from the date of expenditure.

Expense claims must be approved by the Director Corporate Services prior to reimbursement to the Councillor.

5.2 Audit and Reporting

An annual audit of Councillor expenses will be undertaken by the Chief Financial Officer or their delegate and reported to the Chief Executive Officer.

The audit will include a review of:

- (a) all Councillor expenses claimed for the period
- (b) evidence of reimbursement by Councillors of personal expenses not related to Council business
- (c) appropriate sign off and authority levels for the approval of expenses

Details of net Councillor expenditure shall be reported on the Council website and updated on a monthly basis.

6 Review Date

This Policy will be reviewed four years from the date of endorsement by Council, unless it is required to be updated sooner.

7 Related Documents

Councillor Code of Conduct
Hobsons Bay Public Transparency Policy
Expense Claim Form
Conference/Training Attendance Form

8 Related Legislation

Carers Recognition Act 2012
Local Government Act 2020
Local Government Industry Award 2010

9 Document Control

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Responsible Officer:	Coordinator Governance and Information Management
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10 Version History

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3.0	24 February 2009	Adopted by Council
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5.0	19 July 2011	Adopted by Council
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