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RELATED LEGISLATION:	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 Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources April 2008 Local Government (Planning and Reporting) Regulations 2020
EVIDENCE OF APPROVAL:	


Signed by Chief Executive Officer

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This document is available in alternative formats (e.g. larger font) if requested.

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 bona fide expenses reasonably incurred in the performance of their role are reimbursed. The policy also provides guidance on:

- allowances
- supports
- processes for reimbursement
- reporting requirements.

The policy is intended to ensure that Councillors and members of delegated committees are supported to perform their duties without disadvantage.

2 SCOPE

This policy applies to:

- Councillors of Loddon Shire Council
- members of delegated committees of Loddon Shire Council.

Councillor duties are those performed by a councillor as a necessary part of their role, in achieving the objectives of Council.

These 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.

Members of delegated committees exercise powers of councillors, under delegation. This policy also applies to those members in the course of undertaking their role as delegated committee members.

The assistance and support for Councillors set out in this policy is additional to the Mayoral and Councillor annual allowances set by state government.

3 POLICY

Councillors and members of delegated committees are entitled, under section 40 of the *Local Government Act 2020* (the Act), to reimbursement of expenses reasonably incurred in the performance of their duties.

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.

Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that are:

- bona fide expenses **and**
- reasonably incurred in the performance of the role of Councillor **and**

- are reasonably necessary for the Councillor and member of a delegated committee to perform this role.

In the event of a Councillor completing, or not serving, their full term, all Council property must be returned to the Loddon Shire Council.

3.1 Expenses

3.1.1 Carer and dependent-related expenses

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 (s 41(2)(c)).

This applies to the care of a dependant, 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 (see **Definitions**) incurs reasonable expenses in the performance of their duties.

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.

3.1.2 Legal fees and costs

Other than by a specific Council resolution, or in accordance with a Council policy, any legal expenses incurred by a Councillor or delegated committee member shall be the responsibility of that Councillor or delegated committee member.

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3.1.3 Training, conferences, events, and functions

Training and development - Council will meet the cost of Councillors' and members of delegated committees' participation in training and development courses, seminars and activities in a variety of professional and personal development areas within the limits of the budget approved by Council.

These programs are generally offered by professional bodies, private organisations and educational institutions in Victoria.

Conferences – Council will cover registration fees associated with attendance by Councillors and members of delegated committees at approved conferences, seminars and functions held locally, interstate and overseas within the limits of the budget approved by Council.

These are normally held by local government related organisations, professional bodies and institutions, and private sector providers on issues and events which impact on the role of Councillors and members of delegated committees and the Loddon Shire in general. The cost of partners attending conferences will not be met by Council.

Events – Council will meet the cost of Councillors and members of delegated committees attending approved external events to which they have been invited. If a partner has been invited, Council will meet the cost of the partner attending, where it is necessary for Council to be represented at the function.

Approval of Councillors' and members of delegated committees' attendance at conferences and events will be determined by the Mayor in consultation with the Chief Executive Officer, and in accordance with the following guidelines:

- relevance of the program to the efficient and effective operations of the Loddon Shire Council
- cost/benefit of being represented
- expertise, interest and experience of Councillors in the areas of conference business
- numbers to attend being regulated by distance/cost
- a report of the conference will be provided to all Councillors at the next available Council meeting
- in the event that the Mayor does not consider a Councillor attendance relevant, the matter will be referred to Council for information and review.

Charity events – Council will meet the cost of the Mayor or their representative to attend a charity fundraising event. If other Councillors wish to attend to support the charity, they will be required to make their own contribution to attend.

Political functions – Where Councillors or members of delegated committees attend a political party fundraising event for which payment is required, the cost is to be borne by the individual. Council does not financially support any political party.

Council representation at events and functions – In circumstances where the Mayor has been invited to an event or function in a particular Ward, and is unable to attend, the Ward Councillor will be given the first option to represent the Mayor.

3.1.4 Travel costs, accommodation and meal expenses

3.1.4.1 Within Victoria

Council will meet reasonable transport costs incurred in attending meetings, functions and other commitments within Victoria. This includes reimbursement for use of a private vehicle while conducting Council business, car parking fees and the provision of car parking permits.

This category includes costs associated with accommodation and incidentals incurred when travelling on Council business in metropolitan Melbourne and regional Victoria.

Council acknowledges the recommendations of the Local Government Inspectorate in its 2020 report on Councillor expenses and allowances to reimburse for private vehicle use at the Australian Taxation Office rate. However, to ensure consistency and fairness across the organisation, reimbursement of private vehicle use will be based on the Council rate per kilometre amount paid to staff, as amended from time to time.

A remote area travel allowance will be payable for the time spent on long distances travelled by Councillors in remote areas. The allowance provides for a maximum daily rate of \$40 to a maximum of \$5,000 in any one year for each Councillor who permanently resides more than 50 kilometres from the specified meeting centre (ref: Order in Council, Local Government Councillor and Mayoral Allowances, 1 December 2008).

3.1.4.2 Interstate

Council will cover costs associated with Councillors and members of delegated committees travelling interstate on Council business as approved by the Council (with the exception of the

Mayor who does not require approval of the Council) within the limits of the budget approved by Council. This comprises airfares, accommodation costs, car hire, taxis and meals.

Where travel is by private vehicle, reimbursement for the use of the private vehicle will be in accordance with 3.1.4.1.

3.1.4.3 Overseas

Council will cover costs associated with Councillors and members of delegated committees travelling overseas on Council business as approved by the Council within the limits of the budget approved by Council. This comprises airfares, accommodation, visas, passport costs, car hire, taxis and meals.

3.2 Allowances and Superannuation

3.2.1 Allowances

Councillors receive an allowance at a level set by the State Government and reflecting the size of the Council. The amount is reviewed by Council every four years and is indexed annually on 1 December in line with guidance provided by Local Government Victoria. The allowance will be reported separately from expenses in quarterly reporting.

Each Councillor is responsible for obtaining advice from their accountant, at their own cost, about the treatment of the allowance for tax purpose. Upon request, a list of transactions can be supplied to the Councillor for the purpose of identifying allowance and reimbursement information for the financial year or another period. Councillors also receive a statement when payments are made throughout the year.

Members of delegated committees do not receive an allowance but are eligible for reimbursement of expenses set out in 3.1 above.

3.2.2 Superannuation

Councillors will be paid an amount equivalent to superannuation. On induction, Councillors may elect to have this amount paid directly to them or to their nominated superannuation account.

3.3 Support

3.3.1 Executive support

Councillors will be provided with executive support. This support will include:

- preparation and distribution of agenda papers and minutes for Council meetings, forums, briefings, special meetings and ad hoc meetings
- arranging attendance at conferences including conference booking and accommodation booking
- coordination of civic events and citizenship ceremonies
- advice regarding the Governance Rules.

All requests can be sent to: executive@loddon.vic.gov.au. This email address will be actioned by one of the staff from Executive and Commercial Services.

The key contact is the Executive and Commercial Services Officer on 5494 1251.

3.3.2 Information technology and telecommunications

Internet – Councillors will be provided with an internet connection to allow access to email and internet.

Email – Councillors will be provided with an email account managed through Loddon Shire Council. Councillors' email addresses will be part of the domain name: loddon.vic.gov.au.

Anti-virus – Councillors' laptops will have anti-virus software installed and automatically updated. This process will be seamless for the Councillors.

Document management – Councillors are responsible for ensuring all corporate information is forwarded to Loddon Shire Council for registration in the electronic document management system. This refers to, but is not limited to, formal letters in Microsoft Word and emails.

Computer - Councillors will be provided with suitable computer and appropriate hardware and software for the primary purpose of accessing and keeping Council meeting agendas and minutes and performing their roles as councillors. Councillors will be provided with laptop (Dell) and a tablet (iPad).

Printer – Councillors will be provided, on request, with the option to be supplied with a Council approved printer for printing Council related material. Costs associated with non-council printing must be covered by the Councillor. It is preferred to operate in a digital fashion for information security purposes.

Screens and docks – a screen and a dock will be provided to enable working at home. An additional screen can be provided on request.

Peripherals – Peripherals will be provided to support the use of devices in a digital way. Examples include charger cables, HDMI, tablet pen (if required).

Mobile phone - Councillors will be provided with a mobile telephone (iPhone or Samsung). The telephone number will be made available to the public, and the mobile telephone should only be answered by the relevant Councillor or the built-in message bank service. Where the mobile telephone is provided on a Council paid plan it is provided on the basis that personal calls are to be kept to a minimum. It is acknowledged that on occasion personal calls may be required when a Councillor is:

- unable to access a landline or
- on Council business outside normal business hours.

Personal use – To assist with effective data security, Councillors are discouraged from using any Council-provided device for personal use. Councillors will not install any non-Council products on Council provided devices. Councillors should note that Council provided devices are returned to Council at the end of the Councillors term and will have all data stored on them securely removed.

3.3.3 Information technology support

The Information and Business Transformation Department will provide familiarisation training for Councillors in addition to documentation aiding Councillors in relation to using the IT systems provided. Council will provide Councillors with application-specific training where necessary through a local training provider.

The Information and Business Transformation Department will update the software on each desktop computer. Any non-council software will be uninstalled during maintenance.

The Information and Business Transformation Department will provide IT support in line with that provided to Council.

All equipment is to be returned to the Information and Business Transformation Department on the conclusion of the Councillor's term, or in the event the Councillor resigns the position earlier.

Faulty equipment or issues are to be reported to the Information and Business Transformation Department as soon as possible.

In the event that equipment is lost, stolen or misplaced the Information and Business Transformation Department is to be informed as soon as possible to put in place all preventative measures.

Mobile telephone internet activities should be limited due to the costs associated with internet usage through the mobile telephone. Councillors may be required to reimburse Loddon Shire Council for excess charges if this policy is not followed.

3.3.4 Meeting room facilities

Councillors will be provided with meeting room facilities upon request.

3.3.5 Vehicles

Loddon Shire Council will provide the Mayor a vehicle for their Council and personal use during their term. The provision of the mayoral vehicle is subject to the following terms and conditions:

- (a) The Mayor will be responsible for maintaining the vehicle in a reasonable state of cleanliness and keeping the vehicle off-street at their place of residence.
- (b) All fuel, tolls, insurance and registration for both private and official Council use will be paid for by Loddon Shire Council.
- (c) Any fines or penalties will be at the driver's expense.
- (d) The Mayoral vehicle will be available for Council business use by other Councillors when not required by the Mayor.

3.3.6 Councillors' welfare

Councillors may approach the Chief Executive Officer with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor.

Councillors encountering difficulties with the role, or personal difficulties that may impact on their role as a Councillor, are able to seek counselling on a confidential basis through Council's Employee Assistance Program providers. Details will be provided to Councillors upon their commencement and when the providers change and upon request.

3.4 **Reimbursement of expenses**

It is anticipated that there will be occasionally small expenses such as taxi fares, parking fees, meals, and public transport fares paid directly by Councillors when travelling for training, conferences or other events.

If a Councillor expects to incur an out-of-pocket expense of more than \$100, the Councillor should endeavour to contact the Director Corporate Services or CEO to check whether an out-of-pocket expense is appropriate or whether another method of payment would be more suitable.

Loddon Shire Council will reimburse a Councillor for expenses if the Councillor:

- (a) applies in writing for reimbursement of expenses and

- (b) establishes in the application that the expenses were reasonable bona fide Councillors out-of-pocket expenses incurred while performing duties as a Councillor.

Councillors are requested to submit travel and expense claims on a monthly basis and payment will be made within two weeks.

Management will provide Councillors with a summary of their expenses data for review on a quarterly basis.

Council's Audit and Risk Committee will review Councillor Expenses on a quarterly basis for publication to the Loddon Shire Council website on a quarterly basis, at a minimum, in accordance with the recommendations of the Local Government Inspectorate 2020 report on Councillor expenses.

3.4.1 Tax invoices and receipts

Reimbursement of out of pocket expenses is on the basis of tax invoices and original receipts, and details of the date and purpose of the event/function associated with the expenditure.

Councillors submitting claims for reimbursement of travel and expenses must do so using the Councillor Travel and Expenses Claim Forms available from the Executive and Commercial Services Officer.

Claims for communications, travel, and out of pocket expenses must be submitted to the CEO for approval.

Costs associated with travel are recorded and are available for public inspection in accordance with Local Government Act 2020 and the Public Transparency Policy.

3.5 Reimbursement of Council's Internal Audit and Risk Committee

Council has an active Audit and Risk Committee that has been operating since 2001. Members of the Audit and Risk Committee are reimbursed for travel expenses related to Audit and Risk Committee meetings. Reimbursement is paid at the same rate as for Councillors (refer 3.1.4.1 Travel expenses).

Reasonable travel is required by most committee members to attend quarterly meetings and professional development opportunities, and committee members must submit a quarterly claim for this expense.

Independent members of the Audit and Risk Committee are also provided remuneration for their services at a rate that is determined by Council each year.

4 MONITORING AND FEEDBACK

4.1 Monitoring

Quarterly reports of all Councillor and delegated committee member expenses will be provided to Council, and Council's Audit and Risk Committee.

The report will include:

- expenses incurred by Councillors during the quarter
- reimbursement claims made by Councillors during the quarter

- reimbursements made by Councillors during the quarter.

Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation.

The format for quarterly reports will ensure reporting:

- on Councillor expenses and allowances separately
- separately on the following expense categories as a minimum
 - travel expenses
 - professional development expenses
 - expenses to support the performance of their role
- of subtotals of expenses for each councillor and each expense category
- of overall total Councillor expenses
- of explanations/definitions of any additional categories used such as 'other', 'unspecified' or 'miscellaneous'.

4.2 Feedback

Management will seek Councillors' feedback on the content of this policy:

- during induction by reviewing the policy and
- mid-way through the Council term by arranging a survey of Councillors.

5 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
<u>Carer</u>	A carer is defined under section 4 of the <i>Carers Recognition Act 2012</i>
<u>Delegated committee</u>	Delegated committees are defined under section 63 of the <i>Local Government Act 2020</i>

6 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees

7 REVIEW

The Director Corporate Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.