



GREATER SHEPPARTON CITY COUNCIL

COUNCILLOR EXPENSES POLICY

Adopted by Council: 18 August 2020

Next Review: August 2024

COUNCILLOR EXPENSES POLICY

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Business Unit:	Corporate Governance
Responsible Officer:	Team Leader Governance
Adopted By:	Council 18 August 2020
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DOCUMENT REVISIONS

Version #	Summary of Changes	Date Adopted
1	Policy first adopted	7 August 2007
2	Amendments made to expand provisions relating to professional development and conditions applying to use of Mayoral Vehicle	18 April 2017
3	Review to strengthen reimbursement processes in response to VAGO audit recommendations	17 September 2019
4	Amendments made to update policy to reflect amendments resulting from the adoption of Local Government Act 2020	18 August 2020

PURPOSE

This policy supports Councillors and members of Delegated Committees of Greater Shepparton City Council to perform their role as defined under Section 40 of the *Local Government Act 2020* (the *Act*) by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

The policy also provides guidance on the process for reimbursement of expenses and reporting requirements.

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

OBJECTIVE

Councillors are entitled to receive an Allowance set by State Government but may also incur reasonable expenses incurred through the performance of their duties.

This policy ensures that Council's reimbursement of expenses are consistent with and in accordance with the Act and its Regulations, 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, where the Council is satisfied:

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

SCOPE

This policy applies to the Mayor, Councillors and all Delegated Committee members of Greater Shepparton City Council.

Where a situation is not adequately covered by this policy, the Chief Executive Officer (CEO) will determine what is approved as being an eligible expense as a consequence of a Councillors' elected duties.

Councillor duties are those performed as a necessary part of their role, in achieving the objective 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 function 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.

DEFINITIONS

Reference term	Definition
Act	Local Government Act (Vic) 2020
Allowance	An allowance as a Mayor or a Deputy Mayor, and an allowance as a Councillor in accordance with a determination of the Victorian Independent Remuneration Tribunal.
Carer	A Councillor who is a carer in a care relationship within the meaning of Section 4 of the Carers Recognition Act 2012
Child Care	Where the provision of child care is reasonably required for a Councillor or member of a Delegated Committee to perform their role.
Council	Greater Shepparton City Council
Councillor	A person who holds the office of member of Council
Eligible Expenses	The reasonable cost of <ul style="list-style-type: none"> • Travel • Parking • Accommodation • Meals, excluding mini bar • Carer & Child Care • Vehicle use • Other expenses as approved by the CEO
Professional Development	Includes formal study and training workshops, attendance at a conference, seminar, forum, delegation or similar event that will assist a Councillor in their broad civic leadership role and as approved by the CEO.

POLICY

1. Mayoral and Councilor Allowances

Allowances will be paid each month and never more than one month in advance.

Subject to review and determination of the allowances by Council resolution in accordance with Sections 39(1) and 39(2) of the Act, the allowances will be set at the maximum level for a category two council.

Although allowances are taxable, tax is not deducted by the Council. Councillors will be responsible for determining their own personal requirements in relation to their taxable income and may wish to consider seeking external advice if required.

2. Child Care and Carer Expenses

2.1 Child Care

Council will provide reimbursement costs where the provision of childcare is reasonably required for a Councillor or member of a Delegated Committee to perform their role S41(2)(c).

Councillors may claim reimbursement of reasonable childcare expenses in respect of the care of an immediate family member or member of the Councillor's household where the care relates to dependent children, the eldest child under care being less than 16 years of age.

2.2 Carer

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, incurs reasonable expenses in the performance of their duties.

Councillors may claim reimbursement of reasonable carer expenses in respect of the care of a person who is wholly or substantially dependent for ongoing care and attention on the Councillor.

Child care and carer expenses apply 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.

Payments for carer and child care 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. Travel (applicable to Councillors only)

All travel must be undertaken by the shortest route possible, and claims for reimbursement must be submitted within three months of the date on which they are incurred.

Approval is required for all Councillors undertaking discretionary trips, Interstate travel and attendance at Conferences. Approval of Interstate travel is granted by the Chief Executive Officer in consultation with the Mayor.

All International travel undertaken by Councillors must be in accordance with the achievement of Council's corporate objectives and goals and approved by Council resolution.

3.1 Interstate and International Travel

Air travel will be by economy class with bookings and payment to be made by Council through the Executive Assistant to the Mayor and Councillors (EA) after receiving approval from the Mayor, CEO or by Council Resolution

Councillors must ensure that details of travel expenses are provided to the EA within seven days of return from travel.

3.1.1 Travel Records for International and Interstate Travel

Governance will maintain a register for public inspection of details and costs relating to all Overseas and Interstate travel undertaken by Councillors (with the exception of interstate travel by land for less than three days). This register will be available for public inspection.

Councillors who travel Overseas or Interstate in an official capacity must record:

- the dates on which the travel began and ended; and
- the destination of the travel; and
- the purpose of the travel; and
- the total cost to the Council of the travel, including accommodation costs.

If Councillors incur out of pocket expenses related to travel that could not be booked by the EA prior to departure, the traveller must complete a Councillor Expense Claim Form and submit this to the EA within 30 days of returning from the travel or where that quarter is at the end of Financial Year, within 14 days.

3.2 Other Travel Expenses

3.2.1 Partner Travel

Where a Councillor elects to have their partner accompany them, all expenses relating to the partner's attendance will be met by the Councillor, unless there is a bona fide business purpose or necessity for the presence of the partner.

Approval for a partner to attend Council business must be approved by the CEO, in consultation with the Mayor.

3.2.2 Car Parking/ Public Transport/ Taxi/ Toll Fees

Council will reimburse the costs of car parking, public transport, taxi charges and toll fees incurred while undertaking duties associated with Council business, subject to the provision of original receipts and relevant details being provided, in accordance with the claims process outlined in Section 8 of this Policy.

3.2.3 Classes of Transport

In the event that Councillors access other means of transport in the performance of Council business, the following classes of transport apply:

- Aircraft travel in economy class including, where available, the use of a flexible fare class for any inbound flight. Under this provision, the most economical fare should be chosen, provided that the departure and/or arrival times are reasonable.
- Hire car up to standard 6 cylinder vehicle
- Train or Bus travel
- Standard Taxi or Uber

Where possible, the bookings and payment should be made in advance by Council through the EA, after receiving approval from the Mayor and CEO, or by Council Resolution.

Councillors are not entitled to claim the cost of any traffic infringements, penalties, parking tickets or similar expenses.

3.2.4 Meals and Accommodation Connected with Travel

Council will reimburse the reasonable costs of meal expenses for any travel exceeding 24hrs in duration, in the course of performing duties associated with Council business where a charge back option to the hotel is not available. This does not include the cost of meals for partners, guests or families of Councillors.

Personal expenses including mini bar, newspapers, personal phone calls, pay-per-view entertainment, and alcohol will not be paid by Council. Where a personal expense has been charged to Council, these costs will be recovered from the Councillor through the debtor invoice process.

4. Motor Vehicle Expenses (applicable to Councillors only)

4.1 Use of Private Vehicle

Councillors are encouraged to use corporate fleet vehicles for Council business where possible. Bookings for corporate vehicles must be made in advance, through the EA.

When using a corporate vehicle, Councillors are requested to complete an entry in the logbook provided in the vehicle.

Private vehicles are not covered by Council's insurance policy, and Council will not be held liable for any loss or damage relating to the use of a private vehicle. Use of a private vehicle must be in accordance with the following:

- The vehicle must be roadworthy
- The vehicle must be comprehensively insured
- The owner of the vehicle should notify their insurance company that the vehicle is being used for work purposes
- Councillors may be eligible for reimbursement of the claims excess cost, in the event of an accident in a private vehicle, when the vehicle is being used for Council business purposes
- Councillors should contact Council's Manager Corporate Governance to confirm eligibility following an incident.

4.2 Private Vehicle Usage Claims

Councillors are eligible to claim expenses per kilometre of travel, when using a private vehicle to attend to duties associated with Council business. This reimbursement is provided to cover costs associated with ownership and operating a motor vehicle, including registration and insurance, fuel, wear and tear and maintenance.

Travel is measured to and from the Councillors main residence.

- Councillors will be reimbursed for kms travelled while using their a private vehicles in accordance with the Australian Taxation Office (ATO) rate
- Mileage claimed in relation to performing duties associated Council business must be documented in Councillor's diaries in sufficient detail to be able to be independently substantiated for audit purposes.
- Councillors must maintain a vehicle log book, or some appropriate form of written or digital record in relation to the use of their private vehicle in the course of conducting duties associated with Council business, including recording:
 - total kms travelled
 - relevant locations of the travel supported by relevant odometer readings,
 - the date of travel, and
 - the purpose of the travel

The record must be made available for inspection on request for audit purposes.

5. Professional Development (applicable to Councillors only)

As the public face of Council and as community representatives, Councillors play an integral leadership role in the processes for the development, communication and representation of the Council Plan and Council's policies, strategies and programs.

Professional development for Councillors contributes towards a positive presentation of Council for the betterment of the organisation and the community.

Council will pay registration fees for approved professional development and training opportunities for Councillors, including attendance at meetings, training or conference sessions. Other related travel, meal, accommodation and related expenses may be claimed as outlined in this policy.

Applications within budgetary requirements to attend relevant training, conferences and meetings will not be unreasonably refused.

5.1 Annual Monetary Limitations (applicable to Councillors only)

Council will allocate funds via its annual budget process to meet expenses for approved professional development needs of Councillors, this inclusive of expenses relating to event representation. Funds will be allocated per financial year, calculated by allowing \$8,000 per Councillor, and \$12,000 for the Mayor.

These funds will be budgeted for collectively, noting that some Councillors may undertake more training than others, particularly those who are newly elected incoming Councillors.

5.2 Application

Councillors undertaking approved professional development shall have expenses for transport, accommodation, course fees and meals relating to their attendance paid by Council, as follows:

- The approval of any training, conference or meeting attendance will be based on its relevance to the role and professional development of the Councillor.
- The CEO is responsible for approving expenses for individual Councillors for professional development opportunities within Australia.
- A Council Resolution is required to approve all requests for professional development opportunities outside Australia, either at a Council meeting or through inclusion in an adopted budget.
- Professional Development requests which relate to overseas travel must be accompanied by a business case, describing the benefits to be gained from attendance and detailing the total costs and Council funds requested.
- For any expenses claimed as reimbursement, evidence of attendance and tax invoices must be provided.
- All other expenses incurred as a result of attending professional development events shall be met from the Councillor allowance.
- Where a Councillor elects to have their partner accompany them, all expenses relating to the partner's attendance will be met by the Councillor.
- Refreshments must be consumed with a main meal and apply to non-alcoholic beverages only. Under no circumstances will charges arising from alcohol or a mini bar be covered by Council.
- Accommodation of a reasonable standard necessarily required for attendance at any approved event will be booked by the EA. Accommodation will be booked at the

location of the event, or at a nearby location that is of a suitable and reasonable cost and safe.

5.3 Limitations

Any professional development being undertaken by a Councillor must be completed by the end of the financial year prior to a general election.

Unless in extenuating circumstances, requests for professional development opportunities will not be considered for the financial year just prior to election. This will ensure the incoming Council has full access the financial support required to deliver their induction and any other training required for a newly elected Council.

5.4 Reporting

Within three months of the completion of any professional development opportunity at an overseas location, a Councillor must table a report at a Council meeting, detailing the following:

- details of the course topic, content, location, date and duration
- relevance of the course to the position of Mayor and/or Councillor
- total costs covering course, course material, travel, accommodation and any other expenses for the Councillor
- benefits accruing to the Council from attendance
- where two or more Councillors attend an event for which the tabling of a report is required, the Councillors may table a joint report.

A quarterly report will be provided to Councillors on expenditure relating to professional development. This will enable Councillors to monitor expenditure and ensure it is distributed in an equitable manner.

6. Legal Advice Expenses

Any Councillor who obtains legal advice without the support of a Council resolution will be required to personally pay the expense incurred.

A Councillor may submit a Notice of Motion requesting that Council facilitate and fund legal advice expenses incurred as a result of a Councillor executing their duties.

Council will evaluate any Notice of Motion requesting legal advice against the following criteria:

- the extent to which the subject matter of the advice required relates to the Councillor's functions as a Councillor
- the extent to which the subject matter of the advice required relates to a matter before Council or the Councillor's representative role as a Councillor
- the extent to which the subject matter of the advice required will or is likely to be of interest to all Councillors
- the public interest; and
- any other relevant considerations.

In the event that legal advice relates to a writ, action or pending action against a Councillor(s), the Councillor(s) must supply a copy of the writ or action or provide the information which may lead to an action, to the CEO. The CEO will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

7. Other Expenses

Any expenses not specifically addressed in this Policy may be referred to the CEO for consideration as a “necessary expense” for reimbursement.

Where the CEO considers the expense to be legitimately incurred in the performance of councillor duties, it will be treated as follows:

- For expenses up to and including a total amount of \$1,000 and which can be accommodated within approved budgets, the CEO will approve reimbursement
- For expenses of more than \$1,000, or for which no budget cover is available, a report will be prepared for consideration at the next Council meeting.

8. Lodging a Claim

To lodge a claim for reimbursement under this Policy, the claim form at Attachment 1 (Councillor Expense Claim Form) must be completed and provided to the Executive Assistant.

For any claims relating to carer or childcare expenses, a receipt from the carer must be provided showing the date and time care was provided and detail the reason that care was needed on each occasion.

For all other claim types, the claimants must provide appropriate supporting documentation to substantiate the claim as appropriate to the type of claim.

This will include (but is not limited to):

- Vehicle log book
- Invoices and receipts
- Copies of meeting minutes

If the required supporting documentation is not provided, claims will not be processed.

In any case where a Claimant is unable to provide a receipt of costs incurred a statutory declaration may be accepted by the CEO. Appropriate and sufficient reasoning for being unable to produce a receipt must be provided by the claimant and it will be at the CEO’s discretion whether a statutory declaration will be accepted.

Claims for reimbursement must be submitted within three months of the expense being incurred. Reimbursement for expenses incurred more than three months prior to the submission of a claim will require a resolution of Council for payment.

9. Audit and Reporting

Councillor expenses are subject to audit by the Victorian Auditor General, the Victorian Local Government Inspectorate and Council’s internal auditor, and are reported to the CEO. Any items considered to be in breach of the Act or this policy will be reported to Councils Audit & Risk Committee.

10. Consequences of Breach

Any action by a Councillor or Committee Member in relation to matters contained in this policy which breaches obligations under the Act or Councillor Code of Conduct, may result in action taken by Council pursuant to the Act and / or Code.

11. Members of Council Delegated Committees

Non-Councillor members of Council Committees are not entitled to claim reimbursement of expenses incurred whilst exercising their duties as a committee member, unless specifically outlined in an Agreement or Terms of Reference established by Council for the committee.

Exceptions may apply to individual cases where approval has been granted by the CEO.

RELATED POLICIES AND DIRECTIVES

- Council Media Policy
- Councillor Code of Conduct
- Council Gifts and Hospitality Policy
- Councillor Resources and Facilities Policy

RELATED LEGISLATION

- Local Government Act 2000
- Local Government (General) Regulations 2015
- Local Government (Planning and Reporting) Regulations 2014

REVIEW

The Team Leader Governance, in conjunction with the Executive, is to review the Councillor Expenses Policy after each general election of the Council.

Suggested revisions are to be submitted to the Council for consideration.



24 August 2020

Peter Harriott

Date

CHIEF EXECUTIVE OFFICER

ATTACHMENTS

Attachment 1: M08/2573 Councillor Expense Claim Form

Greater Shepparton City Council Councillor Expense Claim Form

Councillor's Name: _____

(Surname)

(First Name)

TYPE OF EXPENSE

(Please tick one or more boxes)

- CHILDCARE**
- MOTOR VEHICLE/TRAVEL**
- ACCOMMODATION**
- FOOD/REFERESHMENTS**
- TELECOMMUNICATIONS**
- OTHER (please specify) _____**

Date(s)	Details of Claim	Amount Claimed	Tax Invoice/ Receipt /Copy of Log Book Attached (Yes/No)
Total amount claimed			

(Please provide appropriate documentation to support all claims. Claims for reimbursement must be submitted within three months of an expense being incurred.)

I certify that the expenses claimed on this form are legitimate expenses incurred in the performance of my duties as a Councillor for the City of Greater Shepparton.

 Signature

 Date