



COUNCILLOR SUPPORT AND EXPENDITURE POLICY

Policy Number	C51	Directorate	Corporate & Community Services
Council Item No.	X.X.1	Department	Innovation & Council Business
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POLICY OBJECTIVE

To:

1. Establish policy framework for reimbursement of out-of-pocket expenses and provision of resources and facilities support for the Mayor and Councillors of the South Gippsland Shire Council, in a way that is consistent with industry standards and supports the attraction and retention of Councillors from a wide cross section of people; and
2. Review and replace Councillor Support and Expenditure Policy C51 dated 27 July 2016.

This policy does not cover the payment of Mayoral and Councillor Allowances because these are subject to periodic determination by Order in Council made by the Governor in Council pursuant to s.74 of the Local Government Act 1989 (LGA).

POLICY STATEMENT

Councillors will necessarily incur out-of-pocket expenses in the performance of their roles. Community members expect that Councillors will endeavour to keep their costs to a minimum.

This policy is based on:

1. Councillor conduct principles as prescribed by ss.76B and 76D of the LGA.
2. Encouraging diversity in participation, equity and access by recognising that:
 - Councillors operate in a complex environment and bring unique skills and insights to the role;
 - Diversity in participation and access to local representation contributes to well-informed decision making involving the community;
 - The role of Councillor should attract and retain a wide cross section of people, including those from under-represented groups;
 - Councillors need to be accessible to a wide range of constituents and remain informed about issues in the community. These are an important part of the role and access to the internet is essential to facilitate this;



- Councillors are supported in undertaking their duties by ensuring that expenses are reimbursed and required resources are provided in an equitable manner to cater for the full participation of all Councillors in Council business and with their communities, while recognising individual needs and circumstances;
 - Councillors are required to attend formal Council meetings and participate in a broad range of community activities; and
 - The Community, Council and the State Government expect that resources are used judiciously within a rate capped environment.
3. Encouraging accountability, transparency and community acceptance by:
- Adopting and adhering to this policy;
 - In addition to providing expenses reimbursement, adequately reflecting the basic minimum toolkit of resources and facilities entitlements available to a Mayor and Councillors;
 - Providing flexibility to determine what Council can afford to provide beyond the minimum toolkit and what is acceptable to the community;
 - Ensuring the range of benefits provided to Councillors are clearly stated and fully transparent and acceptable to the local community.
4. Supporting local flexibility according to complexity, needs and standards by recognising that:
- Councillors will necessarily incur out-of-pocket expenses in the performance of their duties. These are duties performed by a Councillor that are required to achieve the objectives of Council, having regard to any relevant Act, Regulations, Ministerial Guideline or Council Policies (Refer ss.75 to 76 of the LGA);
 - Councillors require a 'minimum toolkit';
 - Council has a responsibility to establish and define an appropriate and reasonable level of provision beyond the 'minimum toolkit'. This will take into account differences between Councils and levels of complexity of Councils indicated by population size and revenue base to enable Councillors to carry out their civic role; and
 - The provision of resources and support should conform to legislative and statutory requirements or accepted benchmarks and standards applied in the Sector.
5. No disadvantage, in that Mayoral and Councillor Allowances are provided separately to reimbursement of expenses and the costs of facilities / resources support.



Councillor Support

Council will provide the following which includes a 'minimum toolkit' for expenses, support and resources as prescribed in the regulations and guidelines provided by Local Government Victoria, as amended from time to time.

The 'minimum toolkit' includes:

1. Resources - Facilities and Equipment (mandatory):

- Administrative support for the Mayor;
- Office for the Mayor;
- Vehicle for the Mayor;
- Computer/laptop or tablet device and associated chargers for all Councillors;
- Councillor accessible document portal (for example, Docs-on-Tap) as part of Council's online environment (this will be provided through the device).
- Mobile phone (and landline if there is inadequate mobile coverage at a Councillor's normal residence). Councillors may also refer to Policy CE74 - Bring Your Own Mobile Phone Device, providing guidance for using a Councillor's own personal mobile phone that allows a fixed amount per month to cover Council related calls and data use;
- Stationery;
- Access to fax / copier / incidental printing (smallest number of pages possible) at Council offices, or for printing own copies of Council briefing papers and Agendas. Any printing outside of this requirement requires the approval of the Mayor.

Council resources will not be provided for personalised Ward newsletters (Council resolution 27 April 2016); and

- Website containing Councillors' names, photos, contact details and associated links to facilitate participation and access between Councillors and the community.
- Council will arrange for the installation of equipment and software and provide the necessary maintenance and consumable products required for their operation on Council owned equipment.

The Mayor and Councillors are provided with a Council mobile phone or may use their own mobile phone in accordance with the CEO policy CE74 - Bring Your Own Mobile Phone. The use of any other personal laptop/tablet or equivalent device is not supported. Councillors are required to keep their personal interests and obligations separate from Council related business, as required by s.76BA(a) of the LGA, and to minimise the risk of security breaches. Security breaches may create adverse impacts on Council's network or lead to privacy breaches by exposing data which may include the personal information of community members. Such breaches may be costly to remediate and/or cause significant damage to Council's reputation.



Council takes no responsibility, or legal liability, for Councillors' use of equipment, software or systems that are not provided by Council.

Councillors are required to report any suspected virus activity, loss or breach of data, damage or malfunction of equipment to the Office of the Chief Executive as soon as practicable.

2. Reimbursement for Out-of-Pocket Expenses:

- Travel – reimbursement of public transport costs can be claimed where the primary purpose of the trip is for Council business and where the use of a Councillor vehicle is either not available or public transport is a more cost efficient option. (CE04 Refer Councillors' Vehicle Policy).
- Travel – reimbursement of Private Vehicle Usage is for:
 - a. Travel where the primary purpose of the trip is for Council business; (CE04 Refer Councillors' Vehicle Policy).
 - b. Kilometres are eligible to be claimed measured from (and to) the Councillor's place of residence, or from a journey's commencement (or end) point, whichever is the closest to the Council offices or designated meeting location.
 - c. Where a journey's originating (or end) point is further away than the Councillor's place of residence, reimbursement will cover the equivalent kilometres as if it were from (to) the place of residence. Remaining kilometres travelled should be distinguished as personal travel in the log book. i.e. it is the portion of travel that is incremental to a Councillor's daily commute that is claimable from Council.
 - d. Travel reimbursement rate and payments will be paid in accordance with the CE04 Councillor Vehicle Policy.
- The following are eligible for travel reimbursement:
 - a. Council Meetings and Assemblies of Councillors
 - b. Standing Committee or Advisory Committee meetings of Council when the Councillor is the nominated representative/substitute, or otherwise by approval of the Mayor;
 - c. Regional meetings where the Councillor claiming reimbursements is Council's endorsed representative and travel is not paid/reimbursed by the regional organisation or meeting convenor;
 - d. Functions to which Councillors are invited by organisations (attendance by partners/spouses must be paid by the Councillors) and where there is a direct involvement of Council;
 - e. Travelling expenses incurred by Councillors for inspection of sites/matters raised by members of the community, and/or related to current / imminent Council Agenda items, which are required to support Councillors in forming an opinion. The purpose, destination, subject matter, date and time are required to be captured in the log book;
 - f. Approved training, conferences and seminars.



- The cost of any penalties incurred for road, traffic, parking infringements or other regulations or laws, cannot be claimed;
- Parking Fees (Does not include valet or personalised service parking where these costs are higher than other standard parking facilities available in close proximity);
- Phone – reimbursement of relevant Council related call costs, where the Council provided mobile phone or landline (where provided) cannot be used. (Refer also to Policy CE74 – Bring Your Own Mobile Phone Device);
- Internet at normal place of residence (where Council internet provision is not available through the tablet/mobile phone); and
- Child care / family care – expenses reimbursed for the care of a dependant whilst the Councillor is engaged in Council duties, such as attending a Council related meeting or event, plus reasonable travel time.

Where the care relates to dependent adults, the Chief Executive Officer must be satisfied that the expense is appropriate.

Family care expenses include hourly fees paid by the Councillor and/or agency booking fees where applicable. The following will be eligible for the purposes of child/dependent care reimbursement:

- a. Council Meetings and Assemblies of Councillors
- b. Standing Committee or Advisory Committee meetings of Council when the Councillor is the nominated representative/substitute or otherwise by approval of the Mayor;
- c. Regional meetings where the Councillor claiming reimbursement is Council's endorsed representative and child/dependent care is not paid/reimbursed by the regional organisation or meeting convenor;
- d. Functions to which Councillors are invited by organisations (attendance by spouses/partners must be paid by the Councillors) and where there is a direct involvement of Council;
- e. Child/dependent care expenses incurred by Councillors embarking on sites/matters raised by members of the community, and/or related to current / imminent Council Agenda items, which are required to enable the Councillor to form an opinion.

The purpose, destination, subject matter, date and time are required to be provided to support the claim;
- f. Approved training, conferences and seminars;
- g. No payments will be made to a person who:
 - I. Has a financial or pecuniary relationship with the Councillor; or
 - II. Resides either permanently or temporarily with the Councillor, except where a live-in / professional helper such as a nanny is required to work additional time at extra expense because of the Councillors duties. In these occurrences the extra payment can be claimed; or



- III. Has a relationship with the Councillor or his or her partner such that it would be inappropriate for Council to reimburse monies paid to the Care Provider; or
- IV. Has a relationship as a family member as defined in section 78 of the Act.

3. Insurance

Councillors are covered by the following Council insurance policies while discharging their duties as a Councillor:

- Public Liability
- Professional Indemnity
- Councillor and Officer Liability
- Personal Accident Insurance (Covers interstate and overseas travel)

The Council will pay the insurance policy excess in respect of any claim made against a Councillor where the claim is accepted by Council's insurers, whether defended or not.

Councillors will not be covered for any deliberately fraudulent act or omission, or any wilful violation or breach of any law.

Councillors must promptly advise the Chief Executive Officer of any matter which may give cause to a potential claim on Council.

Resources In Addition To The Minimum Toolkit

The following has been determined by Council to be in required in addition to the 'minimum toolkit'

- The optional provision of a motor vehicle to individual Councillors, in lieu of travel reimbursement, (except in cases where use of pool car is not practicable e.g. interstate travel) will be in accordance with CEO Policy CE04 Councillor Vehicle Policy. The provision of a vehicle will be determined based on least annual cost to Council.

Note: Council retains the right to review the level of annual travel reimbursement claims that are higher than the cost of providing a Council vehicle and issue a Council vehicle to the Councillor for Council business usage.

- Access to office space and furniture in the form of a Councillor's room;
- For any Councillor with a disability Council may resolve to provide reasonable additional facilities and expenses, which may be necessary for the performance of their duties;
- Access to Council email and internet;
- Meals (lunch and dinner) shall generally be provided where meetings are scheduled during meal times.



- Council officer nominated to provide limited incidental support to Councillors for Council business requirements;
- Incidental postage of Council related mail through Council's mail system however a copy of the mail will be kept by Council. Any postage beyond this requirement requires the approval of the Mayor;
- Reimbursement of reasonable expenses necessarily incurred while entertaining visiting guests on behalf of Council or attending meetings, seminars or conferences (separate to accommodation and travel expenses) including the reasonable cost of drinks accompanying a meal.
- The Council or CEO must provide prior approval to any such entertainment / seminar / conference or meeting for which reimbursement will be sought, unless the Councillor is Council's nominated representative for the event concerned;
- Payment and re-imburement of training, conference and program fees incurred in undertaking training and development activities to acquire new, or to enhance existing skills required to assist a Councillor in performing their role as a Councillor, or to achieve wider Council goals. Any learning opportunities identified are to be approved by the Chief Executive Officer.

Where appropriate, Councillors are encouraged to report the outcome of the activity to Council at the next appropriate Council meeting (and Briefing Session if applicable) upon completion of the activity.

Where available, use of meeting rooms owned and controlled by Council where a Councillor is in attendance;

- Transcripts specifying sections required of a recorded Council meeting. Requests are to be made through the CEO;
- Requests for Information and/or assistance from staff, beyond that provided in briefings and published on the Councillor intranet (e.g. Docs-on-Tap), are to be made through the relevant Director and will be managed at the Director's discretion. (refer C 66 - Councillor Access to Council Information Policy 2016)
- Access to the Local Government Act 1989 and other legislation on-line at <http://www.legislation.vic.gov.au/>,
- Infosum weekly bulletin of Council information, relevant publications, local and industry events and other general information published on-line through the Councillors' intranet (excluding publications in the second half of December and the month of January); and
- Business cards, name badges and an electronic diary (a hard copy diary may be provided on request).

All equipment provided by Council under this policy must be returned to Council at the end of a Councillor's tenure.

Council resources are not to be used for any electioneering purposes.



Interstate and Overseas Travel

Discretionary interstate trips, interstate travel and attendance at interstate conferences in relation to Council business, requires approval of the Chief Executive Officer prior to the event.

Overseas travel in relation to Council business requires approval by resolution of Council prior to the event.

In both of the above circumstances it would be likely that a Councillor would be the Council's appointed or nominated Council representative, such appointment or nominations generally being made at the annual Statutory Meeting of Council.

Where travel is by air, the standard form of travel will be economy class.

It is expected that a Councillor will provide a full report of the outcomes of their travel to the next meeting of the Council after the travel occurs.

Registering All Interstate and Overseas Travel

Councillors must, within seven days after the completion of a trip, record the following details in Council's Local Government Register (Refer Local Government (General) Regulations 2015 clause 12 for specific requirements regarding interstate and overseas travel) and the provision of original receipts:

- Councillor Name;
- Destination;
- Date/s of travel;
- Purpose of travel; and
- Total cost to the Council including accommodation costs.

Councillors do not need to register interstate travel by land that is for less than three days duration.

Overseas mobile phone and data usage

International use of mobile phones or electronic data connections on a Council provided tablet, including associated roaming charges, require CEO approval prior to departure and expenditure is limited to a maximum of \$600.

Councillors are able to minimise these costs by disabling the data roaming capability as well as turning the phone off except when making a call and using SMS, (or WhatsApp messaging when WiFi connected) to keep costs as low as possible. Internet access when travelling overseas should only be used when the phone is able to be connect through a WiFi network.



Claims for Reimbursement

All reimbursement claims must be lodged and received by the Support Officer to the Mayor and Councillors for authorisation within 60 days of expenditure being incurred.

Claims must be made on appropriate claim forms, signed by the Councillor and with supporting documentation such as receipts, log book entries and invoices attached.

Reimbursements claims received that exceed the 60 days, where no exceptional circumstances delaying their presentation exist (e.g. extended leave), must be referred in an open report for Council

Reimbursement claims older than 6 months will not be paid. (Council's finance department is required to manage expenditure within a financial reporting period).

Claims that are not able to be substantiated/justified through documentation as supporting necessary Council business, will be referred to Council to determine if reimbursements should be paid.

At the end of each Financial Year all claims, regardless if their incurred date is less than 60 days, must be submitted to the Support Officer to the Mayor and Councillors for authorisation by 7 July (within 7 days of the end of the financial year), so that they can be paid in the year in which they were incurred. Late payments received after this date are to be referred to Council to approve payment in the following financial year.

Limitations on Resource Usage

A Councillor should seek authorisation from the Council through the Mayor prior to using public funds or resources for any purpose that is not a standard/regular practice or likely to incur expenditure that may not be deemed an acceptable use by the broader community. (Refer Council resolution 27 April 2016)

A Council resolution is required where expenditure is likely to exceed \$2,000 prior to using public funds or resources for any purpose that is not a standard/regular practice or likely to incur expenditure that may not be deemed an acceptable use by the broader community.

Legal

Any legal costs or expenses incurred by a Councillor shall be the sole responsibility of that Councillor, other than legal costs or expenses which have been approved by Council resolution, or which are otherwise payable in accordance with a Council Policy.

For the avoidance of doubt, Council Policy includes this policy and any validly constituted and accepted claim made in accordance with the Insurance clauses specified earlier.



Internal/External Audit Review of Claims

Support provided under this policy, including details of all reimbursement claims, interstate and overseas travel, will be subject to review by the Internal Audit Committee on an annual, or as requested, basis.

Compliance with this policy may be subject to review by Council's Internal Auditors from time to time.

The Victorian Auditor General's Office (VAGO) may also request to review claims for reimbursement by Councillors, as part of the review of Council's financial management.

Transparency through Council Reports on Expenditure

A quarterly report with a final end of financial year report will be presented to Council providing transparency on Councillors' expenditure and reimbursements. These reports will include as a minimum: vehicle usage, accommodation, allowances, remoteness allowances, transcripts, training, conferences, travel, parking fees, mobile phone (including bring your own mobile phone device allowance), landline, internet, printing and stationery.

RISK ASSESSMENT

Misuse of Council resources (fraud) and reputational risk is minimised by providing:

- Consistency with current legislation;
- Adequate support to Councillors to carry out their responsibilities effectively;
- Approval requirements for resource usage beyond the levels of mandatory and general incidental use;
- Auditing of Councillor expenditure and support against this policy; and
- Transparency and accountability in respect to payments made and expenditure incurred to/by Councillors.

IMPLEMENTATION STATEMENT

Implementation of the policy will be by:

- Distribution of the policy to all Councillors;
- Making the policy available for public inspection at the Council Office; and
- Publication of the policy on the Council website.

POLICY DEFINITIONS

Council	South Gippsland Shire Council
Incidental	A minor number / the smallest number possible
LGA	Local Government Act 1989
Necessary	Needed in order for something else to happen



REFERENCE DOCUMENTS

Legislative Provisions, Standards, Guidelines and Principles

Local Government Act 1989 Sections 75, 75A, 75B and 75C Local Government Act 1989;

Local Government Act (General Regulations) 2015;

Information Guide Mayor and Councillor Entitlements reimbursement of expenses and provision of resources and facilities support for Victorian Mayors and Councillors - November 2008.

Policy CE74 – Bring Your Own Mobile Phone Device.

Policy CEO4 – Councillor Vehicle Policy.

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