



WARRNAMBOOL  
CITY COUNCIL

# **COUNCIL EXPENSES POLICY 2020**

## DOCUMENT CONTROL

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# 1. INTRODUCTION

## Purpose

This policy supports Councillors and members of a Delegated Committee to perform their role, as defined under section 41 of 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:

- entitlements
- processes for reimbursement
- reporting requirements.

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

## Scope

This policy applies to all Councillors and members of a Delegated Committee.

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 a Delegated Committee exercise the powers of councillors, under delegation. This policy also applies to those members in the course of undertaking their role as a member of a Delegated Committee.

## Definitions and Terminology

| Term                       | Meaning   |
|----------------------------|---|
| <b>Carer</b>               | A carer is defined under section 4 of the Carers Recognition Act 2012   |
| <b>Delegated Committee</b> | Under the Local Government Act 2020 a <b>delegated committee</b> means: <ul style="list-style-type: none"> <li>• a delegated committee established by a Council under section 63; or</li> <li>• a joint delegated committee established by 2 or more Councils under section 64; or</li> <li>• a committee, other than a Community Asset Committee, exercising any power of a Council under this Act or any other Act delegated to the committee under this Act or any other Act.</li> </ul> |
| <b>Accompanying Person</b> | Spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor.   |

## References

| Category   | Document  |
|--|---|
| <b>Legislation</b>                               | Local Government Act 2020<br>Carers Recognition Act 2012<br>Charter of Human Rights and Responsibilities Act 2006<br>Freedom of Information Act 1982<br>Privacy and Data Protection Act 2014<br>Equal Opportunity Act 2010<br>Gender Equity Bill 2020 |
| <b>Standards and Guidelines</b>                  | Conflict of Interest, A Guide for Councillors – 2012  |
| <b>Council Related Policies &amp; Procedures</b> | Governance Rules<br>Councillors Code of Conduct   |

## 2. POLICY

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

All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.

NOTE: Definitions to be included in Definitions & Terminology.

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 a Delegated Committee 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 and member of a delegated committee to perform this role.

### Principles

The Council commits to the following principles:

- **Reasonable expenses** - Councillors and Delegated Committee members should not be out of pocket as a result of performing their Council functions and duties;

- **Proper conduct** - reimbursements claimed by Councillors and Delegated Committee members must be for expenses actually and necessarily incurred in performing their official Council functions and duties;  
**Participation and access** - enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor or as a Delegated Committee member;
- **Accountability and transparency** - payment of any allowances, the reimbursement of expenses and the support provided to Councillors and Delegated Committee members must be accountable and transparent to the community;
- **Equity** - there must be equitable access to expenses and facilities for Councillors and Delegated Committee members; and
- **Appropriateness** - unless directly delegated by the Council or the Mayor to attend, any costs associated with attending community run and organised events will be met by Councillors or Delegated Committee members.

### Travel and General Expenses

Councillors and delegated Committee members will be eligible for the reimbursement of reasonable expenses associated with:

- Travel (including the use of private vehicles, taxi or public transport) involved in attending any meeting/briefing of the Council or a Council Committee, as a member of the Committee. All travel should be undertaken using the most direct route and the most practicable and economical mode of transport;
- Travel, accommodation, meals, fees and expenses incurred in representing Council at any meeting or function outside the municipality where the Councillor or Delegated Committee member is requested to attend by the Council or the Mayor;
- Travel expenses incurred in carrying out duties associated with representing Council as the delegated Council representative to another organisation and or community association; and
- For Councillors, travel expenses incurred in attending civic functions hosted by the Council, including but not limited to:
  - citizenship ceremonies;
  - official Council Australia Day celebrations;
  - official Council welcome receptions for Ministers, Sister City officials; and
  - other civic events.

The Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

The Council will cover costs associated with a Councillor and accompanying person attending any Council run and organised event.

Councillors and Delegated Committee members must pay for all costs not provided for in this Policy, unless where extenuating circumstances exist, and the Council and/or Chief Executive Officer have approved payment of such expenses.

### Carer and Dependent-related Expenses

The 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 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.

The 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.

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 or Delegated Committee member or their partner.

Reimbursement of child and/or family care expenses shall in accordance with the following provisions:

- Reimbursement for childcare is available up to \$25 per hour for Council activities that are deemed claimable;
- Reimbursement will only be paid for services where a receipt from the caregiver is received showing the dates and times the care was provided;
- The care must be for a person who resides with the Councillor or Delegated Committee member, and for whom the Councillor or Delegated Committee member is the sole primary carer;
- The care must not be provided by a person who is an immediate family member and/or normally or regularly lives with the Councillor or Delegated Committee member; and
- When a need is identified the Councillor or Delegated Committee member involved can work with Council to develop appropriate care arrangements.

### Claims and Payment of Expenses

Claims for reimbursement:

- All claims must be made on the approved expense reimbursement form, available from the Executive assistant to the CEO and Mayor.
- Original receipts must be attached for all claims (credit card receipts will not be accepted).
- Where the provider of the goods or service is registered for GST a tax invoice must be obtained and provided (without this the GST component of the cost cannot be reimbursed).
- Claims must be lodged with the Chief Executive's office.

Payments:

- The rate of travel reimbursement for the use of a private vehicle will be per kilometre travelled and based on the rates determined the Australian Taxation Office for tax deduction purposes.

- Expenses, authorised under this Policy, can be booked and charged directly to the Council by prior arrangement with the Chief Executive's office.
- All claims for the reimbursement of expenses will be authorised for payment by the Chief Executive or his/her delegate.
- Reimbursements will be provided monthly by electronic funds transfer.

### Monitoring and Reporting

Quarterly reports of all Councillor and Delegated Committee member expenses will be submitted to:

- The Council as an inclusion in the Finance Report; and
- The Audit and Risk Committee.

The report will include:

- Expenses incurred during the quarter; and
- Reimbursement claims made during the quarter

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

## 3. GOVERNANCE

### Review

The Director Corporate Strategies is responsible for undertaking a periodical review of the policy to ensure any changes required to strengthen or update the policy are made in a timely manner.

The policy must be submitted to the Council for review no later than six months after a general election.

### Compliance

Suspected breaches of this policy are to be reported to the Chief Executive Officer.

Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Councillors Code of Conduct.

The Audit and Risk Committee shall exercise an oversight function over compliance with this policy.