



WARRNAMBOOL
CITY COUNCIL

Councillors Provision of Resources & Support Policy

POLICY TYPE: COUNCIL

APPROVAL DATE: 3 April 2017 REVIEW DATE: April 2021

DOCUMENT CONTROL

Document Title:	<i>Councillors Provision of Resources & Support Policy</i>
Policy Type:	<i>Council</i>
Responsible Branch:	<i>Chief Executive's office</i>
Responsible Officer:	<i>Manager Governance Projects & Risk</i>
Document Status:	<i>Approved</i>
Adopted By:	<i>Council</i>
Adopted Date:	<i>3 April 2017</i>
Review Date:	<i>by April 2021</i>

TABLE OF CONTENTS

1. INTRODUCTION	4
1.1 Purpose	4
1.2 Scope	4
1.4 References	4
2. POLICY STATEMENT	4
3. LEGISLATIVE FRAMEWORK	5
4. RESOURCES AND SUPPORT PROVIDED TO COUNCILLORS	5
5. COUNCILLOR PROFESSIONAL DEVELOPMENT	8
6. PAYMENT AND REIMBURSEMENT OF EXPENSES	9
7. GOVERNANCE	10
5.1 Owner	10
5.2 Review.....	10
5.3 Charter of Human Rights Compliance.....	10
Appendix A: LEGISLATIVE FRAMEWORK, CONTEXT & COUNCILLORS' DUTIES	11
Appendix B: WCC COUNILLOR PROFESSIONAL DEVELOPMENT PROGRAM	13

1. INTRODUCTION

1.1 Purpose

This policy outlines the range of resources and support provided to elected Councillors to enable them to effectively carry out their role.

Resources and support include a Councillors' allowance, payment of certain expenses; the provision of communication and computer equipment; and opportunities to participate in professional development activities and networks relevant to local government and public sector governance.

1.2 Scope

This policy applies to elected Councillors of Warrnambool City Council.

This Policy is not intended to prescribe every possible situation that may arise. Should a situation arise that is not adequately covered by this policy, the matter will be referred to the Chief Executive and if required to Council for determination by resolution.

1.4 References

Legislation	Local Government Act (Vic.) 1989
Council Related Policies/Appendix'	<ul style="list-style-type: none">• Councillors Code of Conduct• Councillors IT Equipment Policy• Light Fleet Policy• Appendix A – Legislative framework and context• Appendix B – Councillor Professional Development program

2. POLICY STATEMENT

This Policy establishes the resources, administrative and professional development support to be provided to elected Councillors to enable them to carry out their duties as representatives of the community, communicate with each other, Council officers and the community.

The development of this Policy was guided by the following principles:

- Warrnambool City Council is committed to achieving best practice governance by supporting Councillors in skill development and knowledge of issues effecting the local government sector;
- Warrnambool City Council is committed to providing information on strategic issues on a group or individual basis;
- Warrnambool City Council is committed to assisting Councillors to improve skills necessary to perform their role and function as Councillors on a group or individual basis;
- Warrnambool City Councillors should not be out of pocket as a result of performing their Council functions and duties:

- Reimbursements claimed by Councillors must be for expenses actually and necessarily incurred in performing their official Council functions and Councillor duties;
- The payment of Councillor allowances, the reimbursement of expenses and the support provided to Councillors must be accountable and transparent to the community.

3. LEGISLATIVE FRAMEWORK

The provision of facilities, resources and support to Councillors, and the expenses paid or reimbursed for Councillors, should be consistent the requirement of the Local Government Act (Vic.) 1989 (**the Act**) and principles prescribed under the Councillor Code of Conduct. The Act requires Council adopt and maintain a Policy in relation to the resources and facilities provided,

Refer **Appendix A** to this Policy for details the legislative framework, context and duties of a Councillor.

4. RESOURCES AND SUPPORT PROVIDED TO COUNCILLORS

The following resources and support shall be provided to Councillors during their term of office:

- 4.1 Councillors' allowance, pursuant to Section 74 of the *Local Government Act 1989*. The level of the allowance will be determined by the Council after each general election, within the statutory limits set by the Minister for Local Government. In addition to the allowance, an amount equivalent to the superannuation guarantee contribution shall be payable by Council to the Councillor's nominated superannuation fund.
- 4.2 Reimbursement of expenses associated with:
 - 4.2.1 Travel involved in attending any meeting of Council whether formal or informal.
 - 4.2.2 Travel, accommodation, meals, fees and expenses incurred in representing Council at any meeting or function outside the municipality where the Councillor is requested to attend by Council or the Mayor.
 - 4.2.3 Travel expenses incurred in carrying out duties associated with representing Council as the delegated Council representative to another organisation and or community association, and
 - 4.2.4 Travel expenses incurred in attending civic functions hosted by Warrnambool City Council, including but not limited to citizenship ceremonies; official Warrnambool City Council Australia Day celebrations; official Warrnambool City Council welcome receptions for Ministers, Sister City officials and other civic events.
- 4.3 Council will cover costs associated with a Councillor and partner attending any Council run and organised event.
- 4.4 Warrnambool City Council pool vehicles may be booked by a Councillor, subject to availability of a vehicle and Council's Light Fleet Policy, for travel to/from official meetings, conferences, seminars, training and events.
- 4.5 Pool car travel arrangements will be made for Councillors attending relevant functions, where Council Officers are attending.

- 4.6 Reimbursement of child and/or family care expenses in accordance with the following provisions:
- 4.6.1 Reimbursement for childcare is available up to \$25 per hour for Council activities that are deemed claimable.
 - 4.6.2 Reimbursement will only be paid for services where a receipt from the caregiver is received showing the dates and times the care was provided.
 - 4.6.3 The care must be for a person who resides with the Councillor, and for whom the Councillor is the sole primary carer.
 - 4.6.4 The care must not be provided by a person who is an immediate family member and/or normally or regularly lives with the Councillor.
 - 4.6.5 When a need is identified the Councillor involved can work with Council to develop appropriate care arrangements.
- 4.7 The following information technology and communications equipment shall be provided to Councillors:
- 4.7.1 A smartphone with voicemail facilities and hands free (Bluetooth) kit (if required). The account for this mobile telephone will be paid for by Council.
 - 4.7.2 A tablet/laptop computer or Apple iPad with access to email and loaded with Council approved applications and anti-virus software will be provided for use during the Council term.
 - 4.7.3 Council will liaise with each Councillor to provide a suitable internet facility for their tablet and laptop.
 - 4.7.4 A multi-function colour printer/scanner/copier and fax device.
 - 4.7.5 A case to protect the smartphone and tablet/iPad.
- 4.8 Councillors will be provided with a Warrnambool City Council (WCC) email address, which will be linked to the Council's electronic Mail (& Calendar) system to allow for diary management by the Chief Executive's office.
- 4.9 Council's IT department will provide support to Councillors for Council provided equipment and software. Where a Councillor wishes to use their own equipment, full IT support may not be provided and/or expenses reimbursed by Council.
- 4.10 Standard stationery shall be provided to carry out Council duties, including but not limited to, diaries, notebooks and pens.
- 4.12 Paper will be supplied for the printer on an 'as needs basis'. For large documents and print jobs Councillors may contact Chief Executive's office to arrange printing at the Civic Centre office.
- 4.13 Relative to Council business, administrative support will be provided to Councillors through the Chief Executive's office. Nb: Staff will not provide non-Council business administrative

services, run personal errands, or undertake non-Council business administrative tasks for Councillors.

- 4.14 A Councillors meeting room (including light refreshments) will be provided at the Civic centre for Councillor briefing/meetings and civic functions as arranged by the Chief Executive's office.
- 4.15 Each Councillor will receive a security pass allowing access to the Councillors meeting room and public areas of the Council's civic centre offices during business operating hours. After hour arrangements shall be made and approved the Chief Executive's office.
- 4.16 Councillors will be provided with car parking permissions to park in the designated WCC parking bays adjacent to the Council civic centre offices when attending for Council business.
- 4.17 Council will ensure applicable coverage for Public Liability; Professional Indemnity; Councillors and Officers Liability and Personal Accident insurance for Councillors while undertaking their Council duties.
- 4.18 Council will pay any insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers.
- 4.19 Councillors will be supplied upon request with a copy of the Local Government Act, the Planning and Environment Act and any other appropriate legislation as requested but are encouraged to access the electronic versions of these documents from www.legislation.vic.gov.au as paper copies may not be up to date.
- 4.20 Councillors will be provided with a Warrnambool City Council name badge for use while on Council business.

In addition to the resources listed above, the Mayor will be provided with:

- 4.19 A furnished Mayoral office with desktop computer connected to Council printers, a telephone, bookshelf and drawers.
- 4.20 Private use of a medium sized, executive vehicle with a five star safety rating, hands free (Bluetooth) kit and fuel card.

Notes:

- Details of current allowances fixed for the Mayor and Councillors are available for public inspection at the Council civic centre office.
- Unless directly delegated by Council or the Mayor to attend, any costs associated with attending community run and organised events will be met by a Councillor.
- The configuration and use of Council provided IT equipment shall be in accordance with "*Councillors IT Equipment Policy*"
- The conditions of use of Council vehicles shall be in accordance with Council's "*Light Fleet Policy*".
- If the Councillor is not returned to office, all Council provided equipment, business information and materials must be returned to Council on the first business day following Council elections,

- Council provided equipment and services will not be transferred or continued to former Councillors.

5. COUNCILLOR PROFESSIONAL DEVELOPMENT

Councillor professional development is encouraged in order to develop and maintain Councillors' skills and abilities with regards to effective community representation, decision making and strategic Council planning.

There are three avenues for Councillors to utilise professional development opportunities.

- 5.1 The first is through a compulsory Councillor Induction Program and regular in-house workshops arranged through the Chief Executive's office.
- 5.2 The second is through workshops, seminars, conferences, and other day training as offered by industry partners, local government networks and support organisations OR participation in relevant formal study courses at appropriately recognised training facilities.
- 5.3 The third is through professional membership activities of peak Australian Local Government bodies and related organisations.

The costs associated with 5.1 shall be borne by Council. Access to opportunities covered under 5.2 & 5.3 shall be at the discretion of each Councillor, who will be entitled to have paid (up to the annual maximum allowance set*) the following professional development costs:

- 5.4 Registration fees for attendance at conferences and seminars.
- 5.5 Conference dinner/meals – payment for the main conference dinner if not covered by registration fee costs together with all meals within reasonable limits for the duration of the conference or seminar.
- 5.6 Accommodation – appropriate accommodations from the day prior to registration day and each day on which the conference or seminar is held. Any additional costs as a result of the attendance of partners and/or children shall be borne by the Councillor.
- 5.7 Transportation in the most appropriate mode to, from and during conferences and seminars. Airfares will be economy class.
- 5.9 Car parking fees including airport and hotel parking.
- 5.10 Professional Membership fees associated with any of the following bodies
 - i. Municipal Association of Victoria (MAV)
 - ii. Victorian Local Government Associations (VLGA)
 - iii. Australian Local Government Association (ALGA)
 - iv. Australian Local Government Women's Association (ALGWA)
 - v. Australian Institute of Company Directors (AICD)

The Mayor and/or delegated Councillor/s accompanied by the Chief Executive will endeavour to regularly participate in the following key local government events, of which attendances costs would be covered by Council and not subject to this policy:-

- **Australian Local Government Association National General Assembly**
- **MAV Annual Session**
- **MAV Plenary Session**

Notes:

- The professional development fund* allocation is set at \$3,000 per annum per Councillor for skills development programs and topics at the discretion of each Councillor approved in accordance with this Policy.
- An additional \$500 allowance is available per annum per Councillor exclusively for access to governance related professional development and/or memberships approved in accordance with this Policy.
- The annual allocation shall be subject to annual review as part of the Council budget approval process.
- Registration and payment for conferences, seminars and memberships shall be organised through the Chief Executive's office.
- Whilst individual allocations are available for use at each Councillor's discretion, the Chief Executive shall assess and approve all Councillor professional development requests.
- If a Councillor does not use their annual allocation, they cannot carry forward their outstanding allocation in the next year.
- Council may resolve to approve a higher annual cost for requests to undertake a formal relevant qualification, such as a certificate, diploma, or relevant units of an undergraduate or postgraduate degree.
- **Attachment B** outlines a recommended yearly program and examples of options available for Councillors to consider over their four year electoral term.

6. PAYMENT AND REIMBURSEMENT OF EXPENSES

6.1 Resources paid by Councillors

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

6.2 Payment and reimbursement of expenses

6.2.1 Travel expenses that meet the criteria listed above will be reimbursed by Council upon receipt of a completed claim form from the Councillor.

6.2.2 The rate of travel reimbursement will be by per kilometre travelled and based on the rates prescribed the Australian Taxation Office.

6.2.3 Other expenses claimed will be reimbursed by Council upon receipt of a completed claim form, accompanied by all relevant receipts and invoices.

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

7. GOVERNANCE

5.1 Owner

The Manager Governance Projects & Risk is responsible for monitoring the currency and viability of this policy and updating it when required.

5.2 Review

The Manager Governance Projects & Risk will review the policy for any necessary amendments no later than three years after its formulation or after the last review.

5.3 Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

Warrnambool City 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.

Appendix A: LEGISLATIVE FRAMEWORK, CONTEXT & COUNCILLORS' DUTIES

Allowances

The Victorian Government views Councillor allowances '*not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community*'.

The Government acknowledges the value and significance of Local Government Councillors – both through their skills and ability to represent and engage with their constituents and their leadership in developing solutions to the pressing social and cultural, environmental and economic challenges facing communities everywhere.

Sections 73A to 74C of the Local Government Act 1989 (the Act) provide the framework for payment of annual allowances to Mayors and Councillors.

The allowance framework provides a three-level structure for allowances based on Council population and total revenue. The allowances are reviewed and adjusted annually by the Minister for Local Government.

In addition to the allowance, an amount equivalent to the superannuation guarantee contribution is payable.

Details of current allowances fixed for the Mayor and Councillors of Warrnambool City Council are available for public inspection at the Council offices.

Allowances are taxable income and are paid fortnightly in advance. Personal taxation implications are the responsibility of individual Councillors.

Resources and Facilities

Section 75C of the Act provides that a Council must make available for the Mayor and the Councillors the minimum resources and facilities prescribed.

Expenses

Sections 75 to 75C of the Act provide for the reimbursement of expenses of Councillors and members of Council committees.

Section 75 provides that a Council must reimburse a Councillor for expenses if the Councillor applies in writing and establishes in the application that the expenses were reasonable bona fide Councillor out-of-pocket expenses incurred while performing duties as a Councillor.

Duties as a Councillor

'*Duties as a Councillor*' means duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.

Section 75A provides that a Council may reimburse members of Council Committees for necessary out-of-pocket expenses incurred while performing duties as a Committee member.

Duties of a Councillor will therefore include attendance at:

- Meetings of the Council or its Committees;
- Briefing sessions, workshops and civic or ceremonial functions convened or scheduled by the Council or the Mayor;
- Meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative;
- A meeting, function or other official role as a representative of the Council or the Mayor; and
- Other meetings, inspections or events attended by a Councillor in an official capacity, together with the associated research, discussions and communication.

The basic test to be applied to determine whether or not an expense is bona fide is whether the expense is necessary because it is either supplemental to, incidental to, or consequent on, the exercise of the duties as a Councillor.

References: The Vic. Government Policy Statement on Local Government Mayoral and Councillor Allowances and Resources – April

Appendix B: WCC COUNILLOR PROFESSIONAL DEVELOPMENT PROGRAM

Conferences, seminars and training courses are organised throughout the year by Council, local government related organisations, professional bodies and private sector providers on issues and events which may be relevant to the role of a Councillor.

The selection of conferences and training should be based on its relevance to the responsibilities and the specific training needs of a Councillor and Council's Council Plan goals and are likely to encompass but not limited to:

- Sessions organised by Local Government peak bodies including the Municipal Association of Victoria (MAV), the Victorian Local Governance Association (VLGA), the Australian Local Government Association (ALGA) and the Australian Local Government Women's Association (ALGWA).
- Specialist training related to the duties, responsibilities and competencies of a Councillor as organised by the Chief Executive's office.
- Australian Institute of Company Directors (AICD) or other courses approved by the Chief Executive related to governance and leadership.
- Sessions conducted inhouse as part of Council's annual Councillor training program, briefings and workshops.
- Specific needs based training as approved by the Chief Executive, including, but not limited to media and public speaking.

Suggested Training Options:

Councillors are open to select their own professional development training program. The following is provided for illustrative/guidance purposes only.

Year One	<ul style="list-style-type: none"> • WCC Councillor Induction program • MAV Mayoral Workshop (as appropriate) • MAV/VLGA new Councillor & Councillor development short courses (as scheduled) e.g Meeting Procedures • Australian Institute Company Director's Course • Diploma of Governance (Local Government) • WCC (in-house) Councillor learning and development workshops (as scheduled) e.g. Media training, Team Building, Financial Management and Budgets, Conflict of Interest, Local Government/Planning & Environment Acts
Year Two	<ul style="list-style-type: none"> • MAV Mayoral Workshop (as appropriate) • Chairing of Meetings/Meeting Procedures • Australian Institute Company Director's Course • Diploma of Governance (Local Government) • WCC (in-house) Councillor learning and development workshops (as scheduled) • MAV, VLGA or Australian Institute of Company Directors, short courses or specific workshops as relevant.

Year Three	<ul style="list-style-type: none">• MAV Mayoral Workshop (as appropriate)• Australian Institute Company Director's Course• Diploma of Governance (Local Government)• WCC (in-house) Councillor learning and development workshops (as scheduled)• MAV, VLGA or Australian Institute of Company Directors, short courses or specific workshops as relevant.
Year Four	<ul style="list-style-type: none">• WCC (in-house) Councillor learning and development workshops (as scheduled)• MAV, VLGA or Australian Institute of Company Directors, short courses or specific workshops as relevant.