

SOUTH GIPPSLAND SHIRE COUNCIL

COUNCIL POLICY

COUNCILLOR SUPPORT & EXPENDITURE POLICY

Policy No.	C51	Adoption Date:	Council Meeting 21 August 2024
Directorate:	Performance and Innovation	Department:	Governance
Revision Date:	August 2028		
GOOD GOVERNANCE FRAMEWORK – OVERARCHING PRINCIPLES			
Supporting Pillar:	Pillar 6. Capability		
Link to Pillar:	The level of support as detailed in the Policy supports the Mayor, Councillors and members of Delegated Committees to fulfil their civic duties.		

1. PURPOSE

- 1.1. The purpose of the *Councillor Support & Expenditure Policy (C51)* (the Policy) is to provide guidance for reimbursement of out-of-pocket expenses and the provision of facilities and resources support for Councillors and members of Council Delegated Committees.
- 1.2. The Policy outlines the responsibilities of claiming out-of-pocket expenses and that the payment or reimbursement must only be for the actual cost incurred while carrying out legitimate Council business. It is not for the time and effort spent in performing these duties
- 1.3. This Policy has been developed to meet sections 41, 42 and 43 of the *Local Government Act 2020* (the Act).

2. SCOPE

- 2.1. The scope of this Policy applies to current elected Councillors of South Gippsland Shire Council (Council) in the performance of their duties as a Councillor and appointed as the Council representative on Council Delegated Committees or Joint Delegated Committees (the Act, s.63).
- 2.2. Councillor duties are those performed by a councillor as a necessary part of their role, in achieving the objectives of Council.
- 2.3. These duties may include (but are not limited to):
 - 2.3.1. Attendance at meetings of Council and its committees.
 - 2.3.2. Attendance at briefing sessions, workshops, civic events or functions convened by council.
 - 2.3.3. Attendance at conferences, workshops and training programs related to the role of councillor, mayor or deputy mayor.
 - 2.3.4. Attendance at meetings, events or functions representing council duties in relation to constituents concerning council business.

- 2.4. 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.
- 2.5. The Policy does not apply to external contractors, independent people, or volunteers appointed by Council to Council Committees that include, but not limited to, the Audit & Risk Committee, Chief Executive Officer Employment & Remuneration Committee, Community Asset Committees (the Act, s.65) or formally appointed Advisory Committees. These are each dealt with separately under terms of reference or other arrangements.

3. POLICY PRINCIPLES

Role of Councillors

- 3.1. Councillors roles and responsibilities as prescribed in s.28(2) of the Act, sets out how Councillors are required to undertake their duties. The principles set out below require Councillors to:
 - 3.1.1. Consider the diversity of interest and needs within the municipality;
 - 3.1.2. Support the role of the Council;
 - 3.1.3. Acknowledge and support the role of the Mayor;
 - 3.1.4. Act lawfully and in accordance with the oath or affirmation of office;
 - 3.1.5. Act in accordance with the standards of conduct;
 - 3.1.6. Comply with Council procedures required for good governance; and
 - 3.1.7. Understand that the role of Councillor does not include the performance of any responsibilities or functions of the CEO.

Provision of Support and Recognition

- 3.2. Council will specify the level of support determined as reasonable for South Gippsland Shire Councillors and Delegated Committee members. The level of support includes mandatory items such as reimbursement of bona-fide expenses, Council meeting facilities, support and resources, as prescribed in the regulations and guidelines provided by Local Government Victoria, as amended from time to time, and additional resource provision deemed acceptable by Council.
- 3.3. The principle of providing support and reimbursements of expenses to Councillors is derived from legislated requirements in ss.40 to 43 of the Act.
- 3.4. Minimum resources and facilities are prescribed for the purposes of supporting Mayors and Councillors in performing their duties as a Councillor.
- 3.5. The Policy is compliant with relevant legislation, consistent with Local Government Victoria's specified standards and it supports the attraction and retention of Councillors from a wide cross section of people.
- 3.6. The establishment of clear support and expenditure principles assists Councillors to perform their duties and seeks to encourage diversity in participation, equity and access by recognising that Councillors operate in a complex environment and bring unique skills and insights to the role that include:
 - 3.6.1. Diversity in participation and access to local representation contributes to well informed decision making involving the community;
 - 3.6.2. The role of Councillor should attract and retain a wide cross section of people, including those from under-represented groups;

- 3.6.3. Councillors need to be accessible to a wide range of constituents and stay informed about issues in the community. These are an important part of the role and use of internet is essential to facilitate access;
- 3.6.4. Councillors are supported in undertaking their duties by assuring that reimbursement of expenses and access to resources support 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;
- 3.6.5. Councillors are required to attend formal Council meetings and participate in community activities; and
- 3.6.6. The Community, Council and the State Government require resources to be used judiciously within a rate capped environment setting an expectation of Council to tighten controls on spending on behalf of the community.

Encourage Accountability, Transparency and Community Acceptance

- 3.7. Adopting and adhering to the Policy;
- 3.8. In addition to providing expenses reimbursement, adequately reflecting and using the allocated provision of resources and facilities entitlements available to a Mayor and Councillors;
- 3.9. Providing flexibility to determine what Council can afford to provide beyond the mandatory items mentioned under clause 4.3 of this Policy and what is acceptable to the community; and
- 3.10. Ensuring the details and range of benefits provided to Councillors by Council is clearly stated and fully transparent and acceptable to the local community.

Support Local Flexibility According to Complexity, Needs and Standards

- 3.11. It is a basic cost of governance to provide for the reimbursement of expenses necessarily incurred by Councillors in the performance of their duties;
- 3.12. Council has a responsibility to establish and define an appropriate and reasonable level of provision. This level will consider 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;
- 3.13. This provision allows Council to conform to legislative and statutory requirements or accepted benchmarks and standards applied in the Sector.

No Disadvantage – Mayor and Councillors are provided reimbursements for expenses and costs of facilities and resource support in addition to allowances

- 3.14. The provision of Mayoral and Councillor allowances are not a form of salary, but are legislated by the State Government under s.39 of the 2020 Act and in accordance with a determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Councillor Induction

- 3.15. Councillors will be supported in their role through a comprehensive Councillor Induction Training Program, incorporating relevant sessions organised by Council staff and local government peak bodies. This Program is to be conducted within six months after the day the Councillor takes the oath or affirmation of office

- 3.16. If a Councillor fails to participate fully and complete the Councillor Induction Training Program within this timeframe and does not make a written declaration in front of the Chief Executive Officer (CEO), as required by s.32(3) of the 2020 Act, an allowance of a Councillor is withheld until these actions by the Councillor is completed.

Councillors Allowances

- 3.17. Councillor allowances are paid in accordance with legislated requirements (including superannuation), with annual increases gazette by the Minister for Local Government.
- 3.18. Council is a Category 2 Council as gazetted by the Minister for Local Government. Councillors will be paid the maximum level available under this Category 2, unless they individually choose to receive a lower or no allowance. Allowances are taxable incomes which will be paid on the second and fourth Tuesdays of each month for the current month and this is to take effect from November 2024.
- 3.19. Payment will be made by electronic funds transfer, into an account authorised by the Councillor in writing by the Councillor.
- 3.20. Under s.39(5) of the Act, a Mayor, Deputy Mayor or Councillor may elect:
- 3.20.1. to receive the entire allowance to which they are entitled
 - 3.20.2. to receive a specified part of the allowance to which they are entitled; or
 - 3.20.3. to receive no allowance.

Necessary Items for Support, Resources and Facilities

- 3.21. Administrative support for the Mayor
- 3.22. A Mayoral vehicle can be provided for full Council and private use, restricted to within Victoria. The Mayoral vehicle will be insured, maintained and allocated a fuel card by Council.
- 3.23. Computer – laptop and associated chargers for all Councillors.
- 3.24. Councillor accessible intranet (or equivalent) as part of Council's online environment (this will be provided through the laptop).
- 3.25. Council's online Portal – online accessibility to Council's agendas, minutes and briefing papers.
- 3.26. Mobile phone (and landline only if there is inadequate mobile coverage at a Councillor's normal residence).
- 3.27. Stationery.
- 3.28. Access to fax / copier / incidental printing (smallest number of pages possible) at Council offices, or for printing own copies of Council briefing papers, agendas and minutes. Any printing beyond this requirement requires the approval of the Mayor and Deputy Mayor.
- 3.29. As part of Council's Sustainability Strategy printing is encouraged to be kept to a minimum and undertaken at the Council offices where costs are the lowest. The Policy recognises from time to time a Councillor may need to utilise their own printing devices and therefore a small number of cartridges for monochromatic printing may be reimbursed annually.

Note: Council resources will not be provided for personalised Ward newsletters (as per Council's resolution on 27 April 2016).

- 3.30. Website development – provided in the form of a webpage containing Councillors' names, photos, contact details and associated links to facilitate participation and access between Councillors and the community.
- 3.31. A Council must indemnify and keep indemnified each Councillor, member of a Delegated Committee and member of a Community Asset Committee in accordance with s.43 of Act.

Resources Provided in addition to the Necessary Items

The following has been determined by Council to be in addition to the specific necessary items:

- 3.32. Councillors will be provided travel reimbursements for the use of their personal vehicles when used on Council required activities. Exceptional circumstances allow for a Council vehicle to be provided to Councillors when:
- 3.33. A pool car is required for short term requirements such as interstate travel or several Councillors are travelling together to one destination; or
- 3.34. The longer-term provision of a Council vehicle is required for a Councillor to be able to fulfil their civic functions; or
- 3.35. A Councillor is travelling an extensive distance each year (approximately 12,000+ kilometers per annum) whereby it will be more efficient to provide a Council vehicle, than provide travel reimbursements. This will also save extensive wear and tear on a Councillors' personal vehicle.
- 3.36. All Councillors will be issued with a logbook for the purpose of recording Council related travel including destination, purpose of trip, beginning and ending odometer readings and dates and the proportion of Council Business and private use.
- 3.37. The Councillor must ensure that the logbook is being updated daily when utilised for Council related business.
- 3.38. Catering is provided by Council's contracted caterer for Council business meeting dates. The type of catering will depend on the type of meeting, timing and attendees.
- 3.39. Car Parking Permit on Council premises. Allowing access to the Council offices on Council business days. The Permit is only valid on days that are nominated as Council business.
- 3.40. Access to office space and furniture in the form of Councillor's room.
- 3.41. Where available, use of meeting rooms owned and controlled by Council where a Councillor is in attendance.
- 3.42. 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.
- 3.43. Access to Council email and internet.
- 3.44. Internet at normal place of residence (where Council internet provision is not available through the laptop/mobile phone).
- 3.45. Business cards, name badges, including changeover with Mayor and Deputy Mayor titles, and a diary.
- 3.46. Council officer nominated to provide incidental (limited) support for Councillors for Council business requirements.

- 3.47. Incidental postage of Council related mail through Council's mail system. A copy of this postage will be kept by Council. Any postage beyond this requirement requires the approval of the Mayor.
- 3.48. Reimbursement of reasonable meal 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. Alcoholic drinks are unable to be reimbursed. A daily limit of expenses which can be reimbursed is set at the ATO rate for food and drink expenses (*Reasonable amounts for domestic travel expenses – employee's annual salary \$143,650 or less*).
- 3.49. The Council or CEO must give approval prior 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.
- 3.50. Payment and re-imbursement of course, 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 CEO. Where appropriate, Councillors are encouraged to report the outcome of the activity to Council immediately upon completion of the activity.
- 3.51. Child care/family care to cover Council related meetings and functions in accordance with the defined level of provision (refer to item 4.5(5) Level of Provision for further information on child/dependent care and/or carer relationship).
- 3.52. Transcripts specifying sections required of a recorded Council meeting. Requests are to be made through the CEO.
- 3.53. Requests for Information and/or assistance from staff, beyond that provided in briefings and published on the Councillor Intranet, are to be made through the relevant Director and will be managed at the Director's discretion. Refer to *Councillor Access to Information Policy (C66)*.
- 3.54. Access to the *Local Government Act 2020* and other legislation online at www.legislation.vic.gov.au.
- 3.55. Councillor Newsletter weekly bulletin of Council information, relevant publications, local and industry events and other general information published online through the Councillors' intranet (excluding publications in the second half of December and the month of January).
- 3.56. Currently Councillors are not required to obtain a WWCC to undertake their role. But in keeping with Council's commitment to the implementation of the Child Safe Standards, any costs associated with a Councillor obtaining a Working with Children Check can be reimbursed.

Level of Provision for Councillor Travel – Reimbursement of Private Vehicle Usage and Public Transport Costs

- 3.57. The level of provision for Councillor Travel, where the primary purpose of the trip is for legitimate and necessary Council business, including:
- 3.57.1. Council Meetings and Briefings of Councillors;
 - 3.57.2. Delegated Committee Meetings of Council when the Councillor/Member is the nominated representative/ substitute;

- 3.57.3. Regional meetings where the Councillor claiming reimbursement is Council's endorsed representative and travel is not paid/reimbursed by the regional organisation or meeting convenor;
- 3.57.4. Other Nominated Committees where the Councillor has been appointed as Council's representative/substitute by Council, or otherwise by approval of the Mayor;
- 3.57.5. Functions to which Councillors are invited by organisations and where there is a direct involvement of Council. (Note: costs associated with the attendance by spouses/partners must be paid by the relevant Councillor);
- 3.57.6. Functions and events when requested by the Mayor to deputise for him/her;
- 3.57.7. Inspections of properties and/or locations in regard to:
 - i. matters in current briefings and/or Council agendas, or
 - ii. a community member with a relevant Council related matter; or
 - iii. for Ward related open public information stands; and
 - iv. that sufficient relevant details are to be specified on the claim form.

3.58. Organised community meetings; and

3.59. Organised training, conferences and sector networking meetings.

Level of Provision for Councillor Travel – Reimbursement of Mileage and other Travel Expenses

- 3.60. Kilometres are eligible to be claimed measured from (and to) the Councillors' place of residence, or from the journey's commencement (or end) point, whichever is the closest to the Council offices or designated meeting location.
- 3.61. Where a journey's originating (or end) point is further away than the Councillors usual place of residence, it is only the incremental portion that is to be claimed as Council business related.
- 3.62. Where personal and Council related travel are both being undertaken in a single journey, the Councillor is required to use their professional judgement to articulate kilometres that are predominantly attributable to the primary and secondary purpose of the journey.
- 3.63. For the sake of clarity, Councillors will not make a claim, nor will a claim be approved by the CEO, for travel where the primary reason for the travel is for private purposes and the Council related purpose is secondary and incidental.
- 3.64. Travel is to be taken by the shortest practical route.
- 3.65. Travel reimbursements per kilometre are the rates set by the Australian Taxation Office.
- 3.66. On and off-street car parking fees.
- 3.67. Does not include valet or personalised service parking where these costs are higher than other standard parking facilities available in close proximity.
- 3.68. Tolls maybe incurred including those associated with CityLink such as day passes or those transactions incurred as part of an existing personal e-tag account.
- 3.69. Taxi charges.
- 3.70. Public transport charges.

3.71. All receipts and relevant details regarding the purpose, date and time of the meeting or function must be submitted with the reimbursement claim.

3.72. Incidental travel is considered to be within 5 kilometres.

Councillor Vehicle Allocation and Usage

3.73. If an elected Councillor has a current drivers' licence but does not have an adequate private vehicle, the Councillor may be issued with a Council vehicle for Council related purposes as soon as practicable after the election.

3.74. Councillors who are not provided with a Council vehicle are able to book a car from the Council car pool to attend an event, conference/training or meeting, for the duration of one day, if required. A request to book a car is to be made through the Mayor and Councillors Support Officer a minimum of two days in advance.

3.75. No persons other than valid licensed Councillors or Council officers are authorised to drive the Council vehicle without prior approval from the CEO.

3.76. The Council vehicle can only be used when the primary purpose of the trip is for Council business

3.77. There is no private use other than usage that is incidental to attending to Council business (for example if the incidental travel is a minor deviance from the intended route).

3.78. Vehicles are not to be used for supplementary / secondary income purposes.

3.79. Councillors allocated a Council vehicle are required to provide their log book to the Mayor and Councillors Support Officer every six months to enable calculation of the amount to be reimbursed for any private vehicle usage. This amount will be invoiced to the Councillor for payment. Any anomalies will be referred to the Chief Executive Officer for consideration or further action required

3.80. Reimbursement of accumulated incidental private travel back to Council is at the vehicle rate in accordance with the flat ATO rate as at 1 July for the current financial year. Councillors will be advised accordingly.

3.81. Smoking is prohibited in vehicles at all times.

3.82. Animals are prohibited in the vehicles at all times.

3.83. Drivers are required to obey all road rules, drive carefully by adjusting to the local conditions and not drive when their capacity to drive safely is impaired.

3.84. Council is not liable to pay any fine or cost incurred by a Driver of a Council vehicle, who infringes against Road Traffic Regulations, Local Laws of any municipality with respect to parking restrictions, or any other regulation in relation to the use of vehicles. Onus for payment of a fine or other costs rest with the offender.

3.85. The vehicle shall not be driven in areas where damage may be incurred due to unfavourable ground conditions or hidden obstructions. Drivers shall not drive vehicles on rough tracks or across unsuitable terrain.

3.86. A fuel card is provided with a dedicated pin number. If the Pin Number is not provided, the transaction will be cancelled and the Councillor will be required to pay for the fuel from their own expenses and seek reimbursement through provision of the Receipt to the Mayor and Councillor Support Officer.

3.87. Roadside assist numbers for each vehicle make is also located in the driver's manual.

- 3.88. The Councillor is to keep the vehicle clean and tidy, at all times and on return of the vehicle. This involves both the interior and exterior of the vehicle. This is always at the Councillors cost.
- 3.89. Councillors are responsible for ensuring the vehicle receives the scheduled services and warranty repairs (if required). This involves:
 - 3.89.1. Regularly checked fuel, oil, water, battery, tyre pressure and road worthiness.
 - 3.89.2. Scheduling a service with any authorised repairer and delivering the vehicle for service.
 - 3.89.3. Forwarding the Invoice to the Mayor and Council Support Officer to arrange for payment.
- 3.90. Councillors are required to report any damage, tyre repair or replacement, or maintenance requirements of the vehicle to the Coordinator Plant and Fleet and the Risk Officer.
- 3.91. Councillors shall ensure the vehicle is parked in a secure 'off the street' location, locked when unattended and no valuables or equipment left in the vehicles.
- 3.92. Council vehicles will be insured under a comprehensive policy covering vehicles, drivers, passengers and damage to third parties. Certain circumstances and actions may result in the policy being declared null and void whereby the driver may become personally liable for damages, including:
 - 3.92.1. Unlicensed drivers,
 - 3.92.2. Drivers under the influence of drugs or alcohol,
 - 3.92.3. Drivers breaking the road laws or regulations.
- 3.93. Personal belongings / valuables are not covered under Council's Policy in the event that they are damaged or stolen.
- 3.94. A Councillor in charge or using a Council owned vehicle that is involved in an accident or incident giving rise to a possible claim must:
 - 3.94.1. Stop and provide assistance by calling emergency services if required. Police must be notified if someone is injured. Collect insurance, driver and license details of any other party involved and submit these to the Risk Officer.
 - 3.94.2. Not drive the vehicle if it is unroadworthy;
 - 3.94.3. Not incur or admit liability in the event of an accident, nor offer promise of payment.
 - 3.94.4. Immediately or as soon as is reasonably practical, notify Council's Risk Officer so that Council's Insurer receives adequate and appropriate advice of a claim or possible claim;
 - 3.94.5. Refrain from admitting liability in any matter as this will enable Council's Insurer to assess and consider an appropriate non-prejudiced response.
 - 3.94.6. Towing / salvage services from the accident site to the nearest GIO recommended repairer (currently Burchells panels 03 5662 3346) are covered under Council insurance. Any "Authority to Tow" form provided by a towing company is to be completed and a copy forwarded to Council's Risk Officer.

- 3.94.7. The Councillor is to report an accident or any minor incidents to Council's Risk Officer and Coordinator Plant and Fleet, as soon as possible after the event, and complete an incident form.
- 3.95. The right to drive and / or access a Council vehicle will cease:
 - 3.95.1. Upon the suspension, or expiry of the term of office, ouster removal or resignation of a Councillor;
 - 3.95.2. Any Councillor not running for re-election shall return their Council provided vehicle at the conclusion of their duties, but not later than 6am on Election Day;
 - 3.95.3. Councillors running for re-election shall retain their Council provided vehicle until their election is confirmed;
 - 3.95.4. Councillors standing for State or Federal government elections shall return their Council vehicle during the nomination and election period; and
 - 3.95.5. Councillors lose their licence, if there is a breach of the Councillor allocation and usage components of this Policy, or determined by the Chief Executive Officer that the provision of a vehicle should be withdrawn.

Level of Provision for Councillor Travel – Interstate and Overseas

- 3.96. Discretionary interstate trips, interstate travel and attendance at interstate conferences in relation to Council business, requires approval of the CEO prior to the event.
- 3.97. Overseas travel in relation to Council business requires approval by resolution of Council prior to the event.
- 3.98. Overseas travel in relation to Council business requires approval by resolution of Council prior to the event.
- 3.99. Air travel will be by economy class with bookings and payment to be made by Council.
- 3.100. Councillors must, within seven days after the completion of a trip, record the following details in Council's Travel Register:
 - 3.100.1. Councillor Name;
 - 3.100.2. Destination;
 - 3.100.3. Date/s of travel;
 - 3.100.4. Purpose of travel; and
 - 3.100.5. Total cost to the Council including accommodation costs.
- 3.101. 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.
- 3.102. International use of mobile phones or electronic data connections on iPad/tablet, including associated roaming charges, requires CEO approval prior to departure and expenditure is limited to a maximum of \$600 for the entire trip. Councillors must minimise these costs by turning the phone off except when making a call and using SMS messaging to keep costs as low as possible. Expenses incurred over \$600 are to be paid by the Councillor.
- 3.103. Councillors where possible are to use free wi-fi internet to minimise data costs to Council.

Level of Provision for Accommodation

- 3.104. Accommodation for conferences and overnight requirements to attend meetings is limited to a maximum of four-star level only if a suitable three-star accommodation is not available.
- 3.105. The difference in cost is to be paid by the Councillor where accommodation is sought at a higher standard than the available 3-star (4 star by exception) standard.

Level of Provision for Child Care and Carers in a Carer and Dependent Relationship Provisions

- 3.106. As per s.41(c)(d) and s.42(2)(b) of the Act, Council is to provide reimbursements for child care costs and expenses incurred by a Councillor who is a carer of a dependent in a care relationship (within the meaning of section 4 of the *Carers Recognition Act 2012*).

Reimbursement Criteria for Child Care and/ or Carer Relationships

- 3.107. 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.
- 3.108. For days in which Councillors have regularly scheduled briefings or meetings such, if Council cancels or doesn't hold a briefing or meeting on the regular scheduled briefing or meeting day, a Councillor can be reimbursed for any charges they are required to pay to their child care service for holding of the allocated position at the child care service for their child on that day, only if the child does not attend childcare service on that day.
- 3.109. Where the care relates to dependent adults, the CEO must be satisfied that the expense is appropriate.
- 3.110. Family care expenses include hourly fees paid by the Councillor and/or agency booking fees where applicable.
- 3.111. The following will be eligible for the purposes of child/dependent care and/or carer relationship reimbursement:
- 3.111.1. Council Meetings and briefings.
 - 3.111.2. Delegated Committee Meetings of Council when the Councillor is the nominated representative/substitute.
 - 3.111.3. Regional meetings where the Councillor claiming reimbursement is Council's endorsed representative and child/dependent and/or carer relationship care is not paid/reimbursed by the regional organisation or meeting convenor.
 - 3.111.4. Other Nominated Committees where the Councillor has been appointed as Council's representative/substitute by Council, or otherwise by approval of the Mayor;
 - 3.111.5. 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.
 - 3.111.6. 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.

3.111.7. The purpose, destination, subject matter, date and time are required to be provided to support the claim.

3.111.8. Approved training, conferences and seminars.

3.111.9. Travel reimbursements to deliver and pick up a child (children) from the child care provider.

Situations In Which Reimbursement of Child Care Will Not Occur

Reimbursement to a Councillor will not occur when a person undertaking child care / family care:

3.112. Has a financial or pecuniary relationship with the Councillor; or

3.113. Resides either permanently or temporarily with the Councillor, except where a live-in/professional helper such as a nanny or nurse is required to work additional time at extra expense because of the Councillors duties. In these occurrences the extra payment can be claimed; or

3.114. 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.

Other Related Acts and Requirements

3.115. Councillors must disclose any disclosable gift that is given to them as per s.128(4), s.137(1) and s.138 of the Act. Gifts to Councillors must also be disclosed and recorded in Council's gift register via the support officer to the CEO. Refer to Council's *Acceptance of Gifts & Donations Policy (C01)* (or equivalent once adopted) for further guidance on disclosing gifts and the value of gifts.

3.116. Council must consider the support that may be required for a Councillor because of a disability as per s.42(a) of the Act. 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. Council is to follow the *Disability Act 2006*.

3.117. Councillors are to abide by *Occupational Health and Safety requirements and Council's Occupational Health and Safety Policy (CE78)* when undertaking their duties of office. A Councillor injured while carrying out their duties may be entitled to claim workers compensation under the *Accident Compensation Act 1985*.

3.118. To ensure the safety of Councillors, Officers and members of the public and continuance of Council meetings and briefings, Councillors are required to comply with the same restrictions, mandatory requirements and public safety orders that staff are required to adhere to.

Limitations on Resource Usage

3.119. 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 (Source: Council resolution 27 April 2016).

Internal/ External Audit Review of Claims

3.120. Support provided under the Policy will be subject to review by the internal Audit and Risk Committee on an annual, or as requested, basis.

3.121. 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 on Expenditure and Reimbursements

- 3.122. The annual expenditure on Councillors' allowances and reimbursements will be reported in accordance with legislated requirements in the Annual Report.
- 3.123. The broader 'Costs of Elected Representation' will be reported annually in accordance with the regulated Local Government Performance Reporting Framework indicator requirements and published on the State Government's 'Know Your Council' website for comparative and transparency purposes.

Procedure for Reimbursement of Claims

- 3.124. This section outlines the timeframes and procedures for reimbursement of claims. As per s.40 of the Act, Councillors will only claim reimbursements for reasonable, bona fide out-of-pocket expenses incurred while performing the role and duties of Councillor.
- 3.125. Councillors are unable to be reimbursed for any item listed in this Policy if they have already been reimbursed by their employer or any other third party for the said item.

Reimbursements

- 3.126. Councillors are responsible for retaining and submitting all relevant documentation (receipts and invoices) for their reimbursement claims;
- 3.127. To ensure transparency and accurate recording, all reimbursements will be paid directly into the Councillor's nominated bank account. A remittance of payment will be provided to the Councillor.

Forms and Receipts

- 3.128. Claims must be made on the appropriate Council claim form with supporting documentation including GST receipts and invoices and the dates purchased. The claim forms are required to be signed by the Councillor;
- 3.129. A Councillor claiming for private vehicle use and mileage is responsible for keeping a travel log. This travel log is to be submitted at the end of each month.
- 3.130. All claims must be submitted to the Mayor and Councillors Support Officer.

Timeframe for Submitting Claims

- 3.131. Councillors must submit claims within seven (7) days of the end of each month.
- 3.132. Claims that are submitted after seven (7) days are considered late and will be referred to the Mayor and Deputy Mayor to determine if extenuating circumstances for late submissions are reasonable. The Mayor and Deputy Mayor will advise the CEO if these circumstances are acceptable or not for payment determination. They will also advise the Councillor accordingly.
- 3.133. If the claims relate to the Mayor then these will be referred to the Deputy Mayor and the most recent previous Mayor to consider and advise accordingly. (Note: the CEO retains the financial delegation to authorise payments and/or seek further information to support claims made).
- 3.134. At the end of each Financial Year all claims, must be submitted to the support officer to the CEO and Mayor for authorisation by 7 July (within seven (7) days of the end of the financial year), so that they can be paid in the year in which they were incurred.

- 3.135. Late payments received after this date for the end of each Financial year are to be referred to Council as a report to Council, ideally in the July meeting as this approval for payment is in the next financial year to when it was incurred.

Reimbursement Authorisation

- 3.136. Claims that appear to lack clear alignment with Council related purposes will be referred to the Mayor and Deputy Mayor to determine before payment can be approved.
- 3.137. The Mayor and Deputy Mayor will advise the Councillor accordingly. If the claims relate to the Mayor then these will be referred to the Deputy Mayor and the most recent previous Mayor to determine and advise the CEO/Mayor accordingly.
- 3.138. CEO will designate Council officers in respect of reimbursement and other expense transaction processes referred to in the Policy.

Reimbursement Claims in an Election Year

- 3.139. In an election year of Council, all claims for reimbursement are to be submitted to Council prior to the commencement date of a Council Election Period. As defined in s.3 of the Act an Election Period means the period that:
- 3.139.1. Starts at the time that nominations close on nomination; and
 - 3.139.2. Ends at 6pm on Election Day.
- 3.140. All equipment provided by Council under the Policy must be returned to Council at the end of a Councillor's term of office.
- 3.141. Council resources are not to be used for any electioneering purposes.

4. RISK ASSESSMENT

People

- 4.1. This Policy enables Council to demonstrate its commitment to openness and transparency by articulating requirements that are considered by Council to be necessary and reasonable for Councillors to claim as bona-fide out-of-pocket expenses.

Reputational

- 4.2. The Policy enables Council, Councillors and Council staff to understand misuse of Council resources (fraud) and reputational risk is minimised by providing:
- 4.2.1. Consistency with current legislation;
 - 4.2.2. Adequate support to Councillors to carry out their responsibilities effectively;
 - 4.2.3. Approval requirements for resource usage beyond the levels of mandatory and general incidental use;
 - 4.2.4. Transparency and accountability in respect to payments made and expenditure incurred to/by Councillors; and
 - 4.2.5. The Policy builds Community confidence and public trust in Council to be maintained or improved.

Governance

- 4.3. This Policy allows Council to address matters that are not explicitly captured in the Act and, when followed will mitigate the likelihood of any breaches of the Act.

5. IMPLEMENTATION STATEMENT**Human Rights Charter**

5.1. This Policy has considered the Charter of Human Rights and Responsibilities Act 2006.

Gender Equality

5.2. This Policy has considered the *Gender Equality Act 2020* in its development.

Roles and Responsibilities

5.3. Councillors are responsible for ensuring they use Council resources responsibly and efficiently, being mindful not to use Council support and resources for personal use.

5.4. The CEO is responsible for supporting Councillors in their roles and providing the approved level of support and resources contained within this Policy.

6. MONITORING, EVALUATION AND REVIEW

6.1. This Policy will be reviewed and adopted by Council on a four-year cycle.

7. REFERENCE DOCUMENTS

Legislative Provisions	Accident & Compensation Act 1985 Carers Recognition Act 2012 Charter of Human Rights and Responsibility Act 2006 Disability Act 2006 Freedom of Information Act 1982 Gender Equality Act 2020 Local Government (General) Regulations 2015 Local Government Act 2020 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019
Council Supporting Documents	Councillor Access to Information Policy (C66) Occupational Health and Safety Policy (CE78)

8. DEFINITIONS

Carer	A carer is defined under s.4 of the <i>Carers Recognition Act 2012</i> .
Delegated Committee	defined under the Local Government Act 2020, s.63 Delegated committees: (1) A delegated committee established by a Council— (a) must include at least 2 Councillors; and (b) may include any other persons appointed to the delegated committee by the Council who are entitled to vote.

9. REVISION HISTORY

Version	Approved By	Approval Date	Sections Modified	CM9 Ref#
2.0	Council Meeting	16 March 2022	Revised Policy following introduction of new Council.	D399122
3.0	Council Meeting	16 March 2022	Administrative review conducted (updating of titles or removal of references to outdated acts or regulations etc) and several sections have been updated or added.	