



POLICY 1103

PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS

1. INTENT OF POLICY

To ensure there is accountability and transparency in the reimbursement of expenses by Councillors. The Policy ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable, non-discriminatory and used in an equitable manner to enable the full participation by all Councillors. The overriding principle of this Policy is that the provisions made are acceptable to and meet the expectations of the local community.

2. SCOPE OF POLICY

This Policy applies to all Councillors and will comply with relevant statutory requirements and other NSW Government policy and is consistent with Council's Code of Conduct.

Councillors will be reimbursed for expenses and provided with facilities according to this Policy.

Relevant statutory requirements specific to this Policy:

- *Sections 12, 23A, 252, 253 & 254 of the Local Government Act 1993 and*
- *Clauses 217 & 403 of the Local Government (General) Regulation 2005.*

Other NSW Government policy provisions:

- *Division of Local Government (DLG) Guidelines, Circulars, and the DLG Model Code of Conduct for NSW Councils.*

Note: the "Division" is now the Office of Local Government

3. GUIDELINES

- I. GOVERNANCE
- II. PAYMENT OF EXPENSES
- III. PROVISION OF FACILITIES

I. GOVERNANCE

Making and Adoption of the Policy

Council will adopt a Policy each year. Public Notice will be given and at least 28 days allowed for public submissions. Council will consider submissions and make any appropriate changes to the Policy. Public Notice is not required if the amendments to the Policy is not considered substantial.

Within 28 days of adopting or amending the Policy, details including submissions will be forwarded to the Chief Executive of the Office of Local Government.

Reporting Requirements

The total cost of expenses and the provision of facilities for the Mayor and all Councillors will be listed in the Annual Report for Oberon Council and will include:

Expenses

- cost of phone calls including mobiles
- spouse, partner, or accompanying person expenses
- conference and seminar expenses
- training and skill development expenses
- interstate travel expenses, and overseas travel expenses
- carer and other related expenses

Provision of Facilities

- the cost of providing dedicated office equipment allocated to Councillors on a personal basis such as iPads, telephones, facsimile machines.

The Annual Report will include a copy of this Policy, which will be placed on Council's website.

Approval Arrangements

Approval for discretionary trips and attendance at Conferences, and the like, should be approved at a Council Meeting, with the exception of those identified in Section 4a of this policy. If this is not possible then approval should be given jointly by the Mayor and the General Manager. If the Mayor requires approval to travel outside of Council Meetings, approval should be given jointly by the Deputy Mayor and the General Manager.

Approval for the reimbursement of expenses will be by the General Manager and arrangements for providing facilities will be made by the General Manager and Executive Coordinator.

A criteria for reimbursing expenses or for the payment for a Councillor to attend a Conference, Civic Function, Training, or a Meeting as a Council appointed Delegate is that the Councillor is to submit to the General Manager a Report Summary or Delegates Report as soon as possible after attendance for which the expense has been claimed, or paid.

II. PAYMENT OF EXPENSES

1. General Provisions

Payment of Expenses

Expenses reasonably incurred by Councillors are in addition to the Annual Fee payable to Councillors (and the Mayor) and reimbursement of expenses and the facilities which may be provided under this Policy shall be provided without a reduction of the Annual Fees.

Reimbursement of expenses to Councillors will only be made upon completing an Expense Claim Form and with relevant receipts. Expenses paid will be in accordance with this Policy.

Councillors may request payment in advance for expenses to be incurred in attending Conferences, Seminars and training. Councillors may also request an advance payment for the cost of any other service or facility covered by this Policy. Councillors must fully reconcile all expenses against the advance payment within 30 days.

Establishment of monetary limits and standards

Monetary limits are set in this Policy, providing a maximum amount to be claimed by Councillors. Any additional cost incurred by a Councillor in excess of any limit set shall be considered a personal expense that is the responsibility of the Councillor. All monetary amounts stated are exclusive of GST.

2. Spouse and Partner Expenses

Reasonable costs may be claimed for spouses, partners or an accompanying person in attending official Council functions within the Local Government Area that are of a formal or ceremonial nature where attendance is expected (or invited). Examples include Australia Day Award Ceremonies, Citizenship Ceremonies, Civic Receptions and Charitable functions for charities formally supported by Council.

Expenses associated with the attendance at the Annual Local Government NSW Conference may also be claimed. These expenses are limited to the cost of registration and the official Conference Dinner and may also include participation in the "partner's program".

Incidental expenses such as grooming, special clothing and transport are not considered reimbursable expenses.

Each Councillor may claim a maximum of \$250 each year.

3. Incidental Expenses

Reasonable out of pocket or incidental expenses associated with attending Conferences, Seminars or training courses will be reimbursed upon the presentation of receipts and the completion of an Expense Claim Form. Claims are to be submitted within 30 days.

Incidental expenses could reasonably include telephone calls, refreshments, internet charges, laundry and dry cleaning, newspapers, taxi fares and parking fees. In addition, the cost of meals not included in the registration fees for Conferences or similar functions may be reimbursed after reconciliation.

Each Councillor may claim a maximum of \$350 each year.

4. Specific Expenses for Mayors and Councillors

a. Conferences and Seminars

The Conferences to which this policy applies shall be confined to the following:

- Local Government NSW, Local Government Women's Association and Australian Local Government Association Conferences.
- Special 'one-off' Conferences called or sponsored by Local Government NSW, Local Government Women's Association, Local Government Professionals NSW and Australian Local Government Association on important issues.
- Annual Conferences of Local Government Professionals NSW and the major professions in Local Government.
- Australian Sister Cities Conference.
- Regional Joint Organisation Conferences or
- Conferences which facilitate professional developments in their role as a Councillor.
- Meetings or Conferences of organisations or bodies to which a Councillor has been elected, or appointed as a delegate of the Council, or the Local Government NSW, Local Government Women's Association or Australian Local Government Association.

Costs

Council will arrange and pay Conference registration fees including the costs of related meals and associated tours where these are relevant to the business and interests of the Council.

Accommodation

Where possible, accommodation is to be booked at the Conference venue. In all other cases reasonable and appropriate accommodation is provided to Councillors and in this regard a standard equivalent to 4 stars, where available is considered appropriate. Preference will be given to venues providing Government Rates. Accommodation and Conference bookings will be made through the General Manager or Executive Coordinator.

Use of Council Vehicle

All reasonable travel costs for Councillors whilst on Council business will be reimbursed or paid by Council and will be in accordance with the following requirements:

- Councillors may request the use of a Council Motor Vehicle, with arrangements where possible to share the use with other Councillors and staff.
- A minimum of 48 hours notice is required for access to a vehicle for overnight use and 7 days notice for longer periods and reimbursement of travel claims will only be made when a Council Vehicle is not available.

Reporting of Outcomes

Councillors are to provide to the General Manager a Report Summary or Delegates Report as soon as possible after attending a Conference, Seminar or Training.

b. Local Travel Arrangements and Expenses

- Councillor's travelling expenses will be paid only from the Councillor's residence within the Oberon Council Local Government Area.
- If a Councillor is required to use a private vehicle on Council business, reimbursement will be equivalent to the rate specified in the NSW Local Government Award. This allowance takes into account the use, maintenance and depreciation of the vehicle.

The Councillor is responsible for all traffic or parking fines incurred while travelling in private or Council Vehicles on Council related business

- Councillors travelling by taxi or other means of public transport shall be reimbursed for actual expenses incurred.

Official Council Business includes attendance at the following

- Ordinary Meeting and Special Meetings
- Committee Meetings, whether a member of that Committee or not
- Any other endorsed meeting or function, or for any representations on behalf of the Council.

Each Councillor may claim a maximum of \$1000 each year.

c. Travel Outside the Oberon LGA – Interstate

Prior approval for travel outside the LGA, including interstate travel, will be required. All requests should include full details of the travel, including itinerary, costs and reasons for the travel.

Each Councillor may claim a maximum of \$1000 each year.

d. Overseas Travel

No overseas travel for Council business is expected by either the Mayor or any other Councillor, except that approved by the Council.

e. Telephone & Internet Costs and Expenses

Council will reimburse the cost of mobile, landline, and facsimile calls and Internet use for official Council business subject to receipts being submitted.

Each Councillor may claim a maximum of \$50 each month.

f. Insurance Expenses and Obligations

Councillors are to receive the benefit of insurance coverage affected by Oberon Council for:

- Public Liability to a third party arising out of a Councillor's exercise of their functions.
- Councillor's Liability to a third party in the form of damages, compensation, interest and costs and defence costs arising from an error, misleading statement, conduct, omission, neglect or breach of duty by a Councillor.
- Personal Accident and personal injury while engaged in or on any Council activity subject to the limitations in Council's insurance policies.

- Statutory Liability for fines or penalties arising out of an inadvertent breach of the law by a Councillor when exercising the functions of Council.

Council shall pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where a claim is accepted by Council's insurers.

g. Legal Expenses and Obligations

This will be in accordance with the provisions in the Division of Local Government Circular 05/08: *Legal assistance for Councillors and Council employees*.

Legal advice will also be sought from Council's Insurers and Legal Advisors.

h. Professional Development Expenses

All professional development for Councillors required to be undertaken for the benefit of Council will be provided for under this policy. Reimbursement of expenses incurred while undertaking professional development will be considered by the General Manager or Mayor.

i. Care and Other Related Expenses

Council will meet reasonable costs of facilitating access to Council premises, functions and activities where, by reason of disability, a carer role or other special need, a Councillor would not otherwise have equity of access with other Councillors. This support is intended to enable a Councillor to have the fullest participation reasonable possible.

The total amount paid will not exceed \$500 each year.

i. Additional Mayoral Expenses

A suitable Laptop or similar device, printer and mobile phone will be provided to assist the Mayor in performing duties. These device shall always remain in the possession of the Mayor during their term of office, and shall remain the property of Oberon Council. The Mayor will be given the option to purchase the allocated device at the depreciated book value at the end of their term of Office.

III. PROVISION OF FACILITIES

1. General Provisions

a. Provision of Facilities Generally

The facilities, equipment and services made available are considered appropriate to support Councillors in undertaking their role as an Elected Member.

Council facilities, equipment and services are not to be used to produce election material or for any other political purposes.

b. Private Use of Equipment and Facilities

Councillors should not generally obtain private benefit from the provision of equipment and facilities, nor from travel bonus or any other such loyalty schemes. However, it is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a payment.

2. Provision of equipment and facilities for Councillors

a. Postage

All postage requirements will be arranged with the Executive Coordinator, General Manager or relevant Department Director.

b. Meals & Refreshments

Councillors will be provided with a meal and beverage when attending Council and Committee meetings and other meetings as determined by the General Manager and/or Mayor. Serving of alcohol is at the discretion of the Mayor.

Catering for meals is arranged with local businesses on a rotational basis taking into account particular dietary requirements and preferences by Councillors.

c. Insignia of Office

A Councillor Name Badge and Business Cards are issued by the General Manager.

d. Hardware

An iPad or similar device will be provided. These devices shall always remain in the possession of the Councillor during their term of office, and shall remain the property of Oberon Council. Councillors will be given the option to purchase the allocated device at the depreciated book value at the end of the term of each elected member.

It is acknowledged that Councillors may need to access the iPad, or similar device, when absent on holidays, to maintain communication and receive information. Personal or private use is deemed to be incidental. When travelling overseas approval from the General Manger is required to use the iPad, or similar device, and to make arrangements to avoid excessive charges.

3. Provision of Additional Equipment and facilities for Mayors

a. Office

An Office located at the Administration Centre, including telephone and computer.

b. Administrative Support and Assistance

Administrative support and other assistance will be provided through the General Manager and Executive Coordinator for any Council functions, meetings, publications and similar activity.

c. Credit Card Facilities

A Council Credit Card with a financial limit of \$2,000 will be allocated to the Mayor. This Credit Card is for the purpose of payments of approved expenses in accordance with this Policy.

Approving Authority	Oberon Council
Contact	General Manager
Approval	21 September 2017
Revised:	<p>16 December 2008: Item B1, Minute 29</p> <p>20 October 2009: Item B20, Minute 30</p> <p>19 October 2010:Resolution 24191010</p> <p>18 October 2011: Resolution 1818011</p> <p>20 November 2012 Minute No 31201112</p> <p>19 November 2013 Minute No 13191113</p> <p>21 October 2014 Minute No 22 211014</p> <p>18 August 2015 Minute No 10 180815</p> <p>30 November 2016 Minute No 02 301116</p> <p>21 September 2017, Minute No. 18 210917</p>
Next Revision Date	September 2018
Issue Date to Staff	November 2017