



Title: Councillors - Payment of Expenses and Provision of Facilities

Category: Support - Financial resource management
Key words: Expenses, facilities, allowances, conferences, interstate, overseas, travel, fares, vehicles, communications
File number: A-14-29
Policy owner: Director Corporate Services (Corporate Services)

Authorisation: 12 February 2009 by City Services Committee Minute 6
Review date: November 2009
Modification history: Last modified 22 February 2007 by Council Minute 37

Related legislation: Local Government Act 1993
Related policies: Code of Conduct
Related procedures: Claims for reimbursement
Related forms: Reimbursement of Expenses for Councillors Transaction Statement

Contents:

- 1 Payment of Expenses
- 2 Provision of Facilities
- 3 Establishment of Monetary Limits
- 4 Mayor
- 5 Deputy Mayor
- 6 Other Matters
- 7 General

Contents

Introduction.....	3
Principles.....	3
Policy Objectives.....	3
Reporting Obligations.....	3
Policy 1. Payment of Expenses	4
1.1 Conferences, Seminars and Other Events.....	4
1.2 Legal Expenses.....	5
1.3 Councillors' Private Vehicles.....	5
1.4 Cabcharge Card.....	6
1.5 Child/Dependant Care.....	6
1.6 Claims for Reimbursement.....	7
1.7 Training and Educational Expenses.....	7
2. Provision of Facilities	8
2.1 Communications Equipment and Furniture.....	8
2.2 Stationery/Publications	8
2.3 Postage	8
2.4 Secretarial Support	8
2.5 Transportation.....	8
2.6 Refreshments.....	8
2.7 Insurance.....	8
2.8 Councillors' Room.....	8
2.9 Meeting Rooms.....	8
2.10 Clothing.....	9
2.11 Official Vehicles	9
2.12 Preparation of Media Material.....	9
2.13 Council Facilities.....	9
3. Establishment of Monetary Limits	10
3.1 Mobile Telephone.....	10
3.2 Cabcharge.....	10
3.3 Care and other related expenses.....	10
3.4 Incidental expenses	10
4. Mayor	11
5. Deputy Mayor	11
6. Other Matters	11
7. General	11

Introduction

The Local Government Act 1993 (section 252) requires Council to adopt a policy regarding the payment of expenses and the provision of facilities to the Mayor, Deputy Mayor and Councillors. The Act also requires the policy to comply with the Department of Local Government's Guidelines for the Payment of Expenses and the Provision of Facilities. Our policy meets this requirement and is as follows.

Principles

This Policy is underpinned by the following principles:

- Councillors are appropriately compensated for performing and discharging their Civic functions and duties.
- Any reimbursements claimed by Councillors must be for expenses actually and necessarily incurred in performing and discharging their Civic functions and duties.
- Councillors are entitled to receive:
 - an annual allowance as provided in Sections 248 and 249 of the Local Government Act 1993
 - reimbursement for prescribed expenses pursuant to Section 252 of the Local Government Act 1993.
- Members of the community are encouraged to seek election to Council and are assured they will not be financially or otherwise disadvantaged by undertaking the civic duties of a Councillor.

Policy Objectives

- Generally to improve the delivery of services to the residents of the City of Canterbury by ensuring Councillors are appropriately supported to enable them to effectively carry out their civic role.
- To provide support and assistance to the Mayor and Councillors in performing their roles by the provision of equipment and facilities.
- To establish guidelines for the reimbursement and payment of expenses incurred by Councillors in attending conferences, seminars and other events relevant to local government.
- To ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the Mayor and Councillors.

Other NSW Government Policy Provisions

There are a number of publications which provide assistance to Councillors in complying with the provisions of this policy:

1. Department of Local Government Guidelines for Payment of Expenses and Provisions of Facilities (updated May 2007).
2. Model Code of Conduct. (This policy is consistent with the Model Code of Conduct for Local Councils in NSW in particular with the use of Council resources).
3. Department of Local Government Circulars to Councils
 - Circular 08/03 Findings from the Review of Councillor Expenses and Facilities Policies
 - Circular 05/08 Legal assistance for Councillors and Council employees
 - Circular 02/34 Unauthorised use of Council resources.
4. Independent Commission Against Corruption Publications
 - No excuse for Misuse, preventing the misuse of Council resources.

Reporting Obligations

Under Section 428 (2) (f) of the Local Government Act, the total amount expended on Mayoral and Councillors' fees and as a result of this policy must be included in Council's Annual Report.

1 Payment of Expenses

1.1 Conferences, Seminars, Events and Other Official Functions

Councillors are authorised to attend the following approved conferences and official functions within Australia in their official capacity.

Approved Conferences (Within Australia)

- Annual Conference of the Local Government Association of NSW
- Annual Conference of the Australian Local Government Association
- National Assembly of Local Government
- Local Government Managers Australia National Congress
- Australian Local Government Women's Association (National and State)
- Meetings of the Australian Mayoral Aviation Council (AMAC)
- Official functions within NSW and ACT
- Other events as approved by Council.

Allowable Expenses

The following expenses arising from Councillor attendance at approved conferences and official functions.

- Accommodation costs, based on charges for one room (either single, twin share or double) including bed and breakfast and incidental expenses in a venue of suitable standard for the Councillor for the duration of the conference.
- The cost of all meals and refreshments for the Councillor. These costs may be covered by payment of actual costs on the production of receipts by the Councillor. Any expenses incurred by the Councillor will be reimbursed subject to a claim being made in the prescribed form and the production of appropriate documentation/receipts.
- All travel should be undertaken by using the most direct route and the most practicable and economical mode of transport subject to Council determining alternative means of transport in special circumstances. This may include
 - private vehicle at the approved kilometre rate, or
 - economy class airfare (Journeys involving two hours or more of flying time may be business class at the discretion of the General Manager), or
 - where there is no airline service, first class rail fare.
- Where a Council vehicle is used, all fuel costs etc will be reimbursed by Council, subject to a claim being made in the prescribed form.
- Registration fees – including cost of official dinners etc.
- Accommodation, meals and incidentals while in transit to and from the conference.

Payment of Expenses for Spouses, Partners and Accompanying Persons

For spouses, partners and accompanying persons, Council will pay

- Reasonable costs for attendance at official Council functions within the City of Canterbury
- Cost of registration and official dinner at the Local Government and Shires Association's annual conference

Interstate and Overseas Travel

There are instances where Councillors are required to visit Canberra for official purposes such as meetings with federal parliamentarians and ministers. For the purpose of this policy, the ACT is regarded as being within NSW.

Where Councillors propose to travel interstate or overseas, the proposals shall be considered at an open Council meeting through a report from the Mayor or General Manager. The report should include the following information:

- who is to take part in the travel
- objectives to be achieved in undertaking it, including an explanation of what community benefits will accrue from undertaking the visit
- details of costs, including any amount expected to be reimbursed by participants.

If the travel is to be sponsored by private enterprise, ICAC guidelines and reporting structures shall be followed.

In addition, proposals for overseas travel by Councillors on Council business must be documented in the annual City Plan. The plan will be widely circulated in the community so as community input about the proposed visit can be considered as part of the city plan review and budget finalisation process.

Council should consider the above proposals in an open meeting and resolve whether or not the travel is to take place, and if so, on what particular basis.

In the case of overseas travel, a detailed report will, on most occasions, be given in the Annual Report for the year in which the visit took place, as well to an open Council meeting outlining how the objectives of the travel were met and what benefits will accrue to the community.

Where exceptional cases arise and overseas travel has to be undertaken at short notice, the above proposals will be put to Council for a decision. The outcomes, costs and attendances will be included in the first Annual Report prepared subsequent to the overseas travel occurring.

1.2 Legal Expenses

Council may, but subject to resolution on each and every occasion, indemnify or reimburse reasonable legal expenses of a Councillor in the following circumstances:

- defending an action arising from the performance in good faith of a function of the Councillor; or
- defending an action in defamation provided the statements complained of are made in good faith in the course of exercising a function of the Councillor; or
- for proceedings before the Local Government Pecuniary Interest Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function of the Councillor and the Tribunal or investigative body makes a finding substantially favourable to the Councillor.

1.3 Councillors' Private Vehicles

Council shall reimburse Councillors who use their own vehicles and who claim reimbursement within one month of travelling:

- (1) To and from the Councillor's place of residence or employment in order to attend meetings of Council or its Committees.
- (2) To and from inspections within the area provided such inspections relate to the business of Council.
- (3) To and from approved seminars and conferences.
- (4) To and from Council's Administration Centre for purposes relating to the business of Council.
- (5) To and from Council business outside of the area in compliance with a resolution of the Council. This includes attendance at SSROC meetings and the like.

- (6) To and from meetings of community groups, whose activities encompass all or part of the Council's area.
- (7) To and from social functions and gatherings representing the Mayor or Council at the Mayor's or General Manager's request.
- (8) To and from social functions and gatherings where the invitation stems from the Councillor's official position.
- (9) Councillors are personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

Lodgment of a claim for reimbursement is taken to be a certification by the Councillor that the journey for which reimbursement is being claimed falls within the categories of permissible journeys listed above.

1.4 Cabcharge Card

Councillors are provided with a Cabcharge card to facilitate their travelling requirements for the following purposes:

- (1) To and from the Councillor's place of residence or employment in order to attend meetings of Council or its Committees.
- (2) To and from inspections within the area provided such inspections are undertaken in compliance with resolutions of Council.
- (3) Approved seminars and conferences.
- (4) To and from the Council's Administration Centre for purposes relating to the business of the Council.
- (5) To and from Council business outside the area in accordance with a resolution of Council. This would include attendance at SSROC meetings and the like.
- (6) To and from meetings of community groups, whose activities encompass all or part of the Council's area.
- (7) To and from social functions and gatherings representing the Mayor or Council at the Mayor's or General Manager's request.
- (8) To and from social functions and gatherings where the invitation stems from the Councillor's official position

Use of a Cabcharge card by a Councillor is taken to be a certification by the Councillor concerned that the taxi journey being paid for is one which falls within the categories of permissible journeys listed above.

Full details of the journey are to be recorded by the cardholder on a docket presented by the driver at the completion of the journey. These details include a pick up point, destination and the value of the fare. The cardholder is required to complete the docket correctly every time the card is used. A failure to do so could result in overcharging by the taxi operator.

It is expected that in normal circumstances where a Councillor has the use of a Council vehicle, Cabcharge will not be used. This will not apply, however if in the opinion of the Councillor concerned, the completion of the business of Council in the most efficient manner warrants the use of Cabcharge in lieu of driving the Council vehicle.

All taxi journeys should follow the shortest practical route and be as expeditious as the circumstances allow.

1.5 Child/Dependant Care

Councillors will be reimbursed for reasonable child/dependant care costs incurred in attending Council meetings, Committee meetings, workshops, briefing sessions and other meetings relating to Council's operations.

Councillors will be reimbursed for expenses associated with child/dependent care paid to providers other than immediate family, spouse or partner up to 1 hour before and after such meetings (based on advertised commencement time) subject to the prescribed form being completed and/or the production of appropriate documentation/receipts.

1.6 Claims for Reimbursement

- Councillors are required to provide evidence of expenses incurred in the prescribed form to support all reimbursements claimed, including appropriate receipts and tax invoices.
- Payments in advance in anticipation of expenses to be incurred in attending conferences, seminars etc may be provided to Councillors. Where such payments are provided Councillors will be required to provide evidence of expenses incurred in the prescribed form including appropriate receipts and tax invoices.
- All claims for reimbursement must be submitted to the General Manager within 28 days of expenses being incurred.

1.7 Training and Educational Expenses

Council will consider the payment of relevant training and educational expenses incurred by Councillors that are directly related to the Councillors civic functions and responsibilities. The relevant training and courses need to be offered by the Department of Local Government, the Local Government Association or any other recognised organisation.

2 Provision of Facilities

2.1 Communications Equipment and Furniture

- Laptop computer or PC, printer and associated equipment, appropriate software and training. No unauthorised or unlicensed software is to be installed on the computers.
- Mobile phone and accessories, facsimile machine, telephone answering service and dedicated landlines to Councillors' home, if required.
- Computer desk, chair, filing cabinet/s and other office equipment and accessories.

Note: Councillor to pay for private phone calls. (See 3.1)

2.2 Stationery/Publications

- Use of Councillor letterhead.
- Provision of legislative publications and other printed matter relevant to Local Government as requested.
- Supply of business cards (with or without photograph at Councillor's discretion), good quality brief case and other stationery and supplies.
- Provision of Christmas cards up to a maximum of 400 cards for the Mayor and 200 cards for Councillors.

2.3 Postage

Postage of official Councillor correspondence to be directed through the Council's own mail system.

2.4 Secretarial Support

Secretarial support may be provided for each Councillor at the Administration Centre. This may include typing, photocopying or use of a telephone. All expenses incurred including the cost of staff shall be met by the Council.

2.5 Transportation

Provision of an official vehicle (when available) for travel to conferences, seminars, meetings, etc. when on official Council business in accordance with clause 2.11.

2.6 Refreshments

Provision of meals and refreshments at Council and committee meetings, workshops, briefings and other meetings related to Council's operations.

2.7 Insurance

Councillors receive the benefit of insurance cover for:

- personal accident
- public liability
- professional indemnity
- travel insurance as appropriate.

2.8 Councillors' Room

An office area for interview and Council work related purposes. The room will be provided with telephones, equipment, stationery, refreshments and recognised Local Government publications.

2.9 Meeting Rooms

Provision of meeting facilities in the Administration Centre for the purpose of Council, Committee and Task Group/Special committee meetings with constituents are subject to the following policy adopted by Council:

- (1) THAT the Function Room be made available to the Mayor, Councillors and staff of Council free of charge, provided the use is directly related to Council business/activities and involves the actual attendance of Councillors.
- (2) THAT staff usage (referred to in Item 1 above) be approved by the General Manager.
- (3) THAT bookings be administered in the normal manner through Executive Services staff.
- (4) THAT use of the bar area only be permitted in connection with functions and meetings held in accordance with Item 1 above.

2.10 Clothing

Provision of a jacket and other corporate clothing for official purposes including a name badge.

2.11 Official Vehicles

A Councillor may use one of two vehicles provided to facilitate Councillors' traveling requirements, (subject to availability) for the following purposes:

- (1) To and from the Councillor's place of residence in order to attend meetings of Council or its Committees.
- (2) To and from inspections within the area relating to the business of Council.
- (3) To and from approved seminars, conferences, workshops and other meetings related to Council's operations.
- (4) To and from Council's Administration Centre for purposes relating to the business of the Council.
- (5) To and from Council business outside the area in compliance with a resolution of the Council. This would include attendance at SSROC meetings and the like.
- (6) To and from meetings of community groups, whose activities encompass all or part of the Council's area.
- (7) To and from social functions and gatherings representing the Mayor or Council at the Mayor's or General Manager's request.
- (8) To and from social functions and gatherings where the invitation stems from the Councillors' official position.
- (9) Use of a Councillor vehicle is taken to be a certification by the Councillor concerned that the travel to be undertaken falls within the categories of permissible journeys listed above.
- (10) Details of journeys are to be recorded in the logbook stored in the glove box of the vehicle.
- (11) Councillors will pick up and return the vehicles to the Administration Centre.
- (12) Except in the case of an emergency, the vehicle is not to be driven by anyone other than the Councillor in whose name the vehicle is booked.
- (13) Councillors are requested to immediately report any mechanical defect or fault by notifying Executive Services.
- (14) Any accident involving damage to Council's vehicle or a third party is to be reported immediately to Executive Services.
- (15) The vehicles must not be used for private purposes. Any private use even incidental private use that gives rise to personal advantage or gain could lead to disqualification from civic office.
- (16) Councillors are personally responsible for all traffic or parking fines incurred while traveling in private or Council vehicles on council business.

2.12 Preparation of Media Material

Professional advice and assistance from Officers in preparing media material (other than election campaign material) relevant to the Councillor's role.

2.13 Council Facilities

Access during normal hours of operation without charge.

3 Establishment of Monetary Limits

In accordance with the Department of Local Government's Guidelines, limits must be set on expenses claimed. In setting these limits it is recognised that Canterbury City Council is classified as a category 2 council by the Local Government Remuneration Tribunal.

Monetary limits applying to this policy are similar to other large metropolitan category 2 ranked councils.

3.1 Mobile Telephone

Council will meet the cost of providing the mobile telephone, maintenance, monthly service and access fees and call charges up to a maximum of \$300.00 per month for the Mayor and \$250.00 per month for other Councillors made in the conduct of civic duties only.

3.2 Cabcharge

Council will meet the cost of providing the Cabcharge facilities in accordance with clause 1.4 of this policy up to a maximum of \$300.00 per month for the Mayor and \$200.00 per month for other Councillors.

3.3 Care and other related expenses

The maximum entitlement for such expenses is \$1000.00 per annum.

3.4 Incidental expenses

Incurred in attending related Council business, approved conferences, seminars, training and educational courses:

- Meals
- Facsimile
- Internet charges
- Laundry and dry cleaning
- Newspaper
- Taxi fares
- Parking fees

but does not include travel expenses such as air fares, car hire, cost of petrol and vehicle running costs.

The maximum entitlement for such expenses is \$200 per day.

Any other costs incurred by a Councillor in addition to the daily limits, are the responsibility of the individual Councillor.

4 Mayor

In addition to the facilities provided to the Councillors, the following benefits apply to the Mayor:

- **Vehicle**
Unrestricted use of a Holden Caprice or equivalent, including all factory fitted accessories and extras and all fuel, repairs, maintenance and running expenses associated with the vehicle. The vehicle is to be replaced at regular intervals in accordance with Council's vehicle replacement policy.
- **Fuel Card**
For use only with Mayoral vehicle.
- **Office**
Food, soft drinks and alcoholic refreshments for ceremonial and social purposes.
Electronic equipment, stationery, furnishings and accessories.
- **Credit Card**
For the purpose of discharging the functions of the Mayoral Office in accordance with the annual budget provision.

5 Deputy Mayor

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of Mayor.

Should this occur the Deputy Mayor will receive the facilities available to the Mayor set out in this policy, excluding the use of the Mayoral vehicle and credit card. The Mayoral vehicle and credit card will be provided to the Deputy Mayor when acting in the office of the Mayor for a continuous period of three months or more.

6 Other Matters

Where appropriate and practicable Councillors are to return to Council, after the completion of their term of office or entering extended leave of absence or at the cessation of their civic duties, all facilities and equipment that have been allocated to them by Council.

Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.

7 General

The Council may from time to time amend the level of support, amount to be paid, and conditions applicable to the items under this policy or under subsequent policies adopted in accordance with Section 252 and 253 of the Local Government Act. Such amendments must occur by resolution of the Council.