



Somerset
REGIONAL COUNCIL

Policy Subject/Title: COUNCILLORS' REIMBURSEMENT OF EXPENSES POLICY

Policy Number: EX/001

Responsible Officer: Director Corporate and Community Services

Legislative or Regulatory Reference: Local Government Regulation 2012, Sections 249 - 252

Related Policies / Procedures: F/008 Procurement Policy

Authorised by: Somerset Regional Council

Authorised on: 2 April 2008

Review / Amendment dates:
11 March 2009
23 March 2011
13 June 2012
11 July 2013
14 May 2014
23 June 2016 [Doc Id 892518]
28 March 2018 [Doc Id 1024321]
27 May 2020 [Doc Id 1200092]

1. OBJECTIVE

The objective of this policy is to authorise the:

- Payment of reasonable expenses incurred, or to be incurred, by Councillors, and
- Provision of facilities to assist Councillors in discharging their duties and responsibilities.

2. PURPOSE

The purpose of the policy is to ensure that Councillors, including the Mayor, can receive reimbursement of reasonable expenses and be provided with necessary facilities in performance of their role.

3. SCOPE

This policy applies to the Mayor, Deputy Mayor and Councillors. This policy deals with reimbursement of expenses or provision of a facility to Councillors, but does not apply to the conduct of civic functions or the remuneration of Councillors.

It is the responsibility of Council to use its discretion and decide what is required by Councillors in carrying out their civic responsibilities taking into account the role of the Councillor, Council's annual budget and community expectations.

Council must be mindful of the Local Government principles and the legislative requirements of the Act when determining legitimate types of expenses and facilities for Councillors.

4. PRINCIPLES

This policy has been written to be compliant with the Local Government principles set out in Section 4 of the Act. These principles are:

- Transparent and effective processes, and decision-making in the public interest,
- Sustainable development and management of assets and infrastructure, and delivery of effective services,
- Democratic representation, social inclusion and meaningful community engagement,
- Good governance of, and by, local government, and
- Ethical and legal behavior of Councillors and local government employees.

5. BACKGROUND

5.1 Legislation

Section 250 of the Local Government Regulation 2012 requires Council to adopt an expense reimbursement policy. Such policy is to provide for the following:

- Payment of reasonable expenses incurred, or to be incurred, by Councillors for discharging their duties and responsibilities as Councillors
- Provision of facilities to the Councillors for that purpose.

Section 251 of the Regulation requires Council to publish the policy on the local government's website.

Section 252 of the Regulation provides that a meeting at which a proposed expense reimbursement policy is discussed cannot be closed to the public.

5.2 Related Policies

See also: F/008 Procurement Policy

6. DEFINITIONS

Council Business: Activities conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities, or achieve business objectives of the Council. Council business should result in a benefit being achieved either for the local government and/or the local community. This includes:

- Preparing for, attending and participating in Council meetings, committee meetings, workshops, deputations and inspections;
- Attending conferences of local government industry associations or professional bodies (ie LGAQ, UDIA AIOP, etc);
- Attending civic ceremonies and community events such as representing Council at Anzac Day ceremonies or opening a school fete, where they have been formally invited in their capacity as Councillor to undertake the official duty;
- Attending public meetings, annual meetings or presentation dinners where invited as a Councillor;
- Attending meetings of community groups (Scout Associations, Progress Associations, etc) where invited to speak about Council Programs or initiatives;
- Attending meetings concerning development applications where arranged through official Council channels;
- Attending meetings / inspections with constituents (residents, ratepayers, community groups, etc where details of the issue are included in Council's Customer Request System.

Attending or participating in a community event, community group or being a representative on a board, as a community member, is not regarded as 'Official Council Business.'

Councillors: Includes the Mayor, Deputy Mayor and other Councillors, unless specifically identified.

Expenses: Expenses are payments reasonably incurred, or to be incurred, in connection with Councillors discharging their duties. The expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge. Expenses are not included as remuneration.

Facility: Facilities provided to Councillors that are the "tools of trade" and required to enable them to perform their duties with relative ease and at a standard appropriate to fulfill the community expectation for their role.

Reasonable: Councils must make sound judgments and consider what is prudent, responsible and acceptable to the community when determining appropriate levels of facilities and expenditure.

7. PAYMENT OF EXPENSES

Expenses will be paid to a Councillor through administrative processes approved by Council's Chief Executive Officer subject to:

- the limits outlined in this policy;
- the limits outlined in the budget;
- Council endorsement by resolution, where required;
- in the case of reimbursement of expenses production of receipts and tax invoices or evidence that such expenses have been paid is required prior to reimbursement; and
- expense reimbursement must be claimed within two (2) months of such expense having been paid by the Councillor and claims for reimbursements outside of this period will not be accepted.

7.1 Expense Categories

(a) Professional Development /Conferences /Workshops /Training/Meetings Council will reimburse expenses incurred for:

- attendance at Regional, State or National Local Government associated conferences, subject to attendance approved by Council;
- attendance at Regional meetings and workshops associated with a Councillor's responsibilities;
- mandatory professional development as approved by Council; and
- discretionary professional development deemed essential by Council for the Councillor's role and subject to a limit as set out in the Re-imbusement Schedule attached to this Policy for each Councillor during their current term of office.

(b) Travel as required to represent Council

Council may reimburse local and, in some cases, interstate and overseas travel expenses (eg flights, car, accommodation, meals and associated registration fees) deemed necessary to achieve the business of Council where:

- a Councillor is an official representative of Council; and
- the activity/event and travel have been endorsed by resolution of Council.

Councillors are to travel via the most direct route, using the most economical and efficient mode of transport.

Council will pay for reasonable expenses incurred for overnight accommodation when a Councillor is required to stay outside the local government's region.

All fines incurred while travelling in either Council or privately owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine. This does not include toll fees.

(c) Travel Bookings

All Councillor travel approved by Council will be booked and paid for by Council.

Economy class is to be used where possible although Council may approve business class in certain circumstances. Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses (eg cost of partner or spouse accompanying the Councillor).

(d) Travel/Transfer Costs

Any travel/transfer expenses associated with Councillors travelling for Council approved business will be reimbursed.

Example: Trains, taxis, buses and ferry fees, toll fees.

Cab charge vouchers may also be used if approved by Council where Councillors are undertaking duties relating to the business of Council. Council will provide reimbursement for parking costs paid by Councillors while attending to official Council business.

(e) Private Vehicle Usage

Councillor's private vehicle usage may be reimbursed by Council if the travel is for the purpose of undertaking Council business. To help defray the administrative costs of processing individual mileage claims, Council will pay the amounts set out in the Reimbursement Schedule attached to this Policy for Private Vehicle Allowances, by fortnightly instalments.

(f) Accommodation

All Councillor accommodation for Council business will be booked and paid for by Council. Council will pay for the most economical deal available. Where possible, the minimum standards for Councillor's accommodation should be three or four star rating.

Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

Where accommodation is provided outside of the region, Council may pay an additional Incidental Daily Allowance as set out in the Reimbursement Schedule attached to this Policy to cover additional incidental costs (phone calls, newspapers, laundry/dry cleaning etc) incurred while Councillors are travelling and staying away from home overnight.

(g) Meals

Councillors are entitled to be reimbursed for the cost of a meal when:

- the Councillor incurs the cost personally; and
- the meal was not provided at the Regional Meeting or within the registration costs of the approved activity/event or during an approved flight.

(h) Hospitality Expenses

Council may reimburse the Mayor hospitality expenses deemed necessary in the

conduct of Council business as set out in the Reimbursement Schedule attached to this Policy.

8. FACILITIES

8.1 Provision of Facilities

All facilities provided to Councillors remain the property of Council and must be returned to Council when a Councillor's term expires.

8.2 Private use of Council-owned facilities

Based on the principle that *no private benefit is to be gained* the facilities provided to Councillors by local governments are to be used only for council business unless prior approval has been granted by resolution of Council.

The Council resolution authorising private use of Council owned facilities will set out the terms under which the Councillor will reimburse Council for the percentage of private use. This would apply when Councillors have private use of Council owned motor vehicles.

8.3 Facilities Categories

(a) Administrative tools

Administrative tools are available, within Council offices, to assist Councillors, as required, in their role. Administrative tools include:

- office space and meeting rooms
- computers
- stationery
- access to photocopiers
- printers
- facsimile machines
- publications
- use of Council landline telephones and internet access

Secretarial support may also be provided for Mayors and Councillors.

(b) Maintenance costs of Council owned equipment

Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council owned equipment that is supplied to Councillors for official business use. This includes the replacement of any facilities which fall under Council's asset replacement program.

(c) Name Badge Safety equipment for Councillors

A local government may provide Councillors with:

- a name badge
- the necessary safety equipment for use on official business, eg safety helmet/boots

(d) Use of Council Vehicles on Council Business

Council will provide the Mayor with a motor vehicle of appropriate standard for use during official Council business including travel to and from home to Council place of business. Councillors may access a Council vehicle for use on official business.

(e) Private Use of Vehicles

The Mayor will be provided with a fully maintained motor vehicle of appropriate standard for use on Council business and for private purposes. Council will meet all operating costs for the Mayor's Council-owned vehicle. The Mayor's Council-owned vehicle may be driven by the Mayor or an immediate family member.

(f) Telecommunications Needs

Council will pay a Communications Allowance as set out in the Reimbursement Schedule attached to this Policy, payable in fortnightly instalments to Councillors to help defray administrative expenses (eg telephone calls, mobile telephone calls, home internet connection, other network connection costs) paid by Councillors personally in association with their role as a Councillor and to generally address the needs of the local community.

Councillors will provide their own lap top computer, or equivalent device, to assist them in undertaking their role and ensure timely communication with Council. To assist Councillors to comply with this requirement Council will provide an Equipment Allowance as set out in the Reimbursement Schedule Attached to this Policy. This annual allowance will be paid at the commencement of each of Year 1 and Year 3 of the Councillors term.

(g) Insurance Cover

A local government will indemnify or insure Councillors in the event of injury sustained while discharging their civic duties. The local government will pay the excess for injury claims made by a Councillor resulting from conducting official Council business.

(h) Fuel Costs

Fuel for a Council owned vehicle used for official Council business, will be provided or paid for by Council.

9. CLAIMS FOR REIMBURSEMENT

All claims for reimbursement of expenses will be made on the approved form and submitted with original receipts to the Chief Executive Officer for approval.

Failure to comply with this policy, falsifying claims or logbooks or the mis-use of facilities may breach the Local Government Act and/or represent an offence under the Criminal Code and may be referred to the Crime and Corruption Commission.

10. EFFECTIVE FROM

This policy will take effect from the commencement of the fortnight immediately following its adoption by Council. The previous Expenses Reimbursement Policy will cease to have effect at this stage.

11. REPORTING

A report summarising all expenditure in relation to this policy shall be included in Council's Annual Report.

12. DATE OF RESOLUTION

This policy was approved by the Chief Executive Officer and adopted by Somerset Regional Council at the Ordinary Meeting of 27 May 2020.

13. REVIEW

This Policy is reviewed internally for applicability continuing effect and consistency with related documents and other legislative provisions when any of the following occurs:

- The related documents are amended
- The related documents are replaced by new documents
- Amendments which affect the allowable scope and effect of a Policy of this nature are made to the head of power.

Any amendment made through this process is to be approved by the Chief Executive Officer.

<i>Originally Adopted by Council</i>		
Council Decision	Date: 2 April 2008	Doc Id. 559319 (pg 3)
<i>Amendment 1 –</i>		
Council Decision	Date: 11 March 2009	Doc Id. 395341 (pg 62)
<i>Amendment 2 –</i>		
Council Decision	Date: 23 March 2011	Doc Id. 557910
<i>Amendment 3 –</i>		
Council Decision	Date: 13 June 2012	Doc Id. 623870
<i>Amendment 4 –</i>		
Council decision	Date: 11 July 2013	Doc Id. 711676
<i>Amendment 5 –</i>		
Council Decision	Date: 14 May 2014	Doc Id. 755324
<i>Amendment 6 –</i>		
Council decision	Date: 23 June 2016	Doc Id. 892518
<i>Amendment 7 -</i>	Date: 27 May 2020	
Council Decision		Doc Id. 1200092

Signed: 

Dated: 27 May 2020

Reimbursement Schedule

Professional Development Allowance	\$5,000 per term
<i>Vehicle Allowances</i>	
Deputy Mayor	\$19,440 per annum
Councillor	\$15,760 per annum
Incidental Allowance	\$30 per day
Meals - Any meal reimbursements shall not be more than	\$60 per meal
Any meal reimbursements shall not be more than	\$150 per day
Hospitality Expenses (Mayor only)	\$1,000 per annum
Communications Allowance	\$3,670 per annum
Equipment Allowance (Year 1 and Year 3 of each Term)	\$1,550 each 2nd yr

CPI Increases

The amounts prescribed in this section shall apply for the financial year, but shall increase by the CPI (based on the all indexes rate, Brisbane for the March quarter) annually thereafter from 1 July of each year. Allowances shall be rounded to the nearest multiple of \$100."