

Councillor Allowances and Support

COUNCIL POLICY NO. 092

1. POLICY PURPOSE

This policy supports councillors and members of delegated committees to perform their role, as defined in the *Local Government Act 2020* (the Act), by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. This policy also provides guidance on:

- allowances
- entitlements
- processes for reimbursement
- reporting requirements.

The policy is intended to ensure that councillors and members of delegated committees are supported to perform their duties without disadvantage.

2. SCOPE

This Policy applies to:

- councillors of the Gannawarra Shire Council
- members of delegated committees of the Gannawarra Shire Council.

Councillor duties are those performed by a councillor as a necessary part of their role, in achieving the objectives of Council. These duties may include (but are not limited to):

- attendance at meetings of Council and its committees
- attendance at briefing sessions, workshops, civic events or functions convened by Council
- attendance at conferences, workshops and training programs related to the role of councillor, mayor or deputy mayor
- attendance at meetings, events or functions representing Council
- duties in relation to constituents concerning Council business.

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.

3. DEFINITIONS

Carer	As defined under section 4 of the <i>Carers Recognition Act 2012</i>
Delegated Committee	As defined under section 63 of the <i>Local Government Act 2020</i>

4. POLICY

Councillors and members of delegated committees are entitled, under section 40 of the Act, to reimbursement of expenses reasonably incurred in the performance of their duties.

This policy ensures that the reimbursement of these expenses is in accordance with the Act and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the council.

Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that are:

- bona fide expenses; **and**
- have been reasonably incurred in the performance of the role of councillor or member of a delegated committee; **and**
- are reasonably necessary for the councillor or member of a delegated committee to perform this role.

COUNCILLOR'S ALLOWANCES

1. Section 39 of the Act covers allowances for mayors, deputy mayors and councillors. Allowances are set by determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.
2. In accordance with the provisions contained in Australia Tax Office Interpretive Decision 2007/205, Council may enter into a voluntary arrangement with a Councillor under which the Councillor agrees to forego all or part of their Councillors Allowance, including Mayor and Deputy Mayor Allowances if applicable, in exchange for the Council making contributions to Vision Super, or such other complying superannuation fund nominated by the Councillor and agreed to by the Chief Executive Officer, on their behalf of the amount foregone by the Councillor.
3. Mayor and Councillor allowances will be paid by electronic funds transfer, in advance, on a monthly basis.

EXPENSES

Carer and dependent-related expenses

Council will provide reimbursement of costs where the provision of childcare is reasonably required for a councillor or delegated committee member to perform their role. This applies to the care of a dependent, while the councillor or delegated committee member is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable.

Council will provide reimbursement of costs where the provision of carer services is reasonably required when a councillor or delegated committee member who is a carer (see **Definitions**) incurs reasonable expenses in the performance of their duties.

Payments for childcare and carer services will not be made to a person who resides with the councillor or delegated committee member; has any financial or pecuniary interest with the councillor or delegated committee member; or has a relationship with the councillor, delegated committee member or their partner.

General Travel Expenses

1. Council will provide the following to Councillors and delegated committee members attending approved activities and events:
 - a. Breakfast, lunch and dinner (excluding alcohol) within reasonable limits for the duration of the stay;
 - b. Accommodation – appropriate accommodation as selected, after consultation, by the Chief Executive's office. Any additional accommodation costs as a result of the attendance of Councillors or delegated committee members partners or family members will be met by the Councillor or delegated committee member, with the exception of the Mayor's partner;
 - c. Transportation – Council will cover the cost of transportation to, during and from the event. This applies to any of the following forms of travel:
 - i. return economy class air.
 - ii. private vehicle with reimbursement as specified in this policy;
 - iii. economy class train, tram or bus travel; and
 - iv. taxi.
 - v. all overseas travel is to be authorised by resolution of Council.
 - d. Car parking – fees will be reimbursed in respect of hotel/motel parking and airport parking.
2. Reasonable limits - wherever possible, relevant benchmark rates will be utilised for example, the Australian Taxation Office determinations relating to meals, accommodation and transportation.
3. All arrangements are to be handled through the Chief Executive's office.

Seminars, conferences, professional development and training expenses

1. Council recognises the need for Councillors and delegated committee members to attend seminars, conferences, professional development and training in order to be kept fully informed on Local Government matters and to assist them to perform their roles as Councillors and delegated committee members.
2. The annual budget will cover the cost of seminars, conferences, professional development and training attendance by Councillors and delegated committee members including registration, course or sessional fees.
3. Councillors and delegated committee members will be required to submit a written report in respect of any conference or seminar attended except for the ALGA Annual Conference, the Local Government Managers Association National Congress, the MAV Councillor Development Weekend and the VLGA Mayors Weekend. Where more than one Councillor or delegated committee member attends an interstate or overseas conference or seminar, a joint report may be submitted.

Information communication technology expenses

Computer facilities

1. Internet – Councillors will be provided with an internet enabled device to allow access to email and internet.
2. Email – Councillors will be provided with an email account managed by Gannawarra Shire Council.
3. Document management – Councillors are responsible for ensuring all corporate information is forwarded to Gannawarra Shire Council for capturing in the electronic content management system. This refers to, but is not limited to, formal letters in Microsoft Word and emails.
4. Personal use – Personal use of Council provided equipment is permitted as long as it does not affect the primary use of the device, and within the data limits. Councillors will not install any non-approved non-Council products on the device.
5. Further information is available from Council Policy No. 083 – Email, Internet and Intranet and Employee Policy No. 047 – Information Communications and Technology (ICT) Access and Security.

Telecommunications via Smartphone

Councillors have two (2) options regarding provision of Smartphones:

1. Councillors can elect for Council to provide a Smartphone for their Council business use only. The Smartphone is provided on the basis that personal calls are to be kept to a minimum. It is acknowledged that on occasion personal calls may be required, for example when a Councillor is on Council business outside normal business hours. Personal calls in these situations and in urgent and/or emergency situations are acceptable. Personal calls outside the situations referred to above are not permitted.

The Council telephone number will be made available to the public, and should only be answered by the relevant Councillor or the built-in message bank service.

Councillors may be required to reimburse Gannawarra Shire Council for excess charges if this policy is not followed.

2. Alternatively, Councillors may choose to use their own Smartphone i.e. 'Bring Your Own Equipment' and receive a monthly allowance of \$25 as reimbursement for the notional data and phone usage charges relating to Council business undertaken on their own Smartphone. Where a Councillor wishes to use their own Smartphone for Council business, Councillors must make their personal mobile number available for publication. Note; Council takes no responsibility for loss, breakage, failure, repair or misplaced 'Bring Your Own Equipment'.

Information Communication Technology Support

1. The Director Corporate Services will arrange familiarisation training for Councillors in addition to documentation aiding Councillors in relation to using the ICT systems provided. Council will provide Councillors with application specific training where necessary.
2. The Corporate Services Directorate will update the software on each Council provided device. Any non-approved non-Council software will be uninstalled during maintenance.
3. The Corporate Services Directorate will provide ICT support in line with that provided to Council officers.
4. All Council provided equipment is to be returned to the Director Corporate Services on the conclusion of the Councillor's term, or in the event the Councillor resigns from the position earlier.

5. Faulty equipment or issues are to be reported to the Director Corporate Services or Manager ICT as soon as possible. All repairs to equipment can only be undertaken by Council and only apply to Council provided equipment.
6. In the event that equipment is lost, stolen or misplaced, the Director Corporate Services is to be informed as soon as possible to put in place all preventative measures.

Equipment

1. Councillors will be issued with the following equipment:
 - One (1) only iPad, Tablet, Notebook, Laptop or equivalent (with mobile internet capabilities), charger and protective cover
 - A mouse, docking station, up to 2 monitors and headset will be issued upon request to Councillors with a Council issued laptop
 - Mobile telephone and charger (with the exception of councillors choosing to bring their own equipment).
2. Councillors will have access to the following for Council business:
 - Printing equipment
 - Audio visual equipment

Councillors Insignia of Office

Councillors will be provided with the following, upon request:

- Business Cards
- A supply of Council logo metal lapel badges (small)
- A Council tie or scarf
- A Council badge for Councillors

ADDITIONAL FACILITIES FOR THE OFFICE OF THE MAYOR

Mayoral Vehicle

Council will provide at its cost to the Mayor, a fully registered, insured and maintained vehicle for official and personal use during the mayoral term if they so require. The vehicle will be of a similar standard to the vehicle available to the Chief Executive Officer.

Office Support

The Mayor will be provided with appropriate administrative support during normal business hours to undertake the duties of the Mayor.

Travel Expenses and Accommodation

Council will reimburse travelling expenses for the Mayor's partner whilst accompanying the Mayor on official business.

INSURANCE

1. Councillors and delegated committee members are covered by the following insurance policies while performing the duties of civic office including attendance at meetings of external bodies as Council's representative – Personal Accident, Public Liability, Professional Indemnity and Councillors and Officers Liability insurances.
2. Council will pay the insurance policy excess in respect of any claim made against a Councillor or delegated committee member arising from Council business where any claim is accepted by Council's Insurers, whether defended or not.

COUNCIL POOL VEHICLES AND PRIVATE USE VEHICLES

1. When available, Councillors and delegated committee members are required to use a Council vehicle to attend events that form part of the Councillor's or delegated committee member's official duties outside of the Gannawarra Shire Council boundaries.
2. In the absence of a Council vehicle, a **Councillor** will be reimbursed for the use of their own private vehicle for:
 - a. attendance at Meetings of Council and Councillor Briefing Sessions;
 - b. attendance at Delegated Committee meetings;
 - c. attendance at committee or sub-committee meetings of State, Regional or local organisations or bodies where the Councillor has, by Council resolution been elected as a Council delegate;
 - d. attendance at meetings and civic or ceremonial functions convened by the Mayor or the Council;
 - e. attendance at a meeting, function or other official role as a representative of the Mayor;
 - f. attendances at conferences, seminars, professional development and training where the attendance has been approved by the Council or the Chief Executive Officer or delegate;
 - g. travel to and from the airport, rail or bus station or other point where travel to conferences, seminars, professional development and training commences.
3. In the absence of a Council vehicle, a **delegated committee member** will be reimbursed for the use of their own private vehicle for:
 - a. attendance at conferences, seminars, professional development and training where the attendance has been approved by the Council or the Chief Executive Officer or delegate;
 - b. travel to and from the airport, rail or bus station or other point where travel to conferences, seminars, professional development and training commences.
4. Reimbursement for private vehicle use will be paid in accordance with the prevailing 'cents per kilometre' rate prescribed by the Australian Taxation Office as varied from time to time.
5. Council will not reimburse the cost of any infringements incurred by Councillors or delegated committee members.

5. REIMBURSEMENT OF EXPENSES

- a. All Councillor claims must be made on a Councillor Claim Form. The purpose of the expense and how it relates to the duties of a councillor must be clearly stated on the form.
- b. All delegated committee member claims must be made on a Delegated Committee Member Claim Form. The purpose of the expense and how it relates to the duties of a delegated committee member must be clearly stated on the form.
- c. Where the provider of the goods or service is registered for GST, a tax invoice must be obtained and provided (without this the GST component of the cost cannot be reimbursed).
- d. Claims must be lodged on a monthly basis as they are incurred. Claims for expenses during the prior month should be submitted by the last working day of the following month. All claims relating to each financial year are to be submitted by 15 July of the immediately following financial year.
- e. The claim will be reviewed by the Chief Executive Officer against this policy and either approved for payment, returned to the claimant for further information/documentation or rejected if reimbursement of the expense is not provided for in this policy.
- f. Reimbursements will be provided monthly by electronic funds transfer.

6. MONITORING, EVALUATION AND REVIEW

Quarterly reports of all councillor and delegated committee member expenses will be provided to Council's Audit and Risk Committee, in accordance with section 40 of the Local Government Act 2020

The report will include:

- Expenses incurred by Councillors during the quarter
- Reimbursement claims made by councillors during the quarter
- Reimbursements made by delegated committee members during the quarter.

7. RELATED POLICIES AND LEGISLATION

Council policies:

- Governance Rules
- Model Councillor Code of Conduct
- Policy No. 141 - Public Transparency
- Policy No. 074 - Information Privacy and Health Records
- Policy No. 083 – Email, Internet and Intranet.

Legislation:

- *Carers Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Gender Equality Act 2020.*

8. POLICY REVIEW

This policy will be reviewed within the first 6 months of a new Council term.

At the time it was reviewed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006* and the *Gender Equality Act 2020*.

9. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.