

COUNCIL POLICY



Policy name	Councillors and Mayor – Payment of Expenses and Provision of Facilities
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Abstract

Ensure there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors and the facilities provided to assist Councillors to carry out their civic duties are fair and reasonable.

Chapter 9, Part 2, Division 5 of the Local Government Act 1993 defines what fees, expenses and facilities may be paid or provided to Councillors.

Dates	Policy or amendment approved 19 Apr 2017 Policy or amendment takes effect 19 Apr 2017 Policy is due for review (up to 4 years) 19 Apr 2021
Endorsed by	Executive Management Team
Approved by	Gunnedah Shire Council, at its Ordinary Meeting of Council held on 19 Apr 2017 Resolution number: 5.04/17
Policy Custodian	General Manager
Relevant to	Councillors and Mayor, General Manager and management responsible for the processing of claims for reimbursement or the provision of facilities
Superseded Policies	Resolution 5.12/13 of Ordinary Meeting held 18 Dec 2013, Resolution 18.10/15 of Ordinary Meeting held 18 Oct 2015.
Related documents	Division of Local Government Circular 11-27, Guidelines on Payment of Councillor Expenses and Facilities 2009, Council's Code of Conduct, Policy Framework
Related legislation	Local Government Act 1993
File number	1081904

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1. Purpose

- 1.1 To provide clarity and transparency to the public and clear guidance to elected members and staff on the entitlement of elected members and how Council will deal with any payment of expenses or provision of facilities for the Councillors and Mayor.
- 1.2 It aims to facilitate consistent and equitable treatment of each approach, and ensure appropriate resources are allocated.
- 1.3 To ensure that the reimbursement of expenses and provision of facilities to Councillors are only made for and in relation to the discharge of the duties and functions of their civic office; and that any benefit beyond that is only of an incidental nature.

2. Scope

- 2.1 This Policy applies to the payment of any expenses on behalf of, reimbursement of expenses or the provision of any benefits to any and all Councillors and the Mayor.

3. Definitions

Accompanying Person	A person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor.
The Act	Local Government Act 1993.
Council event	A Council event for the purpose of this Policy is one which the attending Councillors were authorised to attend by Council resolution, or where appropriate the authorisation of the Mayor and General Manager. These are in addition to Council's ordinary and extra-ordinary meetings, and may include training and development events, civic events, conferences, briefings, dinners with visiting delegates and workshops. The purpose of

	this is to ensure that control exists over the number and type of events for which the Council may become exposed to expense claims and limits them to those which the attendee is a delegate or alternate appointed by Council resolution.
Expenses	Payments made by Council to reimburse Councillors for reasonable costs or charges incurred, or to be incurred, for discharging their civic functions. All expense to be reimbursed must be outlined in this Policy and may be either reimbursed to a Councillor or paid directly by the Council to a third party. Expenses are separate and additional to annual fees paid to the Councillors and Mayor in accordance with the Act.
Facilities	Equipment and services provided by Council to Councillors to enable them to discharge their civic functions to a standard appropriate to their role.
Function of Civic Office	Function that a Councillor is required to undertake to fulfil their legislated role and responsibilities for Council that should result in a direct benefit for Council and/or the Gunnedah Shire Council Local Government Area.
Incidental use or nature	Use that is casual, occasional or minor incurring minimal cost or time; Happening as a minor accompaniment to the civic functions being carried out by a Councillor.
General Expense Allowance	A sum of money paid by a Council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure within a specific timeframe. This type of allowance is prohibited in this Policy.
The Guidelines	The Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, as released by the Division of Local Government in October 2009 under the provisions of Section 23A of the Act.
Local travel	Travel within the Gunnedah Shire Council Local Government Area.
Meeting	Meetings for which Councillor expenses will be reimbursed for attending include Ordinary and Extra-ordinary meetings of Council within the meaning of the Act, and Committee meetings to which the Councillor is a delegate by resolution of Council. The Mayor's attendance of any Committee meeting is included within this definition.
The Regulation	The Local Government (General) Regulation 2005.
Limits and standards	The Policy sets out the monetary limits to be applied to reimbursement of expenses, and the standards for the provision of equipment and facilities as determined by Council in accordance with the Guidelines. Note: All expense limits quoted within this Policy are exclusive of GST unless otherwise stated.
Token gifts and benefits	Council's Code of Conduct, Clause 8.1 outlines what is generally taken to be included within the scope of token gifts and benefits.

4. Policy principles

- 4.1 Pursuant to Section 252 of the Local Government Act 1993 and Clause 403 of Local Government (General) Regulation 2005, Council will authorise and provide for the payment of expenses and provision of facilities to Councillors, the Mayor and Deputy Mayor in accordance with the following.
- 4.2 Councillors can only receive reimbursement for expenses and the use of facilities when these are clearly identified in this Policy.
- 4.3 The overriding principle within this Policy is that the details and range of expenses paid and facilities provided to Councillors must be clearly and specifically stated and be fully transparent and acceptable to the local community.
- 4.4 Adequate provision must be made within the Policy for Councillors to be reimbursed for actual expenses in the performance of the civic duties, including such examples as training and development, conferences and seminars, travel, childcare, legal expenses and insurance.
- 4.5 Councillors should not obtain private benefit from the provision of equipment and facilities, nor from travel bonuses such as “frequent flyer” schemes or other such loyalty programs while on council business. 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 compensatory payment back to council. Where private use does occur beyond and incidental nature, the Act provides that Council recover a payment from councillors to cover that use.
- 4.6 Appropriate rates for reimbursement and standards for provision of facilities should be included within the Policy. This will include reference to relevant employment award rates, and Australian Taxation Office determinations.

5. Policy statement

- 5.1 Public Notice to Amend or Adopt
 - 5.1.1 In accordance with the Local Government Act 1993, Section 253, Council will give public notice of the intention to adopt or amend this Policy and allow at least 28 days for public exhibition and receipt of submissions.
 - 5.1.2 If Council determines under Section 253(3) by resolution that the proposed amendment is not substantial it need not give public notice. This exemption does not apply to the annual adoptions of the Policy, regardless of whether there are any proposed amendments or the nature of the amendments.

5.2 Time Limit for Payment of Fees and Expenses

5.2.1 A reimbursement of expenses is to be claimed within 45 days of the expense being incurred unless the Council, by resolution, determines that special circumstances exist. In this situation, a claim would need to be submitted within 45 days of the decision of Council.

5.3 Payment of Expenses and Provision of Facilities – General

5.3.1 Councillor expenses may not be used to support attendance by Councillors at political fund raising functions. Council facilities, equipment and services are not to be used by or for Councillors to produce election material or for any other political purposes.

5.3.2 A general allowance for expenses will not be paid. Council will not pay private benefits obtained by a Councillor. Councillors must also, in accordance with the Code of Conduct, avoid any action or situation that could create the appearance that Council resources are being used inappropriately.

5.3.3 Where possible, approval must be sought and gained prior to the expense being incurred.

5.3.4 Where appropriate and requested by a Councillor, and authorised by the Mayor and General Manager, or Deputy Mayor and General Manager in the case of the Mayor, Council will provide an advance payment for the cost of a service associate with discharging a function of civic office. This is to ensure that Councillors are able to fully participate in their civic duties without financial disadvantage. Advance payments must always be reconciled at a future date within 45 days of the expense being incurred, with any residual funds being returned to Council.

5.3.5 In circumstances where it is appropriate for Councillors to give a gift or benefit these gifts and benefits should be of a token value and in accordance with the relevant prevailing policy(s) of Council at the time. Clarification on what token gifts and benefits are can be sourced from Council's Code of Conduct, under Clause 8.1.

5.3.6 Approval for discretionary trips, attendance at conferences and/or for other significant expenses and facilities will occur, where possible, at a full meeting of Council.

5.3.7 Reimbursement of payments made by the Mayor and Councillors will only be made following the completion of a form as set out in Appendix A: Expense Claim Form, and the provision of:

- A tax invoice in the case of expenditure greater than \$50, or
- A receipt or appropriate declaration where a receipt cannot be obtained for expenditure less than \$50.

5.3.8 In accordance with requirements, Council has set monetary limits to all expense provisions in this Policy, where practical and appropriate, as well as standards for the provision of equipment and facilities. A table appearing as Appendix B: Limits and Standards sets out a summary of the monetary limits and standards as determined under the Policy to be applied.

5.3.9 In situations where private use by Councillors, greater than that of an incidental nature, arise from the provision of facilities Councillors will compensate Council in accordance with the appropriate method of reconciliation and reimbursement for that private use as set out in Appendix C: Reimbursement by Councillor for Private Use.

5.3.10 Facilities, equipment or services provided to a Councillor shall be returned to the Council, or terminated where applicable, when an individual ceases to be a Councillor or during an extended leave of absence. The Councillor where practical will be given the option to purchase equipment provided at the greater of an agreed fair market price or written down value.

5.4 Payment of Expenses – Specific items

5.4.1 Attendance at seminars and conferences

- (a) Requests for attending seminars and conferences must be in writing and outline the benefits for Council.
- (b) Where possible, requests must be considered and approved at a full meeting of Council prior to attendance. Where this is not possible, attendance should be authorised by the Mayor and General Manager.
- (c) After returning from the conference the Councillor(s), or a member of Council staff accompanying Councillor(s), should provide a written report to Council on the aspects of the seminar or conference relevant to council business and/or the local community. *Note: no written report is required for the Local Government NSW Annual Conference.*
- (d) Council will pay all seminar or conference registration fees including the costs of related official lunches and dinners, and associated tours where they are relevant to the business and interests of Council.
- (e) Council will meet the reasonable cost of transportation, parking fees, road tolls, accommodation and meals associated with attendance at the conference when they are not included in the conference fees, and they are in accordance with other Policy provisions, approval processes and limits.
- (f) Individual Councillors, including their accompanying persons where appropriate, will be limited to a maximum annual expense cap as set out in Appendix B for these expenses.
- (g) Associated costs for attendance by spouses, partners and accompanying persons will only be met in accordance with the relevant provisions within this Policy – refer Section 5.4.16.

5.4.2 Training and development

- (a) Council will provide for training and development of Councillors to enable them to carry out their civic duties.

- (b) Separate provision will be made within the annual budget for the payment of training and development expenses of Councillors.
- (c) It is essential that where Council is paying these expenses that the training or educational course is directly related to the Councillor's civic functions and responsibilities.
- (d) Council will meet the reasonable cost of transportation, parking fees, road tolls, accommodation and meals associated with attendance at the training and development when they are not included in the training or course fees, and they are in accordance with other Policy provisions, approval processes and limits.
- (e) Individual Councillors will be limited to a maximum annual expense cap as set out in Appendix B for these expenses.

5.4.3 Travel - General

- (a) All travel by Councillors will be undertaken utilising the most direct route and most practicable and economical mode of transport subject to any personal medical considerations.
- (b) Councillors will be responsible for any traffic or parking infringements incurred, whether it is related to their own vehicle or a Council vehicle in their control.
- (c) This will include the use of private vehicles in accordance with the rates advised by the Australian Taxation Office, as set out in Appendix B.

5.4.4 Travel - Local

- (a) Council will pay for or reimburse the reasonable local travel expenses, including use of a Councillor's own vehicle, public transport, hire cars and taxi fares of Councillors relating to carrying out their civic functions or attending a Council event as defined within this Policy.

5.4.5 Travel - Intrastate

- (a) Travel expenses, including flights, outside the Gunnedah Shire Council but within the State of NSW for Councillors carrying out their civic functions or attending a Council event as defined in this Policy will be paid for or reimbursed in the same method as local travel, with the exception that they will require approval prior to travel by the Mayor and where appropriate, Council.

5.4.6 Travel - Interstate

- (a) Travel expenses, including flights, outside the State of NSW for Councillors carrying out their civic functions or attending a Council event as defined in this Policy will be paid for or reimbursed in the same method as local and intrastate travel, with the exception that interstate travel will require a request for approval to be considered and approved at a full meeting of Council prior to the travel being undertaken.
- (b) The request for approval of interstate travel should include full details of the travel, including itinerary, costs and reasons for the travel.

5.4.7 Travel - International

- (a) Travel expenses, including flights, outside of Australia for Councillors carrying out their civic functions or attending a Council event as defined in this Policy

will be paid for or reimbursed in the same method as interstate travel and will require a request for approval to be considered and approved at a full meeting of Council prior to the travel being undertaken.

- (b) The request for approval of international travel should include full details of the travel, including itinerary, nominated Councillor(s), costs, agreed and set limits on expenses, reasons for the travel and a clear outline of the direct and measurable benefits to be derived for Council and the community.
- (c) The use of a mayoral minute to obtain Council's approval is not appropriate as it is not consistent with the principles of openness and transparency.
- (d) After returning from the international travel, the Councillor(s), or an accompanying member of staff, will provide a detailed written report to a full meeting of Council on the aspects of the trip relevant to Council business and/or the local community.
- (e) Any non-Council related components of the travel shall be paid for by the Councillor(s). Where any part of the costs are required to be paid by Council in advance, any portion related to non-Council purposes shall be prorated and reimbursed to Council by the Councillor(s) prior to undertaking the travel.

5.4.8 Accommodation costs

- (a) Accommodation standards to be restricted to "middle of the range" accommodation, subject to comparison of accommodation venues with corporate discounts and availability.
- (b) Should a Councillor elect to utilise a higher standard of accommodation, they shall reimburse Council prior to the stay for the difference in cost.

5.4.9 Incidental expenses

- (a) Reasonable out of pocket expenses or incidental expenses associated with Councillors attending conferences, seminars, training or development courses, other Council events and undertaking civic functions will be reimbursed provided that it can be demonstrated that the expenses were actually incurred and that appropriate reconciliation and procedures are followed as contained in this Policy.
- (b) The Claim Form must include an itemised account of expenditure supported as set out in clause 5.3.7 and Appendix A.
- (c) Incidental expenses which may be associated with Council business per sub-clause "(a)" above will include;
 - Telephone and facsimile call costs
 - Refreshments
 - Internet charges
 - Meals
- (d) A daily limit as set out in Appendix B will apply to all incidental expenses.
- (e) Reasonable expenses for taxi fares, parking fees and tolls will be reimbursed upon presentation of receipts.

5.4.10 Legal expenses

- (a) Council will indemnify or reimburse a Councillor's reasonable legal costs properly incurred only where:

- Legal proceedings are taken against a Councillor in defending an action arising from the performance in good faith of a function under the Local Government Act (refer Section 731) or defending an action in defamation, provided that the outcome of the legal proceedings is favourable to the Councillor, or
 - An inquiry, investigation or hearing is undertaken into a Councillor's conduct by an appropriate investigative or review body, subject to: it arising from the performance in good faith of a Councillor's functions under the Act; the matter having proceeded past any initial assessment phase to a formal investigation or review; and where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor. In the case of a conduct complaint made against a Councillor, legal costs will only be made available where a matter has been referred by the General Manager to an appropriate review body to make formal enquiries into the matter in accordance with the procedures in Council's Code of Conduct. In the case of pecuniary interest or misbehaviour matter, legal costs will only be made available where a formal investigation has been commenced by the Office of Local Government.
- (b) Circumstances where a matter does not proceed to a finding, or in the case of a Councillor's conduct, the investigative or review body finding that an inadvertent minor technical breach has occurred will not necessarily be considered a substantially unfavourable outcome.
- (c) Approval must be sought and gained from the Mayor and General Manager, or Deputy Mayor and General Manager in case of the Mayor, where possible, prior to legal expenses being incurred.
- (d) Council will not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.
- (e) Council will not meet the legal costs of a Councillor seeking advice in respect of a possible defamation, or in seeking a non-litigious remedy for possible defamation.
- (f) Legal costs will not be met for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- (g) Council will not meet the legal costs in relation to any inquiry, investigation or hearing where the finding of the investigative or review body is substantially unfavourable to the Councillor.
- (h) The coverage of legal expenses is limited as set out at Appendix B in respect of each Councillor during any one financial year.

5.4.11 Insurance expenses

- (a) Councillors will receive the benefit of insurance cover for the following:
 - i) Business Travel and Group Personal Accident Insurance Policy – provides death and weekly benefits and travel cover for Councillors and accompanying persons whilst carrying out/travelling on Council business.
 - ii) Councillors and Officers Liability Policy - covers Councillors' liability, Council reimbursements, employment practices liability, statutory liability, supplementary legal expenses, unintentional defamation, libel and slander;
 - iii) Public Liability and Professional Indemnity Policy - covers against negligence and providing incorrect advice.
- (b) This cover is for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions and will be subject to any limitations or conditions set out in this Policy and policies of insurance which are, at the discretion of Council, taken out.
- (c) Councillors using a private vehicle for Council business must carry comprehensive vehicle insurance.
- (d) Council will reimburse any insurance excess payment subject to an accident to a Councillors private vehicle whilst carrying out their civic functions or attending a Council event as defined in this Policy provided the vehicle is operated lawfully and in compliance with this Policy.
- (e) Where a Councillor is without transport during repairs to their private vehicle damaged whilst carrying out their civic functions or attending a Council event, Council will reimburse costs of a hire vehicle or a Council vehicle shall be made available during the period the repairs are being made. The Councillor will be responsible for all fuel costs incurred during this time.

5.4.12 Telecommunication and internet expenses

- (a) In addition to the coverage of incidental expenses as outlined at 5.4.9 Council will provide a mobile phone, or pay for or reimburse the costs of the Mayor and Deputy Mayor for their use of a mobile phone for Council business purposes up to an amount as set out in Appendix B on a monthly basis.
- (b) The Mayor and Deputy Mayor will be responsible for any costs above the maximum as set in Appendix B in addition to any private calls.
- (c) Where the Mayor, Deputy Mayor or Councillor elect to utilise a mobile phone under a private contract on a fixed plan Council will reimburse the cost of the plan up to the maximum amounts as set out in Appendix B, with no requirement for reconciliation of call costs. Any amount above the call plan cap will be borne by the Councillor. This will include data costs above the plan on the mobile device.
- (d) With the provision of other data devices, such as iPads, Council will also pay the costs of data plans to enable their use. The amount covered by Council will be limited to the amounts as set out in Appendix B, and any charges in excess of the established plan, be they private or business related, will be paid for or reimbursed to Council by the Councillor.

5.4.13 Personalised communication expenses

- (a) Council will not cover the expenses of Councillors in relation to any production or dissemination of personalised pamphlets, newsletters or the like.
- (b) Council recognises that regardless of the intention of such activities, they may be perceived as using Council resources for private political benefit, and therefore contrary to the spirit of the Code of Conduct and Local Government Act.

5.4.14 Attendance at Council event expenses

- (a) Council will meet the costs of attendance of Councillors at Council events, within the definition of this Policy, where the expenses are not of a private nature. The coverage of the costs is subject to the limits as set out for relevant expense categories in this Policy in Appendix B for each individual Councillor on a monthly basis.
- (b) No payment will be made by Council for any attendance by a Councillor at any political fund raising event, donation to a political party, a candidate's electoral fund or such other private benefit.
- (c) Where a Councillor appointed by Council as a delegate for an external organisation/Committee, is elected to a higher position (e.g. Chairperson, Executive Member) in that organisation, Council will meet the costs of attendance at events associated with that role as per Appendix B: Limits and Standards.

5.4.15 Care and other related expenses

- (a) Council will make payment for or reimburse Councillors for reasonable costs incurred for care arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members of Councillors in order to allow Councillors to undertake their Council duties as set out within this Policy.
- (b) As outlined in the Guidelines, this is in accordance with the principles of participation, access and equity and is considered by the Division of Local Government to be a legitimate expense.
- (c) The payment for or reimbursement of these expenses are subject to the limits as set out in Appendix B.
- (d) Reimbursement does not apply where the care is provided by immediate family members including family, spouse or partner.
- (e) Council will give consideration to the payment of other related expenses associated with the special requirements of Councillor(s) with disability and access needs, including reasonable transportation provisions for those unable to drive a motor vehicle, to allow them to perform their normal civic duties and responsibilities. These costs may include accommodation, meals and travel expenses for carers, accompanying a Councillor where required.

5.4.16 Expenses for spouses, partners and accompanying persons

- (a) There will be limited occasions where Council will meet the costs of attendance for a Councillor's spouse, partner or accompanying person, as defined within this Policy. Such occasions include:
- (i) Attendance at official Council functions that are of a formal and ceremonial nature and within the Gunnedah Shire Council Local Government Area where a spouse, partner or accompanying person could reasonably be expected to attend; such as Australia Day Award Ceremonies, Citizenship Ceremonies and Civic Receptions;
 - (ii) Attendance at the Local Government NSW Annual Conference, but limited to registration and official dinner costs. Any additional accommodation or tour costs will be met by the Councillor.
 - (iii) When the Mayor is called upon to attend official functions outside the Council area (but within NSW). Such functions may include charitable functions, award ceremonies and other functions to which the Mayor has been invited as a representative of Council. Payment will be confined to the entry fee, meal and other direct costs of attending the function.
 - (iv) Where a Councillor has been asked to represent the Mayor (when not available) at official functions outside of the Council area (but within NSW). The Councillor's spouse, partner or accompanying person will be entitled to the same spouse/partner/accompanying person expenses as outlined in (iii) above.
- (b) Any costs outside of those identified above will not be met by Council.
- (c) The expenses met for a Councillor's spouse, partner or accompanying person will be subject to, and taken to form part of the amount up to, the limit as set out in Appendix B for the relevant category.

5.5 Provision of Facilities, Equipment and Services – all Councillors

5.5.1 Council will supply Councillors with an appropriate tablet, such as an iPad, for Council business. This Policy makes provision for data plan expenses in Section 5.4.12.

5.5.2 Council will supply Council business cards, name tags and appropriate stationary to support Councillors in their civic duties and in the representation and promotion of Gunnedah Shire Council and its community.

5.5.3 Council will provide a Councillor with a non-dedicated vehicle for use related to their civic duties, or reimburse them in accordance with travel provisions within this Policy for the use of their own vehicle. Any non-incidental private use of a Council vehicle during its availability to a Councillor will be recorded by the Councillor and reimbursed in accordance with appropriate rates as set out in Appendix C.

5.5.4 Council will provide Councillors with meals and refreshments in relation to meetings and briefings for Council business.

- 5.5.5 Council will provide Councillors with protective clothing where required in the carrying out of their civic duties.
- 5.5.6 Council will provide in-house or Council hosted training, briefing and professional development opportunities as required to enable the discharge of the civic functions, in addition to the provisions for expenses identified at Sections 5.4.1 & 5.4.2.
- 5.5.7 Council will provide administrative support and service to the Councillors as required through the office of the General Manager, which enables them to appropriately carry out their civic duties. Council will not provide any support or assistance in relation to a Councillor's election or candidacy.
- 5.6 Provision of Facilities, Equipment and Services – Mayor
- 5.6.1 Provision of a Mayoral vehicle
- (a) Council will provide the Mayor with a dedicated fully serviced and maintained vehicle, along with a fuel card, for Council business use. Any use which is private and more than of an incidental nature will be reimbursed to Council.
- (b) The motor vehicle to be provided will be within the standards and monetary limits as set out in Appendix B.
- (c) The Mayor will complete a monthly declaration in relation to the use of the vehicle and be responsible for declaring any non-incidental private use including a record of the private kilometres travelled. The reimbursement will be calculated and charged in accordance with the appropriate rate as set out in Appendix C.
- 5.6.2 Provision of Mayoral robes and laundering
- (a) Council will provide the Mayor with Mayoral robes and cover the reasonable costs of laundering of the robes.
- 5.6.3 Provision of dedicated staff support
- (a) Council will provide the Mayor, through the office of the General Manager, with dedicated support by staff, including secretarial services, for Council business purposes.
- 5.6.4 Provision of furnished office
- (a) Council will provide for the Mayor's use in discharging their civic duties an appropriately furnished office, and any necessary office equipment.
- 5.7 Maintenance and Servicing of Equipment
- 5.7.1 Servicing and repairs to all Council provided equipment will be co-ordinated through Council's IT Help Desk facility during business hours.
- 5.7.2 All servicing and repairs to any privately owned equipment will be the responsibility of the individual Councillor irrespective of whether it is used for Council related business.

5.8 Approval Arrangements

- 5.8.1 Notwithstanding any other provisions within this Policy, significant or potentially contentious expenses will require prior approval at a full meeting of the Council (eg legal expenses or discretionary trips and conferences). All expenses of a less significant nature will require approval by two people, being the Mayor and General Manager, or where it relates to the Mayor's expenses, the Deputy Mayor and General Manager.

5.9 Approval and Dispute Resolution Process

- 5.9.1 Councillors are required to complete a claim for expenses incurred in the carrying out of their civic duties as set out in Appendix A. This includes the claiming of expenses for spouses, partners and accompanying persons.
- 5.9.2 Should there be a dispute on the claiming of expenses, this is to be initially determined by the General Manager, Mayor and Deputy Mayor. If the dispute is unresolved, then a determination is to be made at a full meeting of Council.

6. Accountability, roles and responsibilities

6.1 Policy Custodian – General Manager

The Policy Custodian is the officer accountable for managing compliance with this Policy and initiating its review process. They will also have the responsibility for all aspects of Policy implementation, unless appropriately delegated to another officer. These responsibilities include being the primary contact point for advice on this Policy or its implementation; establishing and maintaining Council's records in relation the Policy; proposing amendments; and managing the consultation process when the Policy is due for review.

6.2 Authority

No authority to depart from this Policy is granted to any person. All actions and decisions must be in accordance with this Policy and all policies relating to the provision of financial assistance, either pre-existing or to be developed must conform to the requirements of this Policy. The application of this Policy can only be varied by Council.

7. Acknowledgements

- 7.1 The following acknowledgements are made recognising organisations or documents that have provided a basis, instructive comment or templates that have been used to develop this Policy:
- (a) Tamworth Regional Council Payment of Expenses and Provision of Facilities to Councillors Policy;
 - (b) Sutherland Shire Council Policy for the Payment and Expenses and Provision of Facilities to the Mayor and Councillors;

- (c) Wollongong City Council Payment of Expenses and Provision of Facilities to the Lord Mayor and Councillors Policy;
- (d) Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW – Division of Local Government Department of Premier and Cabinet October 2009.

8. Version control and change history

Date	Version	Approved by & resolution no.	Amendment
5 Apr 1995	1	108	Legislative amendment
17 Jul 1996	2	7.4	Legislative amendment
6 Oct 1999	3	72.1	Legislative amendment
21 Jun 2000	4	404.3	Legislative amendment
17 Nov 2006	5	106.1	Legislative amendment
18 July 2007	6	13.3	Rescinded
17 Dec 2009	7	138.4	Legislative amendment
17 Nov 2010	8	112.4	Legislative amendment
18 July 2012	9	11.10	Revision for travel expenses and approvals
17 Oct 2012	10	86	Exhibited policy adopted
19 Dec 2012	11	231	Full review of policy
18 Dec 2013	12	5.12/13	Legislative amendment
19 Nov 2014	13	11.11/14	Revision of insurance coverage
15 Feb 2017	14	5.04/17	Review of Policy

9. Appendices

Appendix A: Expense Claim Form

Appendix B: Limits and Standards

Appendix C: Reimbursement by Councillor for Private Use

Appendix B - Limits and Standards

Item	Policy Reference	Limit / Standard
Seminars and conferences	5.4.1	\$3,000 pa
Training and development	5.4.2	\$3,000 pa
Travel using own vehicle	5.4.3	Per ATO
Accommodation costs – mid-range	5.4.8	Per ATO
Incidental expenses		
- Telephone and facsimile calls, refreshments, internet charges	5.4.9	Per ATO
- Meals	5.4.9	Per ATO
Legal expenses	5.4.10	\$1,500 pa
Telecommunication expenses	5.4.12	
- Mobile phones (including data costs)		
- Mayor		\$95 per month
- Deputy Mayor		\$95 per month
- Councillors		\$65 per month
Note: Where phones are provided by Council on a corporate plan, the Councillor will be required to keep a log of private calls and reimburse Council for those as well as anything exceeding the monthly cap. Where the phone is owned by the Councillor and under a private capped plan, Council will reimburse the plan cost up to the maximum monthly limit and no log of calls will be required. Phones provided by Council remain the property of Council.		
- Council provided Tablet devices – data plans	5.4.12	\$60 per month
Care and other related expenses	5.4.15	Up to \$15 per hour
- and up to a maximum of		\$1,500 pa
Mayoral vehicle	5.6.1	
- A vehicle with purchase price of up to		\$55,000
- Fuel and servicing		\$340 per month
- private km's of more than incidental nature to be reimbursed to Council based on monthly declaration at the rate of:		Per Policy

pa – per annum, based on financial year

Per ATO – value equivalent to the current Australian Taxation Office Taxation Determination

Per Policy – value as outlined within Schedule 3 of Council's Vehicle Fleet Policy.

Appendix C – Reimbursement by Councillor for Private Use

Item	Policy Reference	Amount
Telecommunication expenses - Mobile phones (including data costs) - To be reimbursed based on actual costs of private items for Council provided phones by identification of each private item on the bill. - Tablet devices – data plans - Any costs above the data plan limit to be reimbursed by the Councillor whether business or private	5.4.12	
Use of a council vehicle - private km's of more than incidental nature to be reimbursed to Council based on monthly declaration by the Mayor, or in the case of a Councillor provided a Council vehicle, based on the log book indicating private kilometres at the rate of:	5.5.3 & 5.6.1	Per Policy

Per Policy – Value as outlined within Schedule 3 of Council's Vehicle Fleet Policy.