

Council Expenses Policy

2020

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1 Purpose

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

- 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 Context and Scope

The Council expenses policy (Local Government Act 2020, s41) outlines the procedures and policy for reimbursement of out-of-pocket expenses of councillors and members of delegated committees.

This policy applies to:

- Councillors of Nillumbik Shire Council.
- Members of delegated committees of Nillumbik 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 A carer is defined under section 4 of the Carers Recognition Act 2012.

Delegated committee Delegated committees are defined under s63 of the Local Government Act 2020.

4 Expenses eligible for reimbursement

Councillors and members of delegated committees are entitled, under section 40 of the Local Government Act 2020 (the Act), to reimbursement of expenses reasonably incurred in the performance of their duties.

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; and
- are reasonably necessary for the councillor and member of a delegated committee to perform this role.

4.1 Carer and dependant-related expenses

Council will provide reimbursement of costs where the provision of childcare is reasonably required for a councillor or member of a delegated committee to perform their role (s 41(2)(c)).

This applies to the care of a dependant, 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 (s 41(2)(d)).

Payments for carer and childcare 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.

4.2 Travel expenses

Travel expenses will be reimbursed to Councillors under the following circumstances:

- To attend Ordinary and Extraordinary Council meetings and meetings of Special or Advisory Committees of Council;
- To attend formal briefing sessions and other meetings relevant to Council business as arranged by Council or the Mayor;
- To attend civic or ceremonial functions convened by the Council or the Mayor;
- To attend a meeting, deputation, function or other official role attended as a representative of the Council or the Mayor;
- To attend meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed Council delegate or is authorised by Council (however the reimbursement by Council is to be reduced accordingly if the relevant organisation pays any of the costs);
- To attend to inspect a street, property or area, or to discuss with any person any matter relevant to Council, and/or to attend to carry out activities in the capacity of a Councillor;
- To meet with Council Officers on any matter relating to the Shire.
- Where required to safely return home.

Costs for public transport, parking, taxis and tolls will be reimbursed upon production of a receipt. Any costs for driving or parking fines are the personal responsibility of the driver, and will not be reimbursed.

Travel must be undertaken in the most direct and cost effective manner. Claims will only be paid on the basis of the actual form of transport used. Taxis should only be used for travel to an airport, or if private car use is not the most cost-effective form of transport.

Any time occupied in activity other than authorised Council business is not to be included in the calculation of any expenses to be paid.

The rate for reimbursement for motor vehicle expenses shall be based on the Australian Taxation Office rates, as determined for the relevant financial year.

Cabcharge vouchers may be issued to Councillors where taxi represents the most appropriate mode of transport, as an alternative to the Councillor being reimbursed for the cost of travel.

4.3 Stationery

Council will provide all Councillors with standard stationery supplies including paper, pens, writing pads, envelopes and computer consumables.

Individualised Councillor business cards (standard template) will be provided by Council.

Requests for stationery should be made to the Executive Assistant in Executive Services.

Councillors may occasionally need additional stationery at short notice. If this is purchased by the Councillor, then the cost will be reimbursed provided that a receipt is provided, and that the cost, amount and type of stationery purchased is consistent with Council practice.

4.4 Conferences, seminars and training

Conferences and Seminars

Councillors must obtain formal approval by Council resolution for costs involved with their attendance at any conferences or seminars held overseas.

Councillors who attend approved conferences or seminars shall have all reasonable expenses for transport, accommodation and registration fees relating to the conference or seminar paid for them by Council.

Councillors who wish to make their own arrangements for flights or accommodation shall be reimbursed up to the equivalent cost of an economy-class airfare and the value of the standard room rate at a convenient hotel/motel, or the cost of these alternative arrangements paid by Council.

Expenses for meals, refreshments, telephone calls, parking and taxi fares incurred whilst attending such events, shall be reimbursed by Council following the conference or seminar upon completion of a claim form with the receipts.

Functions and Events

Council recognises that participation in local and regional civic and community functions and events helps Councillors to engage with the community and advocate on behalf of Nillumbik.

In both local and external function situations, Council will reimburse reasonable costs associated with the formal duty of representing Council for the Mayor and Councillors and their respective partners.

Formal Training

Councillors who wish to enrol in formal accredited training courses, and obtain Council reimbursement for course costs. Approval will be subject to consideration of the relevance of the training course to the duties of the Councillor, and the cost of the course relative to the available budget.

Councillors are encouraged to complete the Australian Institute of Company Directors (AICD) course. Councillors do not require Council approval for enrolment within this course. Enrolment in AICD will be coordinated by the CEO in consultation with the Mayor to stage enrolments over the Council term to assist in managing the budget.

Budget allocations for conferences, seminars, functions, events and training

The budget will provide an annual allocation for Councillors' participation in conferences, seminars, functions, events and training. This will be based on an amount equal to a fixed percentage of the Mayoral and Councillor allowances.

Section 39 of the Act covers allowances for Mayors, Deputy Mayors and Councillors. Under new arrangements, allowances will be set by determination of the Victorian Independent Remuneration Tribunal. The current arrangements will remain in place until the first determination of the Tribunal.

Each Councillor (other than the Mayor) will be allocated an amount equal to 20 percent of the Councillor allowance. The Mayor will be allocated an amount equal to 10 percent of the Mayoral allowance. Allocations will be based on the Mayoral year (i.e. November to October).

Any Councillor wishing to spend more than their allocation will require approval via a Council resolution.

AICD course fees will be additional to the annual professional development allocation for Councillors.

Councillors' annual membership of the AICD or other relevant organisations will be paid by Council and will count towards that Councillor's annual allocation.

4.5 Other expenditure

Any expenditure not specified above for which a Councillor seeks reimbursement or payment by Council shall be the responsibility of the Councillor, except if Council resolves otherwise.

5. Resources

5.1 Office and administration support

Council will provide an office for the Mayor at the Civic Centre for the purpose of conducting Mayoral duties and work stations for Councillors to access.

Office facilities will also be available in the Councillors' Lounge for all Councillors to access computer and printing equipment, and for reading and meeting preparation.

The Executive Services unit will provide administration support for the Mayor and Councillors in terms of assistance with correspondence, scheduling of meetings and other Council-related tasks.

5.2 Apparel

The Council shall, upon request, provide Councillors with any protective clothing (e.g. safety vests) required to assist in carrying out the duties of office. This clothing is to be returned promptly upon the completion of the activity.

5.3 Computer and communication equipment

Each Councillor will be provided with a standard suite of computer and communications equipment and services to help them to perform their role as a Councillor.

Councillors are required to sign a statement confirming that they have been supplied with the equipment, and acknowledging their understanding of this policy in regard to the use of computer and communications equipment and services.

All use of this equipment is to be in accordance with the Nillumbik Governance Code (incorporating the Councillors' Code of Conduct), and the Acceptable Use Guidelines for Computer and Communications Equipment (as included in this policy).

Download limits and data allowances for broadband and mobile connections will be per current contractual arrangements with Council's telecommunications provider. Excess usage will attract additional costs to Council. The allowable limits are considered to be ample for the purposes of Council business, and therefore any costs for excess usage will be charged to the Councillor.

5.4 Security Passes

Councillors will be provided with security passes that enable access to the Civic drive offices. Councillors are responsible for the safe custody of these cards.

5.5 Legal advice

Council will be responsible for obtaining and meeting the costs of any legal advice needed by the organisation as a whole.

Councillors will be responsible for the costs of any legal advice that they seek as individual Councillors, unless Council resolves otherwise.

Councillors may be entitled to claim their individual legal expenses against the Councillors' liability insurance policy held by Council however this will depend upon the circumstances.

5.6 Standard equipment

Council will meet the purchase, installation, maintenance and consumable costs for standard hardware, and Council Information Technology staff will provide technical support. This suite of equipment will include:

- a mobile phone with email access (iPhone)
- a tablet
- a laptop

In addition to the standard suite of equipment, the following will be available for individual Councillors upon request: a separate monitor, docking unit, keyboard and mouse.

Software provided with the tablet/ laptop device will include Microsoft Operating System, Microsoft Office applications, Internet Explorer, and anti-virus and printing software. Applications for the computer will be installed by Council where these relate to Council business.

Each Councillor will be provided with an individual email address (name@nillumbik.vic.gov.au) for use for Council business.

5.7 Standard services

Each Councillor will be provided with standard computer and communications services, for which Council Information Technology (IT) staff will provide technical support. This will include:

- An internet connection (for the tablet/ laptop device and mobile phone)
- A mobile phone service.

Alternatively, Councillors may seek to be reimbursed for the use of their personal devices and services:

- Up to \$25 per month in arrears for internet connection
- Up to \$50 per month for a mobile phone service.

5.8 Non-standard equipment and services

If a Councillor prefers to purchase or use their own equipment then this will be at their expense. Costs will not be reimbursed by Council and the Councillor will be solely responsible for any technical or software support required.

5.9 Services use when overseas

If Councillors are travelling overseas and need to be able to be contacted via their Council mobile phone during this time, then special arrangements need to be made with the IT unit at least two weeks prior to their departure.

5.10 Lost or damaged equipment

If any computer or communications equipment is lost or damaged while allocated to a Councillor, then this should be reported to the Executive Assistant who will arrange for Council's IT staff to replace or repair the equipment.

The costs of replacement or repair will be included in the register of Councillor's expense claims. This will not apply if the replacement or repair is caused by a technical fault with the equipment.

5.11 Mayoral Vehicle

The Mayor elect may request that a mayoral vehicle be provided for their use.

A standard fleet vehicle, Hyundai Ionic Hybrid vehicle (or similar, subject to availability), that is white, will be provided for use during the mayoral term. The model will not require a charging station.

6. End of Councillor's service

At the end of a Council term all Councillors who resign or are not re-elected must return all Council computer and communications equipment within one week of the resignation or election date.

All services that are registered with service providers under the name of Nillumbik Shire Council will be disconnected one week after the election or resignation date. Software provided by Council will be deleted from computers as this is subject to user licence conditions.

Former Councillors are entitled to retain electronic and paper records from their period of service. However it must be noted that any confidential information must continue to be kept confidential pursuant to the Act 2020.

The individual email address provided to each former Councillor will be cancelled within one week of the election or resignation date.

A former Councillor who wishes to retain the hardware (mobile phone, tablet or laptop) provided by Council can do so by purchasing the item(s) at the written down value of the equipment.

A former Councillor who wishes to retain the Council mobile telephone number for their future personal use can have this number transferred to a personal mobile phone account.

7. Procedures

Making a claim for reimbursement

- a) All claims must be made on the approved expense reimbursement form, found within this policy and available from the Finance department.
- b) Original receipts must be attached for all claims
- 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) Reimbursements will be provided monthly by electronic funds transfer.

8. Monitoring, evaluation and review

Quarterly reports of all councillor and delegated committee member expenses will be provided to Council, and Council's Audit and Risk Committee.

The report will include:

- expenses incurred by councillors during the quarter
- reimbursement claims made by councillors during the quarter
- reimbursements made by councillors during the quarter.

Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation.

A periodic review of the policy will be undertaken to ensure any changes required to strengthen or update the policy are made in a timely manner.

9. Related Policies and Legislation

Council policies:

- Governance rules
- Public transparency policy
- Governance framework
- Information privacy policy

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 Equity Bill 2020

REVIEW

Date Adopted: August 2020

Date of Next Review: August 2024

Attachments

- Attachment 1 Acceptable Use Guidelines for Computer and Communications Equipment
 Councillor Agreement for the use of Council Information Technology equipment
- Attachment 2 Councillor Travel Claim Form
- Attachment 3 Councillor Carer Expenses Claim Form
- Attachment 4 Councillor General Expenses Claim Form

Nillumbik Shire Council

Acceptable use guidelines for computer and communications equipment

Access and security

Computer systems and communications equipment supplied to Councillors and Council officers by Council are for Council business purposes, and are to be used in a safe, ethical and lawful manner and in accordance with organisational policies and relevant legislation.

Users are only authorised to use information and systems for which they have been granted access. Users must not divulge information which is confidential and must comply with the legal implications of copyright, intellectual property rights and privacy legislation, and have due regard for defamation and libel laws.

Software, code or scripts must not be downloaded from the internet. Users should not write, generate, compile, copy, collect, transmit, execute or attempt to introduce any computer code to any system or download software, code or scripts from the internet. Users who believe their equipment has a virus should not try to get rid of it but call the IT Helpdesk.

Any mail message or attachment that has not been received from a trusted source should not be opened and should be deleted.

Computer equipment left unattended (even if for only a short time) must be protected by a password. Equipment should not be left in the car where it can be seen by others. Computer equipment and mobile phones must not be loaned to anyone (even family) and care must be taken to protect equipment from loss or damage

Treat equipment with care. Do not drop them or submit them to extreme hot or cold temperatures, liquids or dirt. Protective covers will be supplied for portable devices and should be correctly used.

Always use a password that is secure by including capital letters, numbers and other characters. Never disclose passwords to anyone, and do not write down passwords. Do not use the 'remember password' option on applications such as email or the internet.

Computer and communications equipment

Computers and mobile phones must not be used to harass, discriminate against or victimise any other person or for illegal or unethical purposes.

Computer equipment, mobile phones and portable devices must not be modified in any way. If equipment is broken please contact the IT Helpdesk.

Use of computer equipment and mobile phones supplied by Council is monitored on an ongoing basis. All equipment remains the property of Council and Council reserves the right to conduct equipment inspections.

Formal applications ('apps') for the tablet computer and mobile phone may be downloaded by users from official sites however Council will not provide technical support for apps that are not related to Council business. Users are not permitted to load other games or software applications (including ringtones) onto computer equipment or mobile phones. All software must be loaded by the IT Helpdesk.

Data and information created, saved, transmitted or archived on Council equipment remains the property of Council. Data and information stored on laptops must be backed up so that it is not lost if the equipment is stolen or damaged.

Council equipment is not to be used for electioneering purposes.

Email and internet use

Use of emails, the internet or social media for Council business purposes must comply with the Governance Code, Media Protocol and other relevant policies and laws.

Councillors should not publish information that purports to be on behalf of Council on any website or social media site. Council has procedures for publishing and managing such information to ensure that it is current and accurate. Contact the Executive Manager Governance and Communications with any queries.

Councillors who publish information in their individual capacity in emails or on websites or social media, should be take care to distinguish between Council's official position and their own personal views to avoid any confusion.

If emails received or sent by a Councillor require a Council decision or action, the email should be forwarded to Executive Services for attention and for registration as formal correspondence to Council.

Do not use the email system to send emails to large numbers of recipients ('spam') or to transmit objectionable material.

Users of a Council provided computer or mobile phone are not permitted to use or download content from websites that in any way involves pornography or may debase, defile or discriminate or is militant or includes other content that may cause offence to anyone.

Nilumbik Shire Council

Councillor agreement for the use of Council computer and communications equipment

I acknowledge that the following equipment has been supplied to me by Council:

- Laptop/ Tablet computer
- Mobile phone

In receiving and operating Council computer and communications equipment, I acknowledge, understand and will adhere to the following:

- Council Expenses Policy 2020
- Nilumbik Governance Code (incorporating Councillor Code of Conduct)

Councillor name	
Signature	
Date	

Nillumbik Shire Council

Councillor Travel Claim Form

Councillor name	
Type of vehicle	
Account	0601.0015

Date	Starting odometer reading	Finishing odometer reading	Total kilometres	Reason for journey
Total kilometres travelled				

I certify that the expenses claimed herein were actually incurred by me in attending meetings of Nillumbik Shire Council and meetings and/or events as a result of an activity authorised by the Council, or reasonable expenses incurred in carrying out my duties as a Councillor in accordance with section 40 of the Local Government Act 2020, and exclude items of a personal nature.

Signature	
Date	

Finance Use Only

Reviewed for reasonableness:

Signature	
Date	

Nillumbik Shire Council

Councillor Carer Expenses Claim Form

Councillor name	
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Date	Reason carer required	Total hours	Amount
Total			

I certify that the expenses claimed herein were actually incurred by me in attending meetings of Nillumbik Shire Council and meetings and/or events as a result of an activity authorised by the Council, or reasonable expenses incurred in carrying out my duties as a Councillor in accordance with Section 40 of the Local Government Act 2020, and exclude items of a personal nature.

Signature	
Date	

Finance Use Only

Reviewed for reasonableness:

Signature	
Date	

Nillumbik Shire Council

Councillor General Expenses Claim Form

Councillor name	
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Date	Details of expense	Amount	Receipt attached (yes/no)
		Total	

I certify that the expenses claimed herein were actually incurred by me in attending meetings of Nillumbik Shire Council and meetings and/or events as a result of an activity authorised by the Council, or reasonable expenses incurred in carrying out my duties as a Councillor in accordance with section 40 of the *Local Government Act 2020*, and exclude items of a personal nature.

Signature	
Date	

Finance Use Only

Reviewed for reasonableness:

Signature	
Date	

