

7.16 Adoption - Councillor and Member of a delegated committee Expenses Policy

Abstract

The *Local Government Act 2020* (Act) requires Council to adopt a policy by 1 September 2020 in relation to the reimbursement of out-of-pocket expenses for councillors and members of delegated committees.

Council previously adopted the Councillor Support and Resources Policy on 26 August 2019 under the provisions of the *Local Government Act 1989*. This policy has been reviewed in accordance with the requirements of the new Act and renamed the Councillor and Member of a delegated committee Expenses Policy.

Officers have identified a number of changes which are considered prudent to incorporate in the Councillor and Member of a delegated committee Expenses Policy (proposed Policy) based upon the requirements of the new Act.

The proposed Policy was endorsed by Council for the purpose of community engagement on 20 July 2020. At the Services Special Committee meeting on 17 August 2020 it was noted that no submissions had been received in regard to the proposed Policy. The proposed Policy is now before Council for adoption.

Officers' recommendation

That Council resolve to adopt the Councillor and Member of a delegated committee Expenses Policy 2020 (as annexed to the Minutes).

Responsible director: **Phillip Storer**
 Chief Executive Officer

1. Purpose

The purpose of this report is to present the proposed Councillor and Member of a delegated committee Expenses Policy (proposed Policy) for adoption.

2. Policy implications and relevance to community plan and council plan

This report is consistent with the strategy within the Council Plan 2017-2021, in particular strategy 7.2 which states *“Ensure transparent decision making through open governance processes”*.

It also supports Strategic Objective 7 of the Boroondara Community Plan 2017-2021, to *“Ensure that ethical, financial and socially responsible decision making reflect community needs and are based on principles of accountability, transparency, responsiveness and consultation.”*

3. Background

The *Local Government Act 2020* (Act) provides councillors and members of a delegated committee are entitled to be reimbursed for bona fide out-of-pocket expenses incurred while performing their role and are reasonably necessary to perform that role.

In addition the Act provides Council must make available to the Mayor and councillors the resources and facilities reasonably necessary to enable them to effectively perform their role. This includes consideration must be given to the support which may be required by a Mayor, Deputy Mayor or councillor because of a disability and have particular regard to the support which may be required by a councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012* (CR Act).

The Act requires the Policy to:

- specify procedures to be followed in applying for reimbursement and in reimbursing expenses; and
- provide for the reimbursement of child care costs where the provision for child care is reasonably required for a councillor or member of a delegated committee to perform their role; and
- have particular regard to expenses incurred by a councillor who is a carer in a care relationship within the meaning of the CR Act.

The Policy must also comply with any requirements prescribed by regulations in regard to reimbursement of expenses however, it is noted at this time no such regulations have been made.

Under the Act Council is required to provide details of all reimbursements for out-of-pocket expenses made to a Councillor and a member of a delegated committee to the Audit and Risk Committee.

The proposed Policy is not intended to prescribe for every possible situation that may arise. Should a situation arise that is not adequately covered by the proposed Policy, the matter will be referred to Council for determination by resolution.

4. Outline of key issues/options

The proposed Policy is at **Attachment 1**. The Policy has been drafted to meet the prescribed requirements in the Act to reimburse councillors and delegated committee members for out-of-pocket expenses and to strengthen and reinforce Council's commitment to providing equitable and adequate resources and facilities which are reasonably necessary to enable the Mayor and councillors and member of delegated committees to effectively perform their role.

The proposed Policy was endorsed by Council for community consultation on 20 July 2020. No submissions were received from the community in regard to the Policy. No changes have been made to the proposed Policy since it was endorsed by Council for community consultation. Adoption of the proposed Policy will ensure compliance with the 1 September 2020 deadline which is specified in the Act.

5. Consultation/communication

In developing the Policy consideration was given to the community engagement principles as defined by the Act. The proposed Policy was endorsed for public consultation commencing on 22 July 2020 and closing at 5.15pm on 6 August 2020.

The opportunity to make a submission was advertised through a public notice which was published in The Age newspaper and on Council's website. The opportunity to provide a submission was also advertised via the 'Have Your Say' section on Council's website.

No submissions were received.

When adopted by Council, the Policy will be made available on Council's website and intranet, for inspection at the Council offices, a copy will be provided to each Councillor. In the future if no Councillor members of a delegated committee are appointed they will also receive a copy of the Policy.

6. Financial and resource implications

The Council approved budget each year includes provisions for facilities, support and resourcing of the Mayor and councillors including the reimbursement or payment by Council of reasonable bona fide expenses.

Provision is made in the Governance Department budget for anticipated costs of providing support and resources to meet expense claims made under the Policy however expenditure is subject to the level of claims made in each year.

7. Governance issues

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

Aspects of the Policy intersect with the entitlement to participate in public life prescribed by the Charter however changes to the Policy are considered to advance, rather than infringe upon the prescribed right.

The officers responsible for preparing this report have no direct or indirect interests regarding disclosure.

Based on verbal legal advice from Maddocks Lawyers, Councillors do not have a conflict of interest in making a decision to adopt this Policy.

8. Social and environmental issues

Councillors are elected to represent and serve their community. The proposed Policy encourages transparency and accountability and meets Council's statutory requirements. This will reinforce public confidence in the integrity of Council's decision making processes and in Council's ability to ensure good corporate governance within the municipality.

Manager: David Thompson, Manager Governance

Report officer: Celia Robinson, Coordinator Governance

Councillor & Member of a delegated committee Expenses Policy 2020

TBC August 2020

Responsible Directorate: <Directorate name>

Authorised By: <Council or ELT>

Date of Adoption: <Date>

Review Date: <Date>

Policy Type: <Administrative or Council>



Table of contents	
1	Introduction 3
2	Travelling expenses and costs..... 7
3	Communication equipment, expenses and costs..... 9
4	Conferences, seminars, training and professional development 11
5	Representing Council 13
6	Attendance by spouse / partner at seminars, conferences and civic functions.. 14
7	Accommodation costs..... 15
8	Stationery 15
9	Apparel 15
10	Carer in a care relationship..... 16
11	Childcare 16
12	Support for a Councillor with a disability 17
13	Legal fees 17
14	Professional memberships and subscriptions..... 18
15	Miscellaneous support and expenses..... 18
16	Mayoral vehicle..... 20
17	Access to office / meeting spaces..... 20
18	Administrative support for the Mayor and Councillors..... 20
19	Councillor websites..... 21
20	Ward meetings..... 21
21	Insurance policies..... 21
22	Other expenditure not specified..... 22
23	Mayor, Deputy Mayor and Councillors allowances 22
24	Members of the Audit and Risk Committee 22
25	Submission of claims for reimbursement..... 22
26	Reporting of Councillor and member of a delegated committee reimbursements . 24
27	Mayoral and Councillor gifts 24
28	External member of a delegated committee gifts..... 25
29	References 25
30	Definitions..... 25

1 Introduction

1.1 Purpose

The purpose of this policy is to establish:

- Reimbursement of reasonable bona fide out of pocket expenses for councillors and members of a delegated committee while performing that role.
- Entitlements to professional development support and resources for councillors and members of a delegated committee.
- The facilities, resources and support Council considers necessary or appropriate to provide support to councillors and members of a delegated committee in the performance of their duties as a councillor or a member of a delegated committee.

The policy also sets out the processes for ensuring the costs of resourcing and supporting councillors and members of a delegated committee and the value of any expenses reimbursed are reported to the Audit and Risk Committee and the community in a timely manner which promotes transparency and accountability.

1.2 Principles and scope

The provision of facilities, resources and support to councillors and members of a delegated committee, and the expenses paid or reimbursed for councillors and members of delegated committees, should be consistent with the following:

- The standards of conduct in the Councillor Code of Conduct as prescribed under section 139 of the Act;
- Encouraging diversity in participation, equity, inclusion and access;
- Accountability and transparency; and
- No disadvantage - allowances are provided separately to reimbursements of expenses and the costs of facilities/resources support (pursuant to section 39 of the Act).

The duties performed are considered to be necessary for the purposes of achieving the objectives of Council having regard to any relevant Act, regulations, Ministerial Guidelines and Council policies, councillors and members of a delegated committee are entitled to access facilities, support and resources as described in this policy and the Act.

The duties and activities considered to be necessary or appropriate for the purposes of achieving the objectives of a council include, but are not limited to:

- Attending Council meetings, meetings of delegated committees of council, formal briefing sessions and civic or ceremonial functions convened by the Council, the Mayor or the Chief Executive Officer;
- Attending meetings or workshops scheduled by the Council, the Mayor or the Chief Executive Officer;
- Attending community meetings and ward meetings;
- Participating in site inspections or meetings, or participating in delegations or deputations;
- Attending a meeting or function as the nominated representative of Council or the Mayor;
- Attending meetings of community groups, organisations and statutory authorities to which the councillor has been appointed Council delegate or the nominated representative of Council;
- Attending site inspections or meetings relevant to a matter which is, or is anticipated to be the subject of a decision of Council;
- Attending discussions with officers or any person, any matter relating to the City;
- Attending seminars, training or professional development courses as an attendee and/or speaker, which:
 - Contribute to the development of personal and professional skills or knowledge of the councillor or member of a delegated committee which are necessary for the performance of the duties of a councillor or member of a delegated committee;
 - Are consistent with Council's objectives;
 - Will cover or present material with application / importance / relevance to current or future issues faced by the Council; and
 - Are within the Mayor, Councillors and members of a delegated committee Annual Financial Allocation or approved annual budget provision for conferences and seminars.

- Attending conferences as an attendee and/or speaker which:
 - Are consistent with Council's objectives;
 - Will cover or present material with application / importance / relevance to current or future issues faced by the Council; and
 - Are within the Mayor, Councillors and members of a delegated committee Annual Financial Allocation or approved annual budget provision for conferences and seminars.

- Preparation (e.g. reading reports, plans or papers) for any of the above activities.

The policy presumes councillors and members of a delegated committee are residents in the municipality, and any additional costs or expenses attributable to a councillor's or member's of a delegated committee residence being outside the municipality are considered inappropriate for reimbursement in the absence of a prior Council resolution to the contrary.

Any cost or expense (or portion thereof) which should reasonably be borne by another entity, or for which another entity is reasonably liable, is outside the scope of this policy and shall not be paid or reimbursed by Council.

1.3 Corporate framework

This policy is consistent with the strategy within the Council Plan 2017-2021 focused on responsible management and decision making in the delivery of high quality services, capable and professional people, reflecting transparent, accountable and fair practices.

This Policy also relates to Priority Theme 7: Civic Leadership and Governance in the Boroondara Community Plan 2017-2021.

1.4 Background

Under the Act council must reimburse a councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied -

- a) are bona fide expenses; and
- b) have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
- c) are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

The Act also requires Council to adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees. Under the Act the policy adopted by Council must -

- a) specify procedures to be followed in applying for reimbursement and in reimbursing expenses; and
- b) comply with any requirements prescribed by the regulations in relation to reimbursement of expenses; and
- c) provide for the reimbursement of child care costs where the provision of child care is a reasonable requirement for a Councillor or member of a delegated committee to perform their role; and
- d) have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*.

In addition the Act requires that Council must:

- make available to the Mayor and the Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role; and
- consider the support that may be required by a Mayor, Deputy Mayor or Councillor because of a disability; and
- have particular regard to the support that may be required by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*.

This policy requires Council to reimburse a councillor and a member of a delegated committee for expenses if the councillor or member of a delegated committee:

- applies in writing to the Council for reimbursement of expenses; and
- establishes in the application to Council that the expenses were reasonable bona fide out-of-pocket expenses incurred while performing duties as a councillor or a member of a delegated committee.

1.5 Policy context

This policy describes the basic entitlements of councillors and members of a delegated committee to reimbursement of out-of-pocket expenses, facilities, resources and support necessary or appropriate in relation to the performance of their duties as a Boroondara councillor or a member of a delegated committee.

This policy is not intended to cover for every possible situation that may arise. Should a situation arise that is not adequately covered by this policy, the matter will be referred to Council for determination by resolution.

Any expenses, facilities support or resources not specifically addressed in this policy will be assessed by reference to Part 2, Division 5 of the Act and any prescribed regulations.

The policy should be read in conjunction with other relevant Council policies adopted or amended from time to time, including but not limited to the Councillor Code of Conduct, and specific policies regarding the use, security, maintenance and possession of Council equipment.

2 Travelling expenses and costs

- 2.1** Councillors and members of delegated committees are entitled to have paid by Council, or reimbursed, travelling expenses and costs within the scope of this policy for return travel within Victoria undertaken whilst discharging their duties as a councillor or a member of a delegated committee.
- 2.2** Subject to approval in advance by Council, or the Chief Executive Officer in consultation with the Mayor, councillors and members of a delegated committee are entitled to have paid by Council, or reimbursed, travelling expenses and costs for return travel originating within Victoria to destinations outside Victoria but within Australia undertaken whilst discharging the duties of a councillor or a member of a delegated committee.
- 2.3** Subject to approval in advance by Council, councillors and members of delegated committees are entitled to have paid by Council, or reimbursed, travelling expenses and costs for return travel originating with Victoria to destinations outside Australia undertaken whilst discharging the duties of a councillor or a member of a delegated committee.
- 2.4** Expenses and costs for return travel which originates outside Victoria or Australia will only be paid by Council or be reimbursed where such expenses and costs have been approved in advance by Council.
- 2.5** Private travel in conjunction with Council travel.
 - 2.5.1.** Councillors and members of delegated committees undertaking private travel arrangements in conjunction with any travel for the purpose of their duties as a councillor or a member of a delegated committee must ensure that all costs incurred for private purposes are clearly delineated and that appropriate records including pre-departure itineraries are maintained.
 - 2.5.2.** Where any private travel and associated costs are included in a package ticket or arrangement, the councillors and members of a delegated committee must meet, or reimburse council, the private portion prior to departure.

2.6 Miscellaneous travel provisions

- 2.6.1. Motor vehicle expenses paid by council or reimbursed will be at the Australian Taxation Office rates as determined from time to time.
- 2.6.2. Travel should be undertaken by the most practicable mode and route possible taking into account factors such as duration and cost of travel.
- 2.6.3. The quantum of expenses paid by Council or reimbursed will be on the basis of the actual cost incurred and the form of transport used.
- 2.6.4. Council may reimburse an amount less than the amount claimed, where the actual expense incurred is considered unreasonable, taking into account the alternative modes of travel available.
- 2.6.5. Where travel is by flight the standard form of travel will be economy class where possible, although business class may be approved by Council for overseas flights exceeding 4 hours in duration.
- 2.6.6. Council will not ordinarily reimburse councillors or a member of a delegated committee for any infringements incurred for traffic or parking offences.
- 2.6.7. Council will provide councillors and members of a delegated committee with cab charge vouchers for travel via a taxi/cab to and from their councillor related duties or delegated committee duties.
- 2.6.8. Council may reimburse any ride share (e.g. Uber) charges incurred for travel to and from their councillor or member of a delegated committee related duties in line with appropriate receipt documentation.
- 2.6.9. Council will provide councillors and members of a delegated committee with a Myki Card for travel via public transport to and from their councillor or member of a delegated committee related duties.
- 2.6.10. Council can also make available to councillors and members of a delegated committee a corporate Myki Card when travelling via public transport to and from their councillor or member of delegated committee related duties. When councillors or members of a delegated committee use their personal Myki Card, Council will reimburse the associated cost of travel in line with appropriate receipt documentation.

- 2.6.11. Council will reimburse councillors and members of a delegated committee for any City Toll Fees (EastLink and CityLink) incurred to and from councillor related duties or member of a delegated committee related duties.

2.7 Access to a Council Pool Vehicle

- 2.7.1. Where requested a Council fleet vehicle may be provided, subject to availability, for councillors or members of a delegated committee to perform their duties.
- 2.7.2. Use of a Council vehicle must be in accordance with relevant Council policies including the Driver's Handbook (which is provided in the glove box of all fleet vehicles).
- 2.7.3. Fleet vehicle bookings can be made via the Secretary to Mayor and Councillors.

3 Communication equipment, expenses and costs

3.1 Definitions

"Communications equipment" includes:

- 3.1.1. Fixed communication equipment such as land line, internet access and associated hardware and software.
- 3.1.2. Portable communication equipment such as mobile telephone, laptop computer, smartphone, tablet, wireless internet connection and associated hardware and software.

- 3.2** As a minimum and subject to change due to technology enhancements, councillors and members of a delegated committee shall be provided with appropriate uniform communications equipment to ensure they can adequately and efficiently perform their role as a councillor or member of a delegated committee, which includes:

- 3.2.1. A mobile phone
- 3.2.2. A landline (optional)
- 3.2.3. A laptop computer and/or tablet
- 3.2.4. Access to a copier/printer
- 3.2.5. Internet access

- 3.3** The make, model and specifications of any communications equipment, the associated contracts or plans, and the replacement of any communications equipment shall support the Windows platform and Microsoft environment and be compatible with the internal Council infrastructure network and systems.
- 3.4** Council will meet the reasonable purchase, installation, maintenance and service, connection, subscription, rental and usage costs for all Council provided communications equipment.
- 3.5** Council may reimburse the purchase, installation, maintenance and service, connection, subscription, rental and usage expenses for equivalent equipment not provided by Council.
- 3.5.1. Councillors or members of a delegated committee will only be reimbursed for such expenses where the purchase, installation, maintenance, service, connection, subscription, rental or usage has been approved in advance by Council, or the Chief Executive Officer in consultation with the Mayor.
- 3.5.2. Council may reimburse an amount less than the amount claimed, where the actual expense incurred is considered unreasonable, taking into account the estimated costs of using equivalent communications equipment provided by Council.
- 3.6** Council provided communications equipment is to be used for Council related business activities however it is acknowledged that, on occasion, reasonable personal use (excluding the election period) may be made of communications equipment. Where personal use has occurred, councillors and members of delegated committees are required to keep a reasonable record that can be separately costed specifying the items of personal nature. There will be an opportunity each quarter for councillors and members of delegated committees to reimburse Council for private usage beyond reasonable personal use.
- 3.7** Council will meet the charges incurred associated with the business use of the communications equipment through a set data plan or equivalent plan determined by the Chief Executive Officer or their delegate at the commencement of each electoral term.
- 3.8** Council will review councillors' and members' of a delegated committee communication equipment and will update equipment at:
- 3.8.1. the commencement of each electoral term in relation to a Councillor and at the commencement of their appointment in relation to a member of a delegated committee; and
- 3.8.2. any stage during the electoral term for a Councillor or during their appointment for a member of a delegated committee where Council believes an update is appropriate.

- 3.9** Councillors may be provided with the opportunity to purchase communication equipment at the end of their term of office in accordance with any relevant Council Policy. Members of a delegated committee may also be provided with the opportunity to purchase communication equipment at their end of their appointment to a delegated committee. If a councillor or a member of a delegated committee does not wish to purchase any communication equipment, it shall remain the property of Council and is required to be returned by councillors at the end of their term or if a person ceases to be a councillor and by members of delegated committees at the end of their appointment or if a person ceases to be a member of a delegated committee.

4 Conferences, seminars, training and professional development

- 4.1** Councillors and members of a delegated committee are entitled to have paid by Council, or reimbursed, the cost of attending conferences, seminars, training and professional development courses within the scope of this policy including:

- 4.1.1. registration fees;
- 4.1.2. accommodation costs and expenses; and
- 4.1.3. reasonable costs and expenses for meals and refreshments;

where attendance has been approved in advance by Council or the Chief Executive Officer.

- 4.2** Professional development programs/courses.

4.2.1. Upon the commencement of each electoral term, a purpose designed induction program will be provided to all councillors. In the first year of a Council term, costs associated with all training and development needs are absorbed as part of an induction period budget and do not form part of quarterly expense reports.

4.2.2. Upon appointment, a purpose designed induction program will be provided to all members of a delegated committee. During the induction program, costs associated with all training and development needs are absorbed as part of an induction period budget and do not form part of quarterly expense reports.

4.2.3. Council will also provide access to the following professional development programs/initiatives:

- Meeting procedures
- Chairing of meetings
- Media training

- Governance Training e.g. Australian Institute of Company Directors courses
- Financial training
- Team building and interpersonal skills
- MAV Councillor Development programs

Attachment 1 outlines a recommended program and some examples of options available that councillors may like to consider over their four year electoral term and members of delegated committees may like to consider during their appointment.

4.3 Annual Financial Allocation for professional development programs/courses.

4.3.1. An annual financial allocation, indexed to CPI, is available for councillors and members of delegated committees, subject to annual review as part of the Council budget approval process.

4.3.2. The allocations (in 2020/2021) are:

- \$7,277 per annum for the Mayor
- \$5,820 per annum for other councillors
- \$5,820 per annum for a member of a delegated committee.

calculated for the period November to October, coinciding with the Mayoral Election.

4.3.3. If a councillor or a member of a delegated committee does not use their annual allocation, they may carry forward any outstanding allocation for one mayoral year only in the case of a councillor and one year in their term of appointment in the case of a member of a delegated committee.

4.3.4. A councillor cannot carry forward their annual allocation from one council term to the next council term upon re-election.

4.3.5. A member of a delegated committee cannot carry forward their annual allocation if they are re-appointed at the expiry of their term as a member of a delegated committee.

4.3.6. Any councillor or member of a delegated committee wishing to spend in excess of their allocation will require Council approval in advance.

4.3.7. The individual allocations are available for use at the discretion of the councillor or member of a delegated committee in order to access reasonable professional development. The professional development must benefit the individual councillor or member of a delegated committee in serving the Boroondara community.

- 4.3.8. Except for the induction program in the first year of a Council term and the Australian Institute of Company Directors (AICD) course all other professional development will be costed to each individual Councillor and member of a delegated committee Annual Financial Allocation.
- 4.3.9. Professional development needs which require or involve on-going, longer-term support, guidance or mentoring, vocational tertiary education must be discussed with the Chief Executive Officer or delegate who will assist councillors and a member of a delegated committee in line with an agreed framework and process.

5 Representing Council

- 5.1** Each year, and from time to time, Council resolves to appoint councillors to represent it on a number of specific organisations with the delegated authority of Council on appropriate matters.
- 5.1.1. For these organisations the nominated councillors or their substitute are to be Council representatives at regular meetings of these organisations and any special events, with partners where appropriate.
- 5.1.2. Where Council has not appointed a councillor representative to a particular organisation or group, and Council receives an official invitation seeking Council representation at an event, the following shall apply to determine councillor representation at an event:
- The Mayor as first amongst equals will be given the opportunity to attend the event.
 - If the Mayor is unable to attend, the Mayor will offer the opportunity to another councillor.
 - If Council via a Council resolution or the Chief Executive Officer in consultation with the Mayor determine that official representation of all councillors is considered necessary or appropriate to support the business or representational needs of Council.
- 5.1.3. The councillor representing Council at that event shall be entitled to have paid by Council, or reimbursed, reasonable bona fide costs associated with representing Council at the event.
- 5.1.4. Should any other councillor wish to attend the event then the costs associated with attending the event will be borne by the councillor and do not form part of the annual financial allocation for professional development.

6 Attendance by spouse / partner at seminars, conferences and civic functions

6.1 Attendance at any seminar, conference or civic function by the spouse / partner of a councillor or member of a delegated committee shall be at the expense of the councillor or member of a delegated committee except where:

6.1.1. prior approval has been given by Council or the Chief Executive Officer in consultation with the Mayor; and

6.1.2. attendance by the spouse / partner is considered to be necessary or appropriate to support the business or representational needs of Council; and

6.1.3. sufficient provision exists in the approved annual budget for conferences and seminars.

6.2 Subject to clause 6.1, where the spouse / partner of a councillor or member of a delegated committee attends a seminar, conference or civic function, councillors or members of a delegated committee are entitled to have paid by Council, or reimbursed, their spouse / partner's;

6.2.1. registration fees; and

6.2.2. reasonable costs for meals and refreshments.

6.3 Councillors and members of a delegated committee are entitled to have paid by Council, or reimbursed, the reasonable costs and expenses of their spouse or partner attending:

6.3.1. functions held by Council; or

6.3.2. functions held by other Victorian municipalities;

where there is an agreed expectation of partners attending, i.e. spouse / partner of the councillor or member of a delegated committee is specified on the invitation.

7 Accommodation costs

7.1 Councillors and members of a delegated committee are entitled to have paid by Council, or reimbursed, the reasonable costs and expenses for accommodation incurred for attending conferences, seminars, training or professional development within the scope of this policy, provided:

7.1.1. the relevant event takes place outside the Melbourne metropolitan region; or

7.1.2. it has the prior approval of Council, or the Chief Executive Officer in consultation with the Mayor.

8 Stationery

8.1 Council shall, upon request, provide councillors or members of a delegated committee with standard stationery equipment and consumables held or obtained generally for the organisation's requirements.

8.2 Stationery equipment and consumables includes, but is not necessarily limited to: paper, writing implements, diaries, writing pads, printer cartridges, envelopes and the like.

8.3 Requests for stationery should be made to the Secretary to the Mayor and Councillors.

8.4 Where a request is made for reimbursement of expenses incurred under this section, Council may reimburse an amount less than the amount claimed where the actual expense incurred is considered unreasonable, taking into account the estimated costs to Council to purchase similar goods.

9 Apparel

9.1 The Council shall, upon request, lend councillors and members of a delegated committee protective clothing such clothing as may be held in store to meet the organisation's requirements required to assist in carrying out the duties of office. This clothing is to be returned promptly upon the completion of the activity/duty for which the articles were required.

9.2 This clothing shall be limited to wet weather pants and pullover, gumboots, winter jacket and/or hat, safety equipment like hi-vis vest and hard hat or other such clothing as may be held in store to meet the organisation's requirements, unless otherwise resolved by Council for a specific item(s).

10 Carer in a care relationship

10.1 Councillors are entitled to have paid by Council, or reimbursed the cost of caring expenses incurred by a Councillor who is a carer in a care relationship within the meaning of the *Carers Recognition Act 2012* while discharging their duties as a councillor within the scope of this policy subject to the following conditions.

- 10.1.1. The maximum hourly rate a councillor will be reimbursed for providing care in a care relationship is thirty two dollars and seventy cents (\$32.70) per hour indexed annually to CPI at the commencement of each Mayoral term.
- 10.1.2. Carer costs must be substantiated showing dates and times the care was provided and the councillor shall show why the care was needed on each occasion.

11 Child care / family care expenses

11.1 Councillors and members of a delegated committee are entitled to have paid by Council, or reimbursed, the cost of child care / family care expenses for immediate family members, necessarily incurred by councillors or members of a delegated committee whilst discharging their duties as a councillor or a member of a delegated committee within the scope of this policy, subject to the following conditions. For the purposes of this policy, family care relates to care provide to any immediate family member who is either a child or a sick, elderly or disabled person.

- 11.1.1. The maximum hourly rate a councillor or a member of a delegated committee will be reimbursed for child care / family care expenses is twenty four dollars and five cents (\$24.05) per hour indexed annually to CPI at the commencement of each Mayoral term.
- 11.1.2. Child care / family care costs must be substantiated from the caregiver showing the dates and times care was provided, and the councillor or a member of a delegated committee shall show why the care was needed on each occasion.
- 11.1.3. Child care / family care costs are not eligible to be paid by Council, or reimbursed if the caregiver is a part of the immediate family (e.g. partner, mother/father, sister/brother, grandmother/grandfather or sister-in-law/brother-in-law) of the councillor or member of a delegated committee. Council will also not pay for or make a reimbursement if the person normally or regularly lives with the councillor or the member of a delegated committee except where a live-in (professional) helper such as a Au Pair is required.

11.1.4. For the purposes of this policy, a child shall be defined as up to, but not including 16 years of age.

12 Support for a Councillor with a disability

- 12.1** Council will provide reasonable additional support, facilities, and equipment for any councillor with a disability to enable that councillor to perform the duties of a councillor.
- 12.2** Councillors are entitled to claim reimbursement for the reasonable cost of assistive devices or assistive personnel.
- 12.3** Where reimbursement is claimed for the purchase of an assistive device, that device shall become the property of Council.
- 12.4** Claims for reimbursement for assistive devices or assistive personnel will only be considered where the use of the device or the assistance required, relates specifically to the performance of a councillor's duties.
- 12.5** Any councillor wishing to claim reimbursement in excess of \$105 (indexed annually to CPI at the commencement of each Mayoral year) for assistive devices will require prior approval from the Chief Executive Officer in consultation with the Mayor.
- 12.6** The maximum hourly rate a councillor will be reimbursed for assistive personnel is thirty three dollars and ninety six cents (\$33.96) per hour indexed annually to CPI at the commencement of each Mayoral year.

13 Legal fees

- 13.1** Other than by a specific Council resolution, or in accordance with a Council Policy, any legal expenses incurred by a councillor or member of a delegated committee shall be the responsibility of that councillor or member of a delegated committee.

14 Professional memberships and subscriptions

14.1 Professional memberships that are considered to be reasonable bona fide out of pocket expenses are:

- Australian Institute of Company Directors.
- Governance Institute of Australia.
- The Australian Local Government Women's Association.
- Institute of Managers and Leaders.
- The Planning Institute of Australia.
- The Victorian Planning & Environmental Law Association.

These costs will be met from the organisational Corporate Membership Fees budget.

14.2 Other individual memberships, professional associations or subscriptions which are considered demonstrably beneficial to Council or the performance of the duties of a councillor or member of a delegated committee may be reimbursed subject to a resolution of Council.

15 Miscellaneous support and expenses

15.1 Council business papers, personal mail and other Council information may be couriered weekly, or as required, to a councillors' and members' of a delegated committee place of residence or place of business within the municipality.

15.2 Designated car parking will be available at the Council offices.

15.3 Councillors and members of a delegated committee are entitled to a car parking permit. Parking of a councillor vehicle or member of a delegated committee vehicle should be in accordance with the Road Safety Road Rules and any relevant Council Policy.

15.3.1. The permit does not allow vehicles to park in red sign or designated areas such as:

- | | | | |
|---|-------------------|---|-----------------------|
| - | loading zones | - | clearways |
| - | bus zones | - | disabled bays |
| - | no stopping areas | - | taxi zones |
| - | mail zones | - | school drop off zones |

15.4 If, despite the relevant Council Policy, a councillor or member of a delegated committee receives a parking infringement notice for leaving a vehicle standing for longer than is permitted or leaving a vehicle standing in a residential permit parking area without a permit or leaving a vehicle standing in a residential permit parking area with a permit incorrectly displayed, and that councillor was engaged on council business or performing the functions of a councillor at the time of the alleged infringement, the councillor may apply for an internal review of the parking infringement notice.

The application must describe the Council business engaged in or the functions of the Councillor or member of a delegated committee being performed.

The parking infringement notice will then be reviewed by Director City Planning or delegate with a view to deciding whether it should be withdrawn.

15.5 Each councillor and member of a delegated committee will be supplied with personalised business cards.

15.6 Each councillor and their partner/spouse and member of a delegated committee and their partner/spouse will be provided with a name badge for use while on Council business.

15.7 Where Council meetings, functions or events are held at times that extend through normal meal times, Council will provide suitable meals for councillors and members of delegated committees.

15.8 Councillors and members of a delegated committee are entitled to a security card enabling appropriate business access to the public areas of Council offices, designated meeting rooms and the Governance office.

15.9 Councillors are entitled to 24 hour access to the Council Chamber, Councillors Room and Mayors office (as appropriate).

15.10 Council will provide councillors and members of a delegated committee with access to the Media Monitors Service and subscription copies of key local government industry publications.

16 Mayoral vehicle

- 16.1** The Mayor shall have access to a fully maintained vehicle (including servicing, fuel and insurance).
- 16.2** The make and model of the Mayoral vehicle shall be in accordance with Council policy.
- 16.3** The vehicle shall be available for use by the Mayor in the discharge of their duties as the Mayor and a councillor, and for reasonable private use during the Mayoral term.

17 Access to office / meeting spaces

- 17.1** A suitably equipped Mayoral Office shall be provided within the Council offices.
- 17.2** A Councillors' Room shall be provided for use by councillors within the Council offices, suitably equipped for computer access, office work, photocopying, reading, research, and meetings.
- 17.3** The space and equipment provided for the Mayoral Office and Councillors' Room provided for in the clauses above shall be at the discretion of the Chief Executive Officer.
- 17.4** Subject to availability, other Council meeting/function rooms owned and controlled by Council may be booked by councillors and members of a delegated committee for use free of charge for meetings and other functions, provided the councillor or the member of the delegated committee is in attendance and the use is necessary or appropriate for performing the duties of a councillor or member of a delegated committee in the conduct of Council business.

18 Administrative support for the Mayor and Councillors

- 18.1** The Chief Executive Officer shall provide an appropriate level of secretarial / administrative support for the Mayor and councillors.
- 18.2** The level of secretarial/administrative support shall be determined by the Chief Executive Officer in consultation with the Mayor.

19 Councillor websites

19.1 Each Councillor will be provided with a page on Council's website the content of which may include a photo, contact details, ward map, personal statements, hobbies and interests, councillor assignments, academic qualifications and professional memberships.

19.2 Additional information may be included on the councillor's webpage at the councillor's request, subject to the content being approved for publication by the Chief Executive Officer.

20 Ward meetings

20.1 An annual budget provision will be made, subject to annual review as part of the Council budget approval process, for the reasonable costs of venue hire and refreshments associated with ward meetings. Organisational support and participation in Ward Meetings will be in accordance with Council Policy.

21 Insurance policies

21.1 Councillors and members of a delegated committees are covered under the following Council insurance policies while discharging, in good faith, the duties of civic office including attendance at meetings of external bodies as Council representatives:

- Public liability;
- Professional indemnity;
- Councillors and Officers liability; and
- Personal Accident (accompanying partners are also covered).

21.2 The Council will pay the insurance policy excess in respect of any claim made against a councillor or a member of a delegated committee arising from council business where any claim is accepted by Council's insurers, whether defended or not.

22 Other expenditure not specified

- 22.1** Any expenditure not specified in this policy as expenditure for which a councillor or member of a delegated committee is entitled to be reimbursed or paid by Council shall be the responsibility of the councillor or member of a delegated committee, except where Council resolves that a claim is reasonable bona fide expenditure.
- 22.2** Subject to a resolution of Council, a councillor or member of a delegated committee may be reimbursed for expenses incurred in circumstances not provided for elsewhere in the Policy.

23 Mayor, Deputy Mayor and Councillors allowances

- 23.1** A Mayor, Deputy Mayor and Councillors are entitled to receive from Council an allowance as a Mayor, Deputy Mayor and Councillor in accordance with a Determination of the Victorian Independent Remuneration Tribunal as prescribed by the Act.
- 23.2** Mayor and councillor allowances will be paid in advance on a monthly basis and paid as at the date of the Council meeting in which the allowance is set or as advised by the Victorian Independent Remuneration Tribunal.
- 23.3** Mayoral and councillor allowances are taxable income and councillors should put in place their own processes for documenting claimable expenses. Any personal taxation implications from the receipt of allowances are the responsibility of individual councillors.

24 Members of the Audit and Risk Committee

- 24.1** Members of Council's Audit and Risk Committee are not covered by this Policy.

25 Submission of claims for reimbursement

25.1 Form of claims

- 25.1.1. Claims are to be submitted on the prescribed form to the Manager Governance.
- 25.1.2. Claims should be accompanied by original receipts / tax invoices for any expenses claimed which clearly identify the name of the payee and ABN where applicable.
- 25.1.3. If receipts cannot be produced, councillors and members of a delegated committee may be required to provide a statutory declaration.

- 25.1.4. Claims must include sufficient detail to demonstrate, in accordance with the Act, the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense incurred while performing the duties of a Councillor or a member of a delegated committee.

25.2 Timeframe for submission of claims

- 25.2.1. Councillors and members of a delegated committee are required to submit claims in a timely manner to ensure transparency and timely accountability.
- 25.2.2. Claims for reimbursement of expenses in the September, December and March quarters must be submitted by the close of business of the following month.
- 25.2.3. Claims for reimbursement of expenses in the June quarter must be submitted within 14 working days of the end of financial year.
- 25.2.4. Claims for reimbursement which are not in accordance with clause 25.2.2 will not be processed excepted where Council resolves to accept the claim.
- 25.2.5. Claims for reimbursement which are not in accordance with clause 25.2.3 will not be processed.

25.3 Assessment of claims

- 25.3.1. The Manager Governance will process all claims.
- 25.3.2. If the Manager Governance has a question about a claim, they will, in the first instance, discuss this matter with the relevant councillor or member of a delegated committee.
- 25.3.3. If required, the Manager Governance will seek guidance / intervention from the Chief Executive Officer.
- 25.3.4. If required, the Chief Executive officer will refer claims to a Council meeting for determination.

25.4 Councillor or member of a delegated committee donations

- 25.4.1. Any donations made by a councillor or member of a delegated committee will be made on their own behalf and not on behalf of Council, except in accordance with a prior resolution of Council.
- 25.4.2. Councillor or member of a delegated committee donations not in accordance with a prior resolution of Council will not be reimbursed by Council.

26 Reporting of Councillor and member of a delegated committee reimbursements

- 26.1 Cost of councillor and member of a delegated committee support and resources are to be reported to the Audit and Risk Committee and the community.
 - 26.1.1. In accordance with section 40 of the Act details of all reimbursements made to councillors and members of a delegated committee will be reported to the Audit and Risk Committee. This will occur on a quarterly basis.
 - 26.1.2. In the interests of accountability and transparency, all expenses or costs paid by Council or reimbursed to councillors and members of a delegated committee will be appropriately reported to Council and the community in summary form via the Quarterly Performance Report.

27 Mayoral and Councillor gifts

- 27.1 At the end of every mayoral term, the outgoing Mayor will receive from Council a letter under seal in recognition of their service as Mayor. In addition the outgoing Mayor will receive a scrapbook that includes various highlights and achievements undertaken throughout their mayoral term.
- 27.2 At the end of every mayoral term, the outgoing Chairperson of the Delegated Committees of Council will receive from Council a letter under seal in recognition of their service as Chairperson.
 - 27.2.1. Subject to clause 27.3 the outgoing Mayor shall receive a gift to a maximum value of \$706, indexed to CPI; and
 - 27.2.2. The outgoing Mayor must decide upon their gift on or before 1 June of the following year.

27.3 If the outgoing Mayor does not determine upon a gift on or before 1 June they forfeit the privilege that has been afforded to them, unless they are re-elected for a consecutive term and choose to defer receipt of their gift until the completion of their consecutive term(s).

27.4 At the end of their electoral term, outgoing councillors will receive a plaque in recognition of their service as councillor.

27.5 The outgoing Mayor and councillors must declare these gifts in accordance with the Councillor Gift Policy.

28 External member of a delegated committee gifts

28.1 At the end of their appointed term, an outgoing external member of a delegated committee will receive an appropriate gift as determined by the Mayor in consultation with the Chief Executive Officer to a maximum value of \$100, indexed to CPI.

29 References

29.1 Related documents

Council policies:

- Governance Rules
- Public Transparency Policy
- Councillor Code of Conduct
- Councillor Gift Policy

Legislation:

- *Carers Recognition Act 2012*
- *Local Government Act 2020*
- *Charter of Human Rights and Responsibilities Act 2006*

30 Definitions

“Carer in a care relationship” means within the meaning of section 4 of the *Carers Recognition Act 2012*.

“Delegated Committee” means a delegated committee established in accordance with Section 63 of the *Local Government Act 2020*.

“Duties of a Councillor” means duties performed by a councillor that are necessary or appropriate for the purposes of achieving the objectives of Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.

“Election period” means the period that:

- (a) Starts at the time that nominations close on nomination day; and
- (b) Ends at 6pm on election day.

That is 22 September 2020 through to 6pm on 24 October 2020.

“Expenses” includes:

Expenses initially incurred by a councillor or a member of a delegated committee for which a claim is subsequently made for reimbursement; and

Expenses incurred by Council for or on behalf of a councillor or a member of a delegated committee.

“Member of a delegated committee” means a member of a delegated committee who is not a councillor.

“Professional Development” means the process of improving and increasing the capabilities, knowledge and skills of councillors and members of a delegated committee through access to education and training opportunities through outside organisations or in the workplace.

“The Act” means the *Local Government Act 2020*.

Version History:

<i>Councillor Professional Development & Representation Policy</i>	<i>Adopted by Council on 26 March 2007</i>
<i>Councillor Expenses and Entitlement Policy</i>	<i>Adopted by Council on 25 August 2008</i>
<i>Councillor Support and Resources Policy</i>	<i>Adopted by Council on 23 November 2009</i>
<i>Councillor Support and Resources Policy</i>	<i>Adopted by Council on 24 October 2011</i>
<i>Councillor Support and Resources Policy</i>	<i>Adopted by Council on 25 March 2013</i>
<i>Councillor Support and Resource Policy</i>	<i>Adopted by Council on 28 May 2018</i>
<i>Councillor Support and Resources Policy</i>	<i>Adopted by Council on 22 October 2018</i>
<i>Councillor Support and Resources Policy</i>	<i>Adopted by Council on 26 August 2019</i>
<i>Councillor & member of a delegated committee expenses Policy</i>	<i>Adopted by Council on TBC August 2020</i>

ATTACHMENT 1

Suggested Training Options

Councillors and members of a delegated committee may select their own professional development training programs. The following is for illustrative purposes:

Year One	MAV new Councillors Course Media Training Meeting Procedure Financial Management and Budgets Team Building Governance Training eg Australian Institute Company Directors Course
Year Two	Chairing of Meetings Building Effective Teams City of Boroondara Learning and Development Programs (as required) MAV Councillor Development Programs
Year Three	Media Training - refresher course MAV Councillor Development Programs Australian Institute of Company Directors, additional courses or specific workshops as relevant City of Boroondara Learning and Development Programs (as required)
Year Four	Australian Institute of Company Directors, additional courses or specific workshops as relevant City of Boroondara Learning and Development Programs (as required) MAV Councillor Development Programs.