



Maribyrnong
CITY COUNCIL

Council Support, Expenses and Reimbursement Policy

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REVISION RECORD

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| 15 October | 2 | 2013 Policy amended and adopted by Council. |
| 20 June 2017 | 3 | 2017 Councillor Support and Expenses Policy adopted |
| 14 April 2020 | 4 | 2020 Council Support, Expenses and Reimbursements Policy reviewed to in accordance with requirements of Local Government Act 2020 |

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Introduction

In accordance with the Section 40 of the *Local Government Act 2020* (Vic) ('the Act'), Council is required to reimburse a Councillor and members of a Delegated Committee for bona fide, reasonable out-of-pocket expenses incurred while performing the duties as a Councillor of member of a Delegated Committee.

These reimbursements must be presented to the Council's Audit and Risk Committee.

Council must adopt and maintain a policy in relation to the reimbursement of these expenses. Section 41 of the Act outlines the requirements relating to a Council Expenses Policy, including:

- Specifying procedures that must be followed by a Councillor in applying for reimbursements and/or reimbursement expenses;
- Providing for reasonable child care reimbursements when the provision of child care is necessary for that Councillor to perform their role; and
- Any other requirements as prescribed by any Regulations under this Act.

Section 42 of the Act provides that a Council must make available for the Mayor and the Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.

The level of Mayoral and Councillor Allowances are determined annually by the Victorian Independent Remuneration Tribunal and are not considered as part of this policy.

Purpose

This Policy identifies the facilities, support and resources to be made available to Councillors and identifies the circumstances under which Councillors and members of delegated committees are entitled to seek reimbursement for out of pocket expenses reasonably incurred in the performance of their role.

The policy also provides guidance on the reporting requirements for the any expenses reimbursed to Councillors or members of delegated committees.

Scope

Where duties performed are necessary or appropriate for the purposes of achieving the objectives of Council having regard to any relevant Act, Regulations, Ministerial Guidelines and Council policy, Councillors are entitled to access facilities, support and resources as described in this policy and the Act. In addition, Councillors and members of delegated committees are

entitled to be reimbursed for bona fide, reasonable out-of-pocket expenses incurred while performing the duties as a Councillor or member of a Delegated Committee in accordance with 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 Ordinary and Delegated Committees meetings, 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;
- Participating in meetings, or participating in delegations or deputations to which the Councillor has been duly appointed as a representative of Council;
- 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 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 which are necessary for the performance of the duties of a Councillor;
 - 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 and Councillors Annual Financial Allocation or approved annual budget provision for conferences and seminars.
- Attending conferences as an attendee and/or speaker, as Council's nominated representative or delegate and 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 and Councillors Annual Financial Allocation or approved annual budget provision for conferences and seminars.

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.

Definitions

| Term | Definition |
|--|---|
| Act | means the <i>Local Government Act 2020 (Vic)</i> . |
| Appropriate documentation | means an original tax invoice clearly identifying the expenditure incurred, including an official receipt for payment received. |
| Carer | A carer is defined under section 4 of the <i>Carers Recognition Act 2012</i> . |
| Delegated Committee | As defined under section 3 of the <i>Local Government Act 2020 (Vic)</i> . |
| Duties as a Councillor/Delegated Committee member | means duties performed by a Councillor/Delegated Committee member that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, Regulations, Ministerial guidelines or Council policies or as otherwise stipulated in this policy. |
| Expenses | Expenses initially incurred by a Councillor for which a claim is subsequently made for reimbursement; and Expenses incurred by Council for or on behalf of a Councillor. |

Responsibilities

The Manager Governance and Commercial Services is responsible for the review of this Policy.

Policy

Part A – Mayor and Councillor Support

1. Mayoral Vehicle

- 1.1. The Mayor shall have access to a fully maintained vehicle (including servicing, fuel and insurance).
- 1.2. The make and model of the Mayoral vehicle shall be in accordance with Council Policy or at the discretion of the Chief Executive Officer.

- 1.3. The vehicle shall be available for use by the Mayor in the discharge of their Mayoral duties, and for reasonable private use during the Mayoral term.
- 1.4. At the conclusion of the Mayoral term, the asset will be treated in accordance with Council's Fleet Disposal Policy.

2. Access to Office / Meeting Spaces

- 2.1. A suitably equipped Mayoral office shall be provided within the Council offices.
- 2.2. A Councillors' Office shall be provided for exclusive use by Councillors within the Council offices, suitably equipped for office work, photocopying, reading, research, and meetings.
- 2.3. A Councillors Lounge and Kitchen (including light refreshments) shall be provided for Mayor/Councillors within the Council Offices.
- 2.4. The space and equipment provided for the Mayoral Office and Councillors' Office provided for in the clauses above shall be at the discretion of the Chief Executive Officer.

3. Administrative Support for the Mayor and Councillors

- 3.1. The Chief Executive Officer shall provide an appropriate level of secretarial / administrative support to the Mayor and Councillors.
- 3.2. The level of secretarial/administrative support shall be determined by the Chief Executive Officer in consultation with the Mayor.

4. Insurance Policies

- 4.1. Councillors 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:
 - 4.1.1. Public Liability;
 - 4.1.2. Professional indemnity;
 - 4.1.3. Councillors and Officers liability; and
 - 4.1.4. Personal Accident.
- 4.2. The Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

5. Councils Website

- 5.1. Each Councillor will be profiled on Council's website the content of which includes a photo, contact details, representation on Council committees and ward map.
- 5.2. On request, Councillors will be able to update their official Councillor headshot (using a Council-engaged photographer) each year.

6. Council Publications

- 6.1. Councillor's names, contact details and headshots will feature in each edition of the Maribyrnong Messenger or replacement publication.
- 6.2. The Mayor will also feature in a Mayoral column in each edition of the Maribyrnong Messenger.

7. Stationery

- 7.1. Upon request, Councillors will be provided with standard stationery equipment and consumables held or obtained generally for the organisations requirements.
- 7.2. Stationery equipment and consumables includes, but is not necessarily limited to: paper, writing implements, writing pads, envelopes and the like.
- 7.3. Requests for stationery should be made to the Executive Assistant to the Mayor and Councillors.
- 7.4. 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.

8. Council Sponsored and Supported Events and Festivals

Councillors will receive invitations to attend festivals and events in the City as representatives of Council, to engage with residents and visitors as part of their Councillor responsibilities. All events attended will be recorded in Councillors electronic diaries.

9. Car parking

- 9.1. Shared car parking will be available at the Council offices.
- 9.2. Councillors are entitled to an annual Municipal Parking Permit, to assist in performing the duties as a Councillor where the nature of performing those duties would be hindered, unless an exemption from some parking restrictions on Council controlled land has been granted.
- 9.3. Parking of a Councillor vehicle should be in accordance with the Road Safety Road Rules or any relevant Council Policy.

- 9.4. 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
- 9.5. If a Councillor receives a parking infringement notice, Council is not liable and will not reimburse that Councillor for that fine. Parking infringement notices may be issued where a permit holder does not comply with the parking conditions, or where doubt exists that the vehicle was being used in the course of a Councillor performing the duties of a Councillor.

10. Meals and Refreshments

Where Council meetings, functions or events are held at times that extend through normal meal times, Council will provide suitable meals served on the premises to those Councillors in physical attendance.

11. Miscellaneous support

- 11.1. Each Councillor will be supplied with personalised business cards (in the approved Councillor format, including a photo). On request, the business card can include a Councillors social media address (set up and maintained by a Councillor for the purposes of their role) but not a personal Facebook address.
- 11.2. Each Councillor will be provided with two Councillor name badges (magnetized and in the approved Councillor format) for use while on Council business.
- 11.3. Councillors are entitled to a security card enabling appropriate business access to relevant sections of the Council offices and access to the Council Chamber, Councillors Office and Councillors Lounge and Mayor's Office (if approved by the Mayor).
- 11.4. Councillors will be provided with access to a media monitors service and subscription copies of key local government industry publications.
- 11.5. Upon request, Councillors will be provided with access to the Council image library for Council-related business. The images remain the property of Council (copyright) and must only be used by Councillors for a specified and approved

purpose related to Council business. Approval must be granted by the Chief Executive Officer prior to the image's use in an official capacity by a Councillor.

- 11.6. Council will provide reasonable additional support, facilities, and equipment for any Councillor with a disability to enable that Councillor to perform their duties.

Part B – Councillor and Delegated Committee Members Expenses

12. Carer and Dependent Related Expenses

- 12.1. 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) of the Act) and within the scope of this policy.
- 12.2. This applies to the care of a dependent, while the Councillor or delegated committee member is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable (Fees are generally payable per hour or part/full day subject to any minimum period which is part of the care provider's usual terms). Reasonable child care fees will be determined as not exceeding reasonable prevailing child care market rates within the municipality. Child care services must be provided by a person holding a Working with Children Check or in the case of centre based care, a registered child care service.
- 12.3. Council will provide reimbursement of costs where the provision of carer services is reasonably required when a Councillor or delegated committee member who provides care or receives care from another person in the course of an established care relationship.
- 12.4. 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.

13. Communication Equipment, Expenses and Costs

- 13.1. As a minimum and subject to change due to technology enhancements, Councillors shall be provided with appropriate communications equipment to ensure that they can adequately and efficiently perform their role as a Councillor, which includes:
 - A mobile phone
 - A laptop computer
 - Access to a copier/printer
 - Internet access
- 13.2. The make, model and specifications of any communications equipment, the associated contracts or plans, and the replacement of any communications equipment shall be at the discretion of the Chief Executive Officer or their delegate.

- 13.3. Council will meet the reasonable purchase, installation, maintenance and service, connection, subscription, rental and usage costs for all Council provided communications equipment.
- 13.4. A Councillor may choose to use their own private mobile phone and personal SIM card utilising a private mobile phone plan. In this instance, the Councillor may seek Council reimbursement of the purchase, installation, maintenance and service, connection, subscription, rental and usage expenses related to Council business for equivalent equipment not provided by Council.
 - 13.4.1. Councillors 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.
 - 13.4.2. 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.
 - 13.4.3. This option may only be exercised once during an electoral term.
 - 13.4.4. Council will not be responsible for the replacement of any private equipment which becomes damaged or lost.
- 13.5. Council provided communications equipment is to be used for Council related business activities; however, it is acknowledged that, on occasion, reasonable personal use may be made of communications equipment. Where personal use has occurred, Councillors are required to keep a record that can be separately costed specifying the items of personal nature. There will be an opportunity each quarter for Councillors to reimburse Council for private usage beyond reasonable personal use.
- 13.6. 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.
- 13.7. Council will review Councillors' communication equipment and will update equipment at:
 - 13.7.1. the commencement of each electoral term; and
 - 13.7.2. any stage during the electoral term where Council believes an update is appropriate.
- 13.8. 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. If a Councillor 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.

14. Conferences and seminars

- 14.1. Councillors are entitled to have paid by Council, or reimbursed, the cost of attending conferences, seminars, within the scope of this policy including:
- Registrations fees
 - Accommodation
 - Reasonable cost and expenses for meals and refreshments
 - Transport costs and expenses
- 14.2. Attendance must be approved in advance by Council or by the Chief Executive Officer.
- 14.3. Attendance at overseas conferences and seminars will require a resolution of Council prior to attending. On return, a report must be prepared and tabled at a Council meeting within two months following attendance.

15. Professional development programs/courses available to all Councillors.

- 15.1. 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/VLGA/ALGA Councillor Development programs
- 15.2. 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 induction training and development needs are absorbed as part of an induction period budget and do not form part of the quarterly expense reports.

16. Annual financial allocation for professional development

- 16.1. An annual financial allocation, indexed to CPI, is available for Councillors, subject to annual review as part of the Council budget approval process.
- 16.2. The allocations (in 2020/2021) are:
- 16.2.1. \$12,000 per annum for the Mayor.

- 16.2.2. \$8,000 per annum for other Councillors.
- 16.3. The individual allocations are available for use at each Councillor's discretion to access reasonable professional development which can provide benefits to the individual Councillor in serving the Maribyrnong community.
- 16.4. Except for the induction program in the first year of a Council term, all other professional development will be costed to each individual Councillors Annual Financial Allocation.
- 16.5. Professional development needs which require or involve on-going, longer-term support, guidance or mentoring and vocational tertiary education must be discussed with the Chief Executive Officer or delegate who will assist Councillors in line with an agreed framework and process.
- 16.6. Any additional accommodation costs incurred as a result of the attendance of partners and/or children shall be borne by the Councillor.
- 16.7. If a Councillor wishes to extend their accommodation after the conference has ended, they are required to pay for accommodation expenses at their own cost.

17. Professional Memberships and Subscriptions

- 17.1. Professional memberships that are reasonable bona fide out of pocket Councillor expenses are:
- Australian Institute of Company Directors
 - Municipal Association of Victoria
 - Victorian Local Governance Association
 - Australian Local Government Women's Association
- 17.2. Other individual memberships, professional associations or subscriptions which are considered demonstrably beneficial to Council or the performance of the duties of a Councillor may be reimbursed subject to prior approval by the Mayor and Chief Executive Officer.
- 17.3. These memberships would be considered as ongoing professional development in accordance with clause 16 and will be included in the quarterly expense report to Council.
- 17.4. In circumstances where a membership extends beyond the current term of the Councillor, membership fees will only be funded in proportion to the remainder of the term.

18. Travel Expenses and Costs

- 18.1. Councillors and members of delegated committees, where applicable, are entitled to have paid by Council, or reimbursed, travelling expenses and costs within the scope of this policy.

18.2. Use of private vehicles

Costs relating to private vehicle use will be reimbursed where the expense has been incurred while performing duties as a Councillor or member of a delegated committee. Reimbursement shall be applicable only for travel to events attended for the purpose of their duties as a Councillor or delegated committee member and only outside the municipality. It does not include travel from home to Council meetings or events held within the municipal boundary.

18.3. Private travel in conjunction with Council travel

18.3.1. The primary purpose of travel must be Council related and not personal.

18.3.2. Councillors or members of delegated committees undertaking private travel arrangements in conjunction with any travel for the purpose of their duties as a Councillor or member of delegated committee must ensure that all costs incurred for private purposes are clearly delineated.

18.3.3. Where any private travel and associated costs are included in a package ticket or arrangement, the Councillors must meet, or reimburse Council, the private proportion prior to departure.

18.4. Use of Taxis / Ride Share Services

18.4.1. Where it is not possible or convenient to use a private vehicle or public transport, Council will provide Councillors and members of delegated committees with cab charge vouchers for travel via a taxi/cab to and from their Councillor related duties.

18.4.2. Council will reimburse any Ride Share charges incurred for travel to and from their Councillor or delegated committee member related duties in line with appropriate receipt documentation.

18.5. Use of Public Transport

18.5.1. Council will provide Councillors with a Myki Card for travel via public transport to and from their Councillor related duties.

18.5.2. When Councillors or members of delegated committees use their personal Myki Card, Council will reimburse the associated cost of travel in line with appropriate receipt documentation.

18.6. Car Parking Fees

Council will reimburse car parking fees incurred while performing duties as a Councillor or member of a delegated committee.

18.7. Access to a Council Pool Vehicle and Bicycles

- 18.7.1. Where practicable, Council fleet vehicles may be accessible (subject to availability) for Councillors to perform their duties for travel outside of the municipality where use of private vehicles or other means of transport is not possible.
 - 18.7.2. Use of a Council vehicle must be in accordance with applicable road rules, relevant Council policies including the Driver's Handbook (which is provided in the glove box of all fleet vehicles).
 - 18.7.3. Fleet vehicle bookings can be made via the Executive Assistant to Mayor and Councillors.
 - 18.7.4. Councillors may also access the Council bicycle pool for transport related to Council business. Councillors are encouraged to use their own bicycle helmets, however, a small number are available for shared use.
- 18.8. Miscellaneous travel provisions
- 18.8.1. Motor Vehicle expenses paid by Council or reimbursed will be at the Australian Taxation Office rates as determined from time to time.
 - 18.8.2. Travel should be undertaken by the most practicable mode and route possible taking into account factors such as duration and cost of travel.
 - 18.8.3. 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.
 - 18.8.4. 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.
 - 18.8.5. Where approved travel is by commercial aircraft, the standard form of travel will be economy class.

18.9. Travel expenses not reimbursed

The cost of any road, traffic, parking or public transport infringements or penalties incurred by Councillor's, whether or not in the course of undertaking their civic duties, will not be reimbursed by Council.

19. Representing Council

- 19.1. 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.
- 19.2. 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.

- 19.3. 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:
- 19.3.1. The Mayor as first amongst equals will be given the opportunity to attend the event.
 - 19.3.2. If the Mayor is unable to attend, the Mayor will offer the opportunity to another Councillor.
 - 19.3.3. 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.
- 19.4. 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.
- 19.5. 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.

20. Submission of Claims for Reimbursement

20.1. Form of claims

- 20.1.1. Claims are to be submitted on the prescribed form to the Executive Assistant to Mayor and Councillors.
- 20.1.2. 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.
- 20.1.3. If receipts cannot be produced, a statutory declaration may be required.
- 20.1.4. Claims must include sufficient detail to demonstrate, in accordance with the Act, that the expense for which reimbursement is claims is a reasonable bona fide out-of-pocket expense incurred while performing the duties of a Councillor or member of a delegated committee.

20.2. Timeframe for submission of claims

- 20.2.1. Claims are required to be submitted in a timely manner to ensure transparency and timely accountability.
- 20.2.2. Claims for reimbursement of expenses in the September, December and March quarters must be submitted by the close of business of the following month.

- 20.2.3. Claims for reimbursement of expenses in the June quarter must be submitted within 14 working days of the end of financial year.
- 20.3. Assessment of claims
 - 20.3.1. The Executive Assistant to the Mayor and Councillors will process all claims.
 - 20.3.2. If the Executive Assistant to the Mayor and Councillors has a question about a claim, they will, in the first instance, discuss this matter with the relevant Councillor.
 - 20.3.3. If required, the Executive Assistant to the Mayor and Councillors will seek guidance / intervention from the Chief Executive Officer.
 - 20.3.4. If required, the Chief Executive officer will refer claims to a Council meeting for determination.

21. Reporting of Councillors and Members of Delegated Committees Support and Resources

- 21.1. Cost of support and resources are to be reported to the community.
- 21.2. In the interests of accountability and transparency, all expenses or costs paid by Council or reimbursed to Councillors and members of delegated committees will be appropriately reported to Council and the Community in summary form via the Quarterly Expenses Report.

22. Members of Delegated Committee

Council will not meet the expenses of members of delegated committees where these expenses are met by another Council or organisation.

Key Stakeholders

Councillors and members of Delegated Committees

Related Legislation

- *Carers Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Local Government Act 1989*
- *Privacy and Data Protection Act 2014*

- *Equal Opportunity Act 2010*
- *Gender Equality Act 2020*

Related Documents

- Governance Rules
- Public Transparency Policy
- Privacy Policy

Review of Policy

This Policy will be reviewed every four years or whenever Council determines that a need for review has arisen.

Appendices
