

COUNCILLOR EXPENSE AND ADMINISTRATION POLICY

Policy Number:	1.1
Approved by:	Council
Date Approved:	4 March 2025
Date of Next Review:	December 2026
Applicable to:	Councillors
Responsible Officer:	General Manager Corporate Services
Related Policies:	Election Period Policy Provision of Motor Vehicles for Councillors Policy
Related Documents:	Governance Rules Councillor Expense Claim Form Councillor Travel Expense Claim Form Remote Area Travel Allowance Claim Form
Statutory Reference:	<i>Local Government Act 2020</i> <i>Local Government (Governance and Integrity) Regulations 2020</i> <i>Carers Recognition Act 2012</i> <i>Charter of Human Rights and Responsibilities Act 2006</i> <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i>

NOTE: with reference to section 41 of the *Local Government Act 2020*, Council does not currently have delegated committees and so this policy refers to Councillors only.

1. OVERVIEW

This policy establishes the processes for the reimbursement of expenses for Councillors when conducting Council business. It aims to support Councillors in fulfilling their responsibilities while ensuring that Council operates in accordance with community expectations.

Councillors are elected to govern the Wellington Shire in accordance with the *Local Government Act 2020* (the Act). Councillors are provided with administrative support, resources and professional development, and are reimbursed for the expenses specified in this policy while carrying out official Council business.

This policy also outlines the eligibility requirements for the base allowance and remote travel area allowance which are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Council staff are empowered to question or refuse a request for reimbursement from a Councillor when it does not accord with this policy.

2. COUNCILLOR RESOURCES

Council will provide Councillors with the resources and facilities reasonably necessary to enable them to effectively perform their role in accordance with section 42 of the Act.

The Executive Assistant to the Chief Executive Officer will be made available to assist the Mayor and Councillors generally, and assist with the administration of this policy.

2.1 Administrative supplies

Councillors have access to the digital “Councillor Homepage”, containing Council policies and practices, claim forms, policy matters of general Local Government significance, and other materials to support Councillors in their Council business.

To enable Councillors to work online and access key Councillor resources, each Councillor is entitled to the following:

- Laptop
- Mobile phone and plan which includes calls, text and data
- Access to printers at the Council Chamber and the Desailly Street office

Councillors will be provided with name tags, business cards and basic stationery needs as required. Each Councillor will be provided with a security access swipe card authorising access to Council's main buildings and parking permits are available upon application.

All provided resources and equipment remains the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement / resignation of the Councillor.

For site visits, Councillors will be loaned protective clothing required to carry out duties of office. This includes the provision of hard hats and reflective vests, which must be returned promptly upon the completion of the duty.

2.2 Insurance

Councillors are covered by Council's insurance against actions or claims whether arising during or after their term of office in respect of the lawful performance of their role as Councillor. All insurances are subject to any limitations or conditions set out in the insurance policies.

However, a Councillor is not automatically covered by Council's insurance should the claim relate to an application for internal arbitration and associated findings of an arbiter, or an application to the Councillor Conduct Panel and associated findings of a Councillor Conduct Panel.

Councillors injured while carrying out duties as a Councillor may be entitled to claim workers compensation (Workcover) in accordance with the *Workplace Injury Rehabilitation and Compensation Act 2013*.

2.3 Councillor wellbeing

Councillors have access to Council's employee assistance program and counselling services for mental health and wellbeing support. This confidential and complimentary service is available to assist with support that is required in the role of Councillor, or in a personal capacity.

Councillors may approach the Chief Executive Officer to discuss any support that may be required to enhance their performance as Councillor.

3. PROFESSIONAL DEVELOPMENT

Council must support all Mayors, Deputy Mayors and Councillors to complete mandatory training within regulated timeframes. The *Local Government (Governance and Integrity) Regulations 2020* provide the framework for the matters that must be covered in the delivery of mandatory training, including matters that the Chief Executive Officer considers will support Councillors in the performance of their role.

When developing the Council budget, Council must have regard to setting a suitable budget for Councillor professional development, including ensuring that the budgetary requirements for the following types of professional development are met for the coming year where relevant:

3.1 Councillor induction

Council will provide a comprehensive induction program for all Councillors that meets regulatory requirements, with a mixture of internal and external presenters.

3.2 Mayoral training

Council will facilitate mayoral training attendance for elected Mayors and Deputy Mayors that meets regulatory requirements.

3.3 Councillor professional development program

Council will provide a yearly professional development program in consultation with Councillors, including developing a suitable budget.

3.4 Individual professional development

Individual professional development may take the form of various activities such as training, or attendance at conferences and events. Councillors may request to undertake appropriate professional development that may be of benefit to the individual's role as a Councillor and Council as a whole.

Requests for individual professional development, must be submitted in writing to all Councillors and the CEO. The request should outline the benefits to be gained from attendance and provide a detailed breakdown of total costs. This must be undertaken prior to the next available Councillor Diary Meeting.

A Councillor may not unilaterally decide that the individual professional development activity satisfies the definition of Council business unless the activity is subsequently acknowledged and endorsed as Council business at a Councillor Diary Meeting.

In considering requests for individual professional development, Council must consider the current budget allowance, needs of the Council and whether the matter has been or will be covered through the mandated Professional Development Program.

4. ALLOWANCES

Base allowances and remote area allowances are paid in accordance with section 39 of the Act and the determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. A Council cannot pay an allowance to a Mayor, Deputy Mayor or Councillor that exceeds the amount specified in the relevant Determination.

The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community'.

Allowances are in addition to reimbursements for approved expenses and other support.

4.1 Base Allowances

In accordance with section 39 of the Act, Councillors are entitled to receive an allowance while performing their duty as a Councillor. The Mayor and Deputy Mayor receive a higher allowance. The framework and values of the base allowance are determined in accordance with the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Councils are divided into four categories with Wellington Shire Council recognised as a category two Council.

Allowances are taxable income and are paid monthly in advance. Personal taxation implications are the responsibility of individual Councillors. Council is required to increase allowances in accordance with any adjustment factor as prescribed by determinations of the Victorian Independent Remuneration Tribunal. The values are inclusive of any Superannuation Guarantee Contribution amount, or equivalent, that may be payable under Commonwealth law.

4.2 Remote Area Travel Allowance

The purpose of Remote Area Travel Allowance is to provide additional payment for time spent on long distance travel in remote areas involving travel more than 50 kilometers from a Councillor's normal place of residence for the purpose of Council business.

The allowance is determined in accordance with the Victorian Independent Remuneration Tribunal, with a maximum amount claimable each year.

This Policy authorises the following as Council business for the purpose of claiming the Remote Area Travel Allowance:

- Ordinary and Special/Unscheduled Council Meetings;
- Council Workshops;
- Engagements where the Councillor is the nominated representative for Council as detailed on the Register of Council Committees and Advisory Groups;
- Civic Receptions;
- ANZAC Day, Australia Day, NAIDOC week or any national commemorative functions;
- Any other events, functions or meetings where the Chief Executive Officer and/or General Manager has requested Councillor attendance;
- An invitation to attend a community function/meeting as detailed in the Councillor Diary; and
- Any other municipal or community function which has been authorised by Council resolution.

Claims are to be completed using the C8 Remote Area Travel Allowance Claim Form which is available on the Councillor Homepage.

5. COUNCILLOR EXPENSES THAT WILL BE REIMBURSED

Section 40(1) of the Act provide that Councils are only required to reimburse Councillors for out-of-pocket expenses which are bona fide, have been reasonably incurred in performing their role, and are reasonably necessary for the performance of their role. In requesting reimbursements, Councillors are required to outline the reason for the expense to confirm that the claim is legitimate and to support transparency.

Out-of-pocket expenses may only be claimed when performing Council business as defined under "Definition of Council business" in this Policy.

5.1 Definition of Council business

"Council business" involves the business of the Council, not the activities of a specific Councillor.

Council business includes the following events and activities:

- Meetings of the Council or its Committees;
- Meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council;
- Meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative or is authorised by Council;
- A meeting, function or other official role as a representative of the Mayor or the Council;
- Other meetings, inspections or events attended by a Councillor in an official capacity; and
- Induction or professional development activities being undertaken by a Councillor.

A Councillor may not unilaterally decide that an activity satisfies the definition of Council business unless the activity is acknowledged and endorsed as Council business at a Councillor Diary Meeting.

On occasions where more than one Councillor representative is invited to attend a function or event, reimbursement will be payable provided such attendance by multiple Councillors has been endorsed at a preceding Councillor Diary Meeting.

5.2 General Councillor expenses that will be reimbursed

Reimbursement for appropriately documented out-of-pocket expenses may include payment for:

- Council business related travel;
- Meals while attending Council business related events;
- Event tickets or entry fees when attending on behalf of Council;
- Use of communication technology (access to internet);
- Dependent care including childcare costs
- The costs of a Councillor undertaking a working with children check; and
- Councillor Professional Development (subject to section 3).

5.3 Dependent Care Expenses

Councillors incurring bona fide dependent care expenses paid to a recognised provider will be reimbursed expenses when the dependent care is necessary in order to allow the Councillor to perform Council duties as defined under "Definition of Council business" in this Policy.

Dependent care includes childcare, specific home care and any other support provided in the case of a dependent as defined under the meaning of a care relationship under section 4 of the *Carers Recognition Act 2012*.

Where the care relates to dependent adults, the Chief Executive Officer must be satisfied that the expense is warranted. Expenses cannot be claimed for care provided by a direct relative or someone who normally or regularly lives with a Councillor.

5.4 Councillors with disabilities

The Council will meet reasonable expenses to provide additional support and/or equipment to assist a Councillor with a disability to perform Council business functions. Individual arrangements are to be discussed with the Chief Executive Officer.

5.5 Excluded Reimbursements

The following expenses will not be reimbursed by Council:

- Any expense arising from a breach of road, traffic, parking or other regulations or laws;
- Reading material, stationery, furniture or equipment additional to that provided for in this policy;
- Damage to or loss of personal possessions;
- Expenses for a partner or dependent not expressly provided for within this policy;
- Donations, tips, gifts or the purchase of raffle tickets;
- Hotel mini bar, inhouse entertainment, or similar;
- Alcohol;
- Personal consumption items such as confectionery, snacks and drinks;
- Expenses incurred by third parties;
- Expenses claimed as a tax deduction; and
- Expenses which are fully or partly recoverable from a third party.

6. TRAVEL

Where practical, travel that involves an anticipated reimbursement claim must be undertaken by the shortest distance and shortest travel time possible. Mileage reimbursements will be referenced back to the Councillor Diary Meeting. The distance claimed may be cross referenced for accuracy.

6.1 Mayoral Vehicle

Council provides the Mayor with a motor vehicle and associated fuel card for both official and personal use during the Mayoral term. The motor vehicle is fully maintained to the standard specified in the Provision of Motor Vehicles for Councillors Policy.

If the Mayor elects to use their own private vehicle during their Mayoral term, the following applies:

- The Mayor is responsible for all maintenance of their private vehicle;
- A fuel card will be assigned to and provided for use with their private vehicle only;
- The Mayor is responsible for insuring their own vehicle, and it is advisable that they record with their insurer that their private vehicle is being used for business purposes;
- Council will not be responsible for any damage, loss or breakdown that occurs whilst private vehicles are being used for Council purposes; and
- Council will not cover or contribute to any insurance excess that may be payable.

6.2 Access to Council Fleet Vehicles

A Council fleet vehicle may be provided to a Councillor upon request, subject to availability, to complete Council business. Use of a Council vehicle must be in accordance with relevant Council policies including completing the Driver's Logbook. Fleet vehicle bookings can be made via the Executive Assistant to the CEO.

6.3 Myki Card

Council will provide Councillors a Myki card upon request for travel via public transport to and from Council business. Alternatively, Councillors may use their personal Myki card and Council will reimburse the associated cost of travel in line with appropriate receipt documentation.

6.4 Use of Private Vehicles by Councillors

Councillors are encouraged to first consider a Council fleet vehicle and/or public transport before deciding to use their private vehicle to carry out Council business.

For travel by private vehicle for Council business purposes, reimbursement will be calculated using the flat rate specified by the Australian Taxation Office cents per kilometre method for the applicable income year. The cents per kilometre rate covers all car expenses, including depreciation, registration and fuel costs.

Councillors may also seek reimbursement of costs associated with tolls and car parking fees incurred when using their private vehicle for Council business. Claims must be accompanied by copies of receipts or accounts detailing the individual transactions.

6.5 Interstate and International Travel

Requests for attendance at interstate and overseas events must be submitted in writing and accompanied by a business case, describing the benefits to be gained from attendance and detailing the total costs and council funds requested. Councillors should not make any travel arrangements unless the activity is subsequently acknowledged and endorsed as Council business at a Councillor Diary Meeting.

Councillors are required to prepare a report for Council after their return from interstate or international travel outlining the purpose of conference, seminar, event or study tour, learning outcomes, applicable benefits to Wellington Shire, issues for consideration of Council and any recommendations.

Council will not reimburse any expenses relating to the partner's travel or attendance where a Councillor elects to have their partner accompany them on travel.

6.6 Standard of Accommodation

Standards of accommodation vary markedly in both urban and regional areas. It is expected that Councillors will select accommodation in commercial establishments like hotels, motels and serviced apartments with appropriate consideration for what offers best-value.

7. SUBMITTING A CLAIM FOR REIMBURSEMENT

Councillor reimbursement claim forms are located on the Councillor Homepage.

All reimbursement claims are to be itemised on the relevant reimbursement form with supporting evidentiary documentation. Reimbursements will not be approved without sufficient evidence. If expense receipts or invoices cannot be produced, a statutory declaration may be requested from the claiming Councillor.

Claims must include sufficient detail to demonstrate, in accordance with the Act, that the reimbursed expense is a reasonable and legitimate out-of-pocket expense while conducting Council business.

Reimbursement claims are authorised by the Executive Assistant to the CEO and forwarded to the Finance Unit for processing. Payment will be made via electronic transfer to the bank account nominated by the Councillor.

Claims are to be submitted as soon as possible but not less than quarterly (by end June, September, December and March). All outstanding claims for the June quarter must be received no later than ten business days after the end of the financial year. Any claims submitted later than three months after the expense was incurred will not be considered for payment.

8. REPORTING

Reimbursements of Councillor expenses will be reviewed on a regular basis by the Remuneration Committee and Council's Audit & Risk Committee.

Council's Annual Report provides a summary of Councillor allowances and expenses, including reimbursement of expenses for each Councillor paid by the Council. Annual expenses are calculated over a financial year (1 July to 30 June). An annual and quarterly summary of expenses will also be provided to each Councillor.

REVISION HISTORY

VERSION	DATE	SUMMARY OF CHANGES
2.0	March 2025	Change of name from 'Council Expense and Administration Policy' to 'Councillor Expense and Administration Policy'. Policy restructured and rewritten to directly address legislation, updated regulations and relevant guiding material.