



# KENTISH COUNCIL POLICY

## PAYMENT OF COUNCILLOR EXPENSES AND PROVISION OF FACILITIES

### Policy Number 03:04:2005

<b>POLICY NUMBER</b>	03:04:2005
<b>OBJECTIVE</b>	<p>To provide guidance regarding the reimbursement of Councillors for expenses incurred when carrying out the duties of office.</p> <p>To provide transparency in the way expense reimbursements and facilities are provided and clear accountability when expenses are claimed or Council provided facilities are used.</p> <p>To ensure Councillor expense claims are in accordance with Councils Code of Conduct for Councillors.</p>
<b>STATUTORY AUTHORITY</b>	<p>Schedule 5 Section 1 and 2 of the Local Government Act 1993</p> <p>Local Government (General) Regulations 2015 – Reg 43</p>
<b>POLICY</b>	<p>Adopted 13 December 2005      Minute 7.3.2</p> <p>Reviewed 15 November 2011      Minute 11.1.6</p> <p>Reviewed 17 November 2015      Minute 11.4.5</p>

#### 1. INTRODUCTION:

The Local Government Act 1993 at Schedule 5 states:

*1. Expenses*

*(1) A council, on or before 1 January 2006, is to –*

*(a) adopt a policy in respect of payment of expenses incurred by councillors in carrying out the duties of office; and*



*(b) make a copy of the policy available for public inspection.*

*(2) A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under subclause (1) in relation to –*  
*(a) any prescribed expenses; and*

*(b) any other expenses the council determines appropriate.*

## *2. Loan of services, facilities and equipment*

*A council may decide to provide support services, facilities and equipment on loan to a councillor on any conditions it considers appropriate.*

The Local Government (General) Regulations 2015, Regulation 43 states:

### **43. Expenses for councillors**

A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under Schedule 5 to the Act in relation to –

**(a)** telephone rental, telephone calls and use of the internet; and

**(b)** travelling; and

**(c)** care of any person who is dependent on the councillor and who requires the care while the councillor is carrying out his or her duties or functions as a councillor; and

**(d)** stationery and office supplies.

This policy aims to ensure that Councillors are provided with adequate and reasonable expenses and facilities to enable them to carry out their civic responsibilities.

This policy also aims to provide procedures for the payment of Councillor expenses and to ensure that there is no confusion in relation to the claiming and payment of expenses by Councillors.

## **2. DUTIES OF OFFICE:**

A Councillor is deemed to be executing duties of office when attending a function or meeting:

- a Supported by a resolution of Council
- b Supported by an approval under a relevant Council Policy
- c When the visit directly relates to a current agenda item or Council Forum item.
- d When delegated or authorised by the Mayor
- e As a representative of Council in accordance with Appendix A

### 1.1 Not Executing Duties of Office – Election Period



A Councillor is deemed not to be executing duties of office when attending any functions or meetings during a Council election period other than a meeting of Council or a Council/Special Committee to which the councillor has been appointed as an official member.

#### 1.2 Definition

For the purposes of this Policy “function or meeting” shall include, conferences, seminars, forums, workshops, courses, meetings, information and training sessions and events related to the industry of local government and relevant to the Kentish Council.

### **3. TRAVEL EXPENSES**

Travelling expenses will be reimbursed for activities undertaken whilst executing duties of office as defined in Section 1.

A Council pool vehicle is to be booked and used where available in preference to private vehicles.

#### 3.1 Rate

The rate of reimbursement for the use of private vehicles will be equal to that determined annually by the Australian Taxation office for motor vehicle expense deduction claims using the 'cents per kilometre' method and will be paid on receipt of a completed Expenses Claim form supplied by Council

#### 3.2 Other Transport

Councillors will be reimbursed for travel using public transport in relation to duties of office, while reimbursement for travel in cars supplied by external parties (car rental organisations) will be paid direct to the provider.

#### 3.3 Travel Bookings

Secretarial support (clause 6.1) will be provided where practical in relation to travel bookings. Receipts must be retained and included with the Expenses Claim form supplied by Council.

#### 3.4 Definition of Journey

- a. To and from home when executing duties of office as defined in Section 1.
- b. To and from place of work when executing duties of office as defined in Section 1
- c. A section of a journey that relates to the execution of duties of office as defined in Section 1
- d. Travel that relates to the supply of child care as defined in Section 5.

#### 3.5 Travelling Allowance Precludes



- a. Travel where alternative arrangements have been made by Council.
- b. Travel other than that defined as necessary for the execution of duties of office in Section 1.

#### **4. COMMUNICATION EQUIPMENT**

- 4.1 .The Mayor will be provided with a computer and printer if required. These items will be updated on a regular basis and remain the property of Council.
- 4.2 Councillors are provided with i-pads for the receipt and distribution of emails and other transmitted documents
- 4.3 The Mayor will be provided with a mobile phone through Council's normal supplier of telecommunications equipment. The cost of usage, including incidental and reasonable private use will be met by Council.
- 4.4 Councillors will also be required to have telephones and other equipment to ensure that they can be readily contacted on Council business
- 4.5 Council's Information Technology Officer will be available where practical to assist Councillors with the installation and ongoing operation of computer equipment.
- 4.6 Council will provide an annual allowance of \$500, remitted monthly, to cover the full cost of any entitlements in respect of telephone, email and associated expenses, including line rental and telephone calls, stationery and other consumables incurred by a Councillor in carrying out the duties of office.

#### **5. CARE OF DEPENDANT**

Council will reimburse a Councillor for reasonable expenses incurred for the care of any person who is dependent on the councillor and who requires care while the councillor is carrying out his or her duties of office as defined in Section 1.

A claim must be submitted on the form supplied by Council and be accompanied by satisfactory evidence of the expense.

#### **6. PROVISION OF FACILITIES**

- 6.1. Council will provide the Mayor with secretarial support in respect of typing, postage and email transmissions of correspondence for the purpose of discharging his/her functions and duties as a Councillor.

Further support will be given in relation to attendance at seminars and conferences and requirements for travel in accordance with Section 3 and Section 7 and in conjunction with a relevant Council policy.



- 6.2. Council will not provide secretarial support, address lists, postage or reimbursement of postage for unsolicited correspondence.
- 6.3 The Mayor, Deputy Mayor and Councillors are permitted to use the office telephones and Wi-Fi connection in discharging their functions and duties as a Councillor.

## **7. CONFERENCES AND SEMINARS**

A specific budget allocation is provided by Council to reimburse delegates registration, travel costs and accommodation expenses (excluding 'mini-bar' expenses). Partners/spouses will be reimbursed for meals at state conferences and the 'major dinner' at Federal conferences.

Following attendance of a conference by any councillor, a report must be submitted to Council setting out the relevance to local government, and the benefits that can be further investigated by Council. Where two or more councillors attend a conference, a joint report may be submitted.

### **7.1 Claim**

A claim must be submitted on the Expense Claim form supplied by Council accompanied by receipts.

### **7.2 Seminar and Conference Bookings**

Secretarial support (Clause 6.1) will be provided in relation to the necessary bookings for attendance at seminars and conferences in accordance with a relevant Council Policy.

## **8. INSURANCE**

Council will provide personal accident insurance on the lives of Councillors and their accompanying partners/spouses for the time being whilst travelling to and from and attending Council meetings or on Council business, whether authorised or not and shall include the attendance at Council Functions which a Councillor is expected to attend.

## **9. PROCEDURES FOR APPROVAL AND PAYMENT**

Expense claims are to be submitted to the General Manager for approval and must include;

- A fully completed and signed claim form in the format outlined in appendix B
- Copies of all relevant documentary evidence
- Any other information required by this policy

Where, in the opinion of the General Manager, a question arises as to whether a claim for reimbursement of expenses is ineligible under this policy, or the claim appears unreasonable or does not serve the interests of Council, the General Manager shall refer the matter to Council for decision and policy guidance.



## **10. REPORTING OF COUNCILLOR ALLOWANCES AND EXPENSE PAYMENTS**

To provide transparency and accountability, a quarterly report will be tabled at the October, January, April and July Council meetings detailing the total payments in respect of each councillor for each of the following expenditure categories:

- Councillor Allowance in accordance with Section 340A of the Local Government Act 1993
- Communication Equipment Allowance
- Mobile phone costs
- Per km motor vehicle expense reimbursements (including total km travelled)
- Other Travel Expenses
- Training, Conference and Seminar Expenses (other than travel)
- Child Care Expenses

## **11. REVIEW**

This Policy is to be reviewed annually.



## APPENDIX A

The following specifies duties of office as they relate to the reimbursement of expenses.

Council Meetings	Yes
Attendance a Council offices for meetings with employees	Yes
Community meetings to which a Councillor has been invited (supported by a resolution of Council or an approval under a relevant Council Policy)	Yes
Council Forums	Yes
External Conferences/Seminars and Workshops funded by Council (supported by a resolution of Council or an approval under a relevant Council Policy)	Yes
Meetings of Committees, appointed by Council under Section 23 or 24 of the Act (Special and Council Committees), and to which a Councillor has been appointed an official member.	Yes
Inspections etc undertaken by a Councillor to gain familiarity with issues listed on the Agenda	Yes
Rallies held on community interest issues (individual decision to attend)	No
Any functions, meetings etc during a Council election period other than a meeting of Council or a Council/Special Committee	No
Community meetings that a Councillor attends of their own interest (individual decision not ratified by Council and not at the express invitation of the hosts)	No
External Conferences/Seminars and Workshops not funded by Council (individual decision not ratified by Council or not approved under a relevant Council Policy)	No
Meeting of Committees, appointed by Council under Section 23 04 24 of the Act and to which a Councillor attends from personal interest (individual decision not ratified by Council)	No
Any travel where the expense would otherwise have been incurred as a result of private business	No



## APPENDIX B

### Kentish Council – Councillors Claim Form

#### Application for Expense Reimbursement

**Name:** \_\_\_\_\_

**Reason for application** [Include a description of the benefits to be obtained by both the applicant and Council]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Period covered by this application:**

From: Time \_\_\_\_\_ Date \_\_\_\_\_ To: Time \_\_\_\_\_ Date \_\_\_\_\_

**Expenses** (see reverse for details):

Travel - See back of form or attachment-	\$.....
Meals	\$.....
Out of pocket expenses	\$.....
Other Expenses (include Details)_____	
_____	\$.....
<b>TOTAL:</b>	<b>\$.....</b>

**General Ledger Account code** 70175 GVEM INST

I hereby declare that the expenses detailed on this form were incurred in carrying out the duties of office, are in accordance with Council's Payment of Councillor Expenses and Provision of Facilities Policy and in accordance with the Kentish Council Code of Conduct (Conduct of Councillors Policy 03:05:2006).

**Signature of applicant:** \_\_\_\_\_ **Date** \_\_\_\_\_

**Authorised by General Manager:** \_\_\_\_\_ **Date** \_\_\_\_\_





Details of Travel and Expenses

Date	Details	KLMS	Meals \$

Office use only:

Total Klms \_\_\_\_\_

Rate @ 66 cents per Klm \$\_\_\_\_\_