

HOPE VALE ABORIGINAL SHIRE COUNCIL

Expense Reimbursement and Provision of Facilities Policy

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EXPENSE REIMBURSEMENT AND PROVISION OF FACILITIES POLICY

ORIGIN/AUTHORITY

Local Government Regulation 2012
Section 250

PURPOSE

This policy sets the basis by which Council provides for the following:

- establishing the guidelines through which the Mayor and Councillors may claim legitimate expenses incurred, or to be incurred, in the performance of their duties; and
- facilities to be provided for and/or at the disposal of Councillors and Mayor, while carrying out civic duties as elected representatives of the Hope Vale Aboriginal Shire Community

APPLICATION

This policy applies to the Mayor, Deputy Mayor, Councillors and Chairs of Committees, and is made pursuant to Section 249-252 of the Local Government Regulation 2012.

This policy deals with the reimbursement of expenses or provision of a facility to Councillors.

PRINCIPLES

Reimbursement of reasonable expenses incurred by Councillors

Councillors should not be financially disadvantaged when carrying out the requirements of the role of Councillor and should be fairly and reasonably compensated in this regard in accordance with community expectations. The use of the provided facilities will be open for review to the extent appropriate to the proper performance of a Councillor's responsibilities.

Public accountability and transparency

The Councillor Reimbursement of Expenses and Provision of Facilities Policy will be available to the public in accordance with the Regulations.

Public perceptions and community expectations

the Council will provide only those facilities and reimbursements reasonably necessary for the efficient performance of a Councillor's responsibilities.

No private benefit to be derived

All reimbursement of expenses or provision of facilities must be for legitimate business use only, i.e. to enable Councillors to carry out their civic duties effectively and efficiently. Facilities and resources provided to Councillors are for the sole use of Councillors in undertaking their duties and should be used responsibly and appropriately. Spouses, partners and family members of Councillors are not entitled to receive any reimbursement of expenses or provision of Council facilities.

Equity and Participation

To maximise equity and the participation of Councillors from diverse backgrounds and circumstances, this Councillor Expense Reimbursement and Provision of Facilities Policy expressly permits the reimbursement of expenses that are reasonably and necessarily incurred to allow the participation of Councillors who experience unusual barriers to participation, such as disability or cultural responsibilities.

DEFINITIONS

For the purpose of this policy the following definitions shall apply:

Council – shall mean the Hope Vale Aboriginal Shire Council.

Councillors – Includes the Mayor, Deputy Mayor and other Councillors, unless specifically identified.

Chairs of Committees – are those persons appointed or whose position is ratified by a Council resolution to chair a duly established Council Committee.

Council Business - This is official business of a Councillor as generally described in the Local Government Act 2009, conducted on behalf of, and approved by, Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements. Council business should result in a benefit being achieved either for the local government and/or the local government area.

Expenses - Expenses are payments reasonably incurred, or to be incurred, in connection with Councillors discharging their duties. The expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge. Expenses are not included as remuneration.

Facility - Facilities provided to Councillors that are the “tools of trade” and required to enable them to perform their duties with relative ease and at a standard appropriate to fulfil the community expectation for their role.

Reasonable - Councils must make sound judgments and consider what is prudent, responsible and acceptable to the community when determining appropriate levels of facilities and expenditure.

The Act – shall mean the *Local Government Act 2009* (as amended).

The Regulations - shall mean the *Local Government Regulation 2012*.

ROLES AND RESPONSIBILITIES

Chief Executive Officer – The Chief Executive Officer is responsible for ensuring this policy is understood and adhered to by the Mayor and Councillors.

BACKGROUND

This policy has been written to be compliant with the five (5) underpinning principles set by section 4 of the Local Government Act 2009:

- (a) transparent and effective processes, and decision-making in the public interest; and
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) democratic representation, social inclusion and meaningful community engagement; and
- (d) good governance of, and by, local government; and
- (e) ethical and legal behaviour of councillors and local government employees in addition, the financial sustainability criteria should require that financial policies be formulated to:
 - (i) ensure a reasonable degree of equity, stability and predictability; and
 - (ii) so that current services, facilities and activities are financed by the current users of the services, facilities and activities; and
 - (iii) having regard to the effect of the policies on the future users of services, facilities and activities.

1. PAYMENT OF EXPENSES

Expenses will be paid to a Councillor through administrative processes as approved by Council’s Chief Executive Officer subject to:

- (a) the limits outlined in this policy;

- (b) Council endorsement by resolution when claims are outside this policy;
- (c) in the case of reimbursement of expenses production of receipts and tax invoices or evidence that such expenses have been paid is required prior to reimbursement; and
- (d) expense reimbursement must be claimed within three (3) months of such expense having been paid by the Councillor and claims for reimbursements outside of this period will not be accepted.

1.1. Expense Categories

1.1.1. Professional Development /Conferences /Workshops /Training

Council will reimburse expenses incurred for:

- (a) attendance at Regional, State or National Local Government associated conferences, subject to attendance being approved by Council resolution;
- (b) attendance at Regional meetings and workshops associated with a Councillor's responsibilities;
- (c) mandatory professional development as approved by Council resolution; and
- (d) discretionary professional development deemed essential by Council for the Councillor's role and approved by Council resolution.

1.1.2. Travel as required to represent Council including deputations to Government, Ministers and organisations that promote Council's objectives.

Council may reimburse local and, in some cases, interstate and overseas travel expenses (eg flights, car, accommodation, meals and associated registration fees) deemed necessary to achieve the business of Council where:

- (a) a Councillor is an official representative of Council; and
- (b) the activity/event and travel have been endorsed by resolution of Council.

Councillors are to travel via the most direct route, using the most economical and efficient mode of transport. Council will pay for reasonable expenses incurred for overnight accommodation when a Councillor is required to stay outside the local government's region.

All fines incurred while travelling in either Council or privately owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine. Councillors must consider alternatives to paying excess baggage such as couriering or posting material prior to departure. Any personal excess luggage e.g. gifts and souvenirs must be at the Councillor's personal cost.

1.1.3. Travel Bookings

All Councillor travel approved will be booked and paid for by Council.

Economy class is to be used. Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses (eg cost of partner or spouse accompanying the Councillor).

1.1.4. Travel/Transfer Costs

Any travel/transfer expenses associated with Councillors travelling for Council approved business will be reimbursed. Example: Trains, taxis, buses and ferry fees, toll fees. Council will provide reimbursement for parking costs paid by Councillors while attending to official Council business.

1.1.5. Council provided Vehicle/Private Vehicle Use

Councillors' may receive an allowance of up to \$340 dependant on location as stipulated in the 'Travel Policy' dependant on location. In other circumstances where Councillors are utilising private vehicle usage, the Councillor will be reimbursed the total travel claim providing the total fuel claim does not exceed the cost of the same travel using flights plus the cost of taxi fares.

Council will not reimburse a Councillor for any damage, loss or injury to people or property arising out of the use of their private vehicle. Councillors are to maintain comprehensive insurance on their vehicles and claim against their insurance policy in the case of an accident.

1.1.6. Accommodation

- (a) All Councillor accommodation for Council business will be booked and paid for by Council.
- (b) Council will pay for the most economical accommodation arrangement available.
- (c) Where possible, the minimum standards for Councillors' accommodation should be three or four-star rating.
- (d) Where accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

1.1.7. Meals

Councillors may receive a disbursement of up to \$95 per day as stipulated in the 'Travel Policy'.

- The Councillor incurs the cost personally; and
- The meal was not provided –
 - within the registration costs of the approved activity/event; or
 - during an approved flight

The following limits apply to the amount Council will reimburse Councillors for meals:

- Breakfast \$25.00
- Lunch \$35.00
- Dinner \$40.00

No alcohol or mini bar expenses will be paid for by Council.

If private accommodation is provided by a relative or friend, Councillors are entitled to be reimbursed at a rate of \$65.00 per night.

1.1.8. 1.1.8. Incidental Disbursement

Up to \$20 per day may be paid by Council to cover any incidental costs incurred by Councillors required to travel, and who are away from home overnight for official Council business.

2. FACILITIES

2.1. Provision of Facilities

All facilities provided to councillors remain the property of council and must be returned to Council when a Councillor's term expires.

2.2. Private use of Council-owned facilities

Based on the principles of transparent and effective process, good governance and ethical and legal behaviour the facilities provided to Councillors by Hope Vale Aboriginal Shire Council are to be used only for council business unless prior approval has been granted by resolution of Council.

2.3. Facilities Categories

2.3.1. Administrative tools

Administrative tools should be provided to Councillors as required to assist Councillors in their role. Administrative tools include:

- (a) office space and meeting room
- (b) mobile telephone and laptop for the Mayor

- (c) access to computers
- (d) stationery
- (e) access to photocopiers
- (f) access to printers
- (g) access to facsimile machines
- (h) publications
- (i) use of Council landline telephones and internet access in Council offices
- (j) Secretarial support may also be provided for mayors and councillors

2.3.2. Maintenance costs of Council owned equipment

Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council owned equipment that is supplied to Councillors for official business use.

This includes the replacement of any facilities which fall under Council's asset replacement program.

2.3.3. Name Badge and Safety Equipment for Councillors

A local government may provide Councillors with:

- (a) a name badge; and
- (b) the necessary safety equipment for use on official business, e.g. safety helmet/boots. Councillors are expected to observe the appropriate Workplace Health and Safety regulations when in any workplace.

2.3.4. Use of Council Vehicles on Council Business

Councillors may, if available, access a Council vehicle for use on official business. The Mayor and Deputy Mayor are to be provided with a fully maintained vehicle for use in Council duties with full and unrestricted private use. The Mayor will be allocated a Toyota Landcruiser (or equivalent) and the Deputy Mayor will be allocated a Toyota Prado (or equivalent).

Councillors, excluding the Mayor and the Deputy Mayor, can claim up to a maximum of \$120 per week for the cost of work-related private vehicle costs.

2.3.5. Telecommunications Costs

Councillors can claim up to a maximum of \$50 per week excluding the Mayor and Deputy Mayor for the cost of work-related telecommunications cost. The Mayor and the Deputy Mayor will be furnished with a Council supplied mobile phone for official and non-official use.

2.3.6. Insurance Cover

Hope Vale Aboriginal Shire Council will indemnify or insure Councillors in the event of injury sustained while discharging their civic duties. The local government will pay the excess for injury claims made by a Councillor resulting from conducting official Council business.

2.3.7. Uniform Entitlement

Councillors will be provided with corporate uniforms equivalent to that provided to staff.

2.3.8 Legal Representation

Council will cover costs incurred through injury, investigation, hearings or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillor's performance of his / her civic functions. Where it has been found that the Councillor breached the provisions of the Local Government Act 2009, the Councillor will reimburse Council all associated costs incurred by Council.

3. CLAIMS FOR REIMBURSEMENT

All claims for reimbursement of expenses will be made on the approved form and submitted with original receipts to the Chief Executive Officer or Finance Director for approval.

Failure to comply with this policy, falsifying claims or logbooks or the misuse of facilities may breach the Councillors' Code of Conduct and/or represent an offence under the Criminal Code and may be referred to the Crime and Corruption Commission.

4. NOTIFICATION OF ADOPTION OF EXPENSES REIMBURSEMENT POLICY

As soon as practicable after a local government adopts its expenses reimbursement policy, the local government must publish the policy on the local government's website.

5. POLICY WILL BE DISCUSSED AT AN OPEN MEETING

A local government cannot resolve under section 254J that a meeting at which a proposed expenses reimbursement policy is discussed (including its adoption or amendment, for example) be closed.