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Councillor Expenses Reimbursement - Council Policy

Effective Date	<i>3 June 2008</i>
Policy Owner	<i>Customer Support and Governance</i>
Link to Corporate Plan	<i>Strategic Priority - Financial Sustainability</i>
Review Date	<i>April 2025</i>
Related Legislation	<i>Local Government Act 2009 Local Government Regulation 2012</i>
Related Documents	<i>Entertainment and Hospitality - Council Policy Councillor Vehicle Lease Agreement – Private Use of Vehicle</i>

Policy Version	Approval Date	Adopted/Approved
1	<i>3 June 2008</i>	<i>Ordinary Meeting of Council</i>
2	<i>15 October 2008</i>	<i>Ordinary Meeting of Council</i>
3	<i>1 April 2009</i>	<i>Ordinary Meeting of Council</i>
4	<i>14 December 2011</i>	<i>Ordinary Meeting of Council</i>
5	<i>18 December 2013</i>	<i>Ordinary Meeting of Council</i>
6	<i>6 May 2015</i>	<i>Ordinary Meeting of Council</i>
7	<i>14 December 2016</i>	<i>Ordinary Meeting of Council</i>
8	<i>12 December 2018</i>	<i>Ordinary Meeting of Council</i>
9	<i>21 April 2021</i>	<i>Ordinary Meeting of Council</i>

*This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. **A hard copy of this electronic document is uncontrolled.***



Councillor Expenses Reimbursement - Council Policy

1. PURPOSE

The purpose of this policy is to provide for the:-

- (a) payment of reasonable expenses incurred, or to be incurred, by Councillors for discharging their duties and responsibilities as Councillors; and
- (b) provision of facilities to Councillors for that purpose.¹

2. SCOPE

This policy applies to all Councillors of Western Downs Regional Council.

This policy does not provide for Councillor remuneration. Councillor remuneration is determined annually by the Local Government Remuneration Commission.

3. POLICY

3.1 Statement of Principles

This policy is consistent with the local government principles² as defined in the *Local Government Act 2009*.

Councillors are entitled to be reimbursed for reasonable expenses incurred in undertaking Council business and be provided with facilities to assist them in carrying out their duties and responsibilities as Councillors.

Councillors use of facilities and reimbursement of expenses must:-

- be **reasonable and in the public interest**, enabling representation whilst avoiding waste;
- be **publicly defensible**, in line with general community expectations; and
- be **accountable and transparent**, approved by Council resolution or administrative process, and disclosed in Council's Annual Report.

3.2 Council Business

Council will reimburse reasonable expenses incurred, or to be incurred, by a Councillor representing Council on Council business and provide facilities necessary for the discharge of a Councillor's responsibilities and duties of office.

Council business is official business conducted on behalf of and/or approved by Council where a Councillor is required to undertake tasks to satisfy legislative requirements³ or achieve business objectives for Council. Council business should result in a benefit being achieved either for Council, the Western Downs area or the community.

Council business includes functions that are a statutory requirement of the Councillors role and include attending an event or function to perform official duties or where a formal invitation has been received inviting the Councillor in their official capacity, such as:-

- a. preparing for, attending and participating in Council meetings, committee meetings, Councillor Information Sessions and approved workshops, strategic briefings and deputations; or
- b. meetings arranged through official Council channels (i.e. documented in official records or diary) for the purpose of conducting bona fide discussions relating to Council business; or
- c. seminars and conferences where Councillors are required to either deliver a paper and/or attend as a delegate of Council as per resolution or by Mayoral approval; or
- d. approved professional development opportunities (see Professional Development expense category section 3.3); or
- e. official functions organised by or on behalf of the local government;

¹ *Local Government Regulation 2012*, section 249(2)

² *Local Government Act 2009*, section 4

³ *Local Government Act 2009*, section 12



Councillor Expenses Reimbursement - Council Policy

- f. public meetings and other community events within the region such as presentation dinners, meetings with community groups, fetes and carnivals; or
- g. as an official Council representative as per resolution or with the prior approval of the Mayor; or
- h. attendance at civic functions and ceremonies on behalf of the Mayor as delegated by the Mayor; or
- i. attendance at events for the purpose of gathering of information by a Councillor necessary to inform them of a matter of interest to Council or which properly falls within the responsibility of Council or in relation to the Councillor's portfolio; or
- j. other business as resolved by Council.

The following are not regarded as 'Council Business' unless benefit to Council will be achieved as a result of the attendance or participation as a community member: -

- i. attending or participating in a community event, community group including service clubs, or being a representative on a Committee or Board;
- ii. attendance at fundraising events;
- iii. attendance at events organised by political parties.

Section 12(4)(h) of the *Local Government Act 2009* states that the Mayor has the extra responsibility of representing the local government at ceremonial or civic functions.

Section 12(5) of the *Local Government Act 2009* states that a Councillor who is not the Mayor may perform the Mayor's extra responsibilities only if the Mayor delegates the responsibility to the Councillor.

3.3 Payment of Expenses

Expenses will be paid to Councillors in accordance with the relevant administrative processes as approved by the Chief Executive Officer and the limits as outlined in this policy. Wherever possible most expenses will be booked and paid for by Council in advance. Councillors making a claim for legitimate reasonable expenses incurred for Council business must submit the appropriate form detailing the relevant expense within three (3) months of the expense being incurred or invoiced, or at the discretion of the Chief Executive Officer.

Expense Categories	Details
Professional Development	<p>Professional Development and Study Assistance</p> <p>Where a Councillor identifies the need to attend training or undertake study to improve skills relevant to their role as a Councillor, the Councillor is to gain the Mayor's approval to attend. Each Councillor is allocated a maximum of \$5,000 per term towards professional development costs.</p>
Travel Costs	<p>Council will reimburse travel expenses deemed necessary to achieve the business of Council where:</p> <ul style="list-style-type: none"> • a Councillor is an official representative of Council; and/or • the activity/event and travel have been endorsed by resolution of Council or approved by the Mayor in accordance with this policy. <p>Councillors are required to travel the most direct route, using the most economical and efficient mode of transport.</p> <p>Any fines incurred while travelling in Council owned vehicles or privately-owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine.</p> <p>All Councillor approved travel will be booked and paid for by Council.</p> <p>Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed.</p>

Councillor Expenses Reimbursement - Council Policy

Expense Categories	Details
	<p>Councillor's private vehicle usage will be reimbursed at the Australian Taxation Office cents per kilometre rate if the:</p> <ul style="list-style-type: none"> • travel has been endorsed by Council resolution or approved by the Mayor in accordance with this policy; and • claim for mileage is substantiated with log book details; and • total travel claim does not exceed the cost of the same travel using economy flights plus the cost of taxi transfers. <p>It should be noted that Council's motor insurance does not cover private vehicles used for Council business.</p> <p>Council will reimburse parking costs incurred by Councillors while attending to official Council business.</p>
Accommodation	<p>All Councillor accommodation for Council business will be booked and paid for by Council where possible. Council will pay for the most economical deal available where possible. The minimum standard for Councillor accommodation will be a three-star rating.</p> <p>Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.</p> <p>Accommodation expenses may be incurred where the duration of Council business (including travel to) exceeds six (6) hours and the travel time to the Councillor's principle place of residence is in excess of two (2) hours.</p> <p>Councillor's travelling (within the Western Downs Regional Council area) to attend official Council business will be eligible to claim accommodation in accordance with the following criteria:-</p> <ul style="list-style-type: none"> • where Councillors are required to attend official Council business over consecutive days; or • where Councillors are required to attend official Council business which extends past 6.30 p.m.
Meals	<p>Council will reimburse costs of meals for a Councillor when:</p> <ul style="list-style-type: none"> • the Councillor incurs the cost personally; and • the meal was not provided within the registration costs of the approved activity/event; and • a copy of a tax invoice is provided. <p>Council reimbursement for meal expenses shall be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch, dinner where these are not provided at the event and must be within the <i>Australian Taxation Office Guidelines for Reasonable Allowances</i> set for each income tax year.</p>
Incidental Allowance	<p>Council will pay an incidental daily allowance within the <i>Australian Taxation Office Guidelines for Reasonable Allowances</i> set for each income tax year to Councillors when they are required to stay away from home overnight for official Council business.</p>
Hospitality and Entertainment Expenses	<p>The Mayor and Councillors may have occasion to incur hospitality expenses while conducting official Council business. Hospitality expenses incurred will typically take the form of meals and beverages. The maximum amount of hospitality expenses that may be reimbursed</p>

Councillor Expenses Reimbursement - Council Policy

Expense Categories	Details
	<p>is \$4000 / annum for the Mayor and \$500 / annum for Councillors. A copy of a tax invoice is required for reimbursement.</p> <p>Hospitality and entertainment expenses shall be in accordance with Council's Entertainment and Hospitality - Council Policy.</p>

3.4 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 or when a Councillor ceases to be a Councillor.

Councillors will be provided facilities as detailed in the table below. These have been provided on the principle that no private benefit is to be gained from the facilities provided.

Facilities Categories	Details
Administrative Tools	<p>Council will provide Councillors with technology/stationery as required to enable Councillors to carry out their role effectively.</p> <p>A meeting room will be provided at each Customer Service Centre for Councillors, Chief Executive Officer and General Managers to utilise when working in the area. Meeting rooms will be required to be booked in advance with Office of the CEO.</p>
Internet Access	<p>Councillors will be required to have Internet access to receive Council meeting agendas and communicate via email.</p> <p>Council will reimburse Councillors up to \$55 per month for their privately supplied fixed line (e.g. ADSL, Fibre to the Premises, Fibre to the Node), NBN fixed wireless, or NBN satellite internet service.</p> <p>Council will reimburse Councillors up to \$105.00 per month for their privately supplied internet service in areas where a fixed line, fixed wireless or NBN satellite internet service is unavailable.</p>
Mobile Telephone	Council will provide a mobile telephone to Councillors for official Council business.
Home Telephone	Council will reimburse costs for land line home telephone plans up to a maximum of \$55.00 per month where a reliable mobile phone service is not available at the Councillors principal place of residence. Council will <u>not</u> reimburse calls made in relation to official Council business.
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.
Corporate Uniform	<p>Council will provide Councillors with the following corporate equipment:</p> <ul style="list-style-type: none"> • Name badge • Necessary safety equipment for use on official business e.g. safety helmet/boots • Business cards • \$350 per annum corporate uniform allowance for:-

Councillor Expenses Reimbursement - Council Policy

Facilities Categories	Details
	<ul style="list-style-type: none"> • Corporate Jacket • Corporate shirts • Corporate trouser/ lower garment • Corporate tie/scarf • Corporate polo shirt
Vehicles	<p>Due to the vast area which Western Downs Regional Council covers (38,039sq kms) and to encourage Councillors to participate in all Council activities/events held throughout the region, Council has deemed it necessary to provide a vehicle to Councillors for official Council business.</p> <p>Council authorises the private use of Council vehicles if a Councillor has entered into a lease back contract with Council, which defines the terms of the lease agreement. The Chief Executive Officer is responsible for ensuring the relevant documentation has been completed.</p> <p>The Mayor will be provided with an appropriate sedan or 4WD luxury vehicle.</p> <p>Councillors will be provided with an appropriate sedan or 4WD vehicle equipped with passive and active safety features in recognition of the large distances travelled, and the requirement to travel at night.</p> <p>The set leaseback fee will be deducted automatically from the fortnightly Councillor remuneration payments. The leaseback fee will be set by Council resolution and will be reviewed annually.</p>
Fuel Costs	<p>All fuel used in a Council owned vehicle on official Council business will be provided or paid for by Council as per lease agreement.</p>
Insurance Cover	<p>Council will insure Councillors in the event of injury sustained while discharging their duties.</p> <p>Council will pay the excess for injury claims made by a Councillor resulting from conducting official Council business.</p>
Reimbursement of Legal Costs	<p>Council will reimburse legal costs incurred by a Councillor through any inquiry, investigation, hearing or legal proceeding into the conduct of a Councillor, or arising out of or in connection with, the performance of the Councillors functions where the Councillor was found to be not in breach of any Act or Regulation.</p> <p>Where a Councillor is found to have breached an Act or Regulation, the Councillor will be liable for all costs associated with the matter.</p>

3.5 Reporting

The *Local Government Regulation 2012* (LGR) legislates that Council must adopt a policy providing for payment of reasonable expenses incurred, or to be incurred, by Councillors for discharging their duties and responsibilities as Councillors and provision of facilities to the Councillors for that purpose.

The LGR legislates that Council must in its Annual Report detail the expenses incurred by, and the facilities provided to each Councillor during the year under the local government's expenses reimbursement policy and include a copy of the local government's expenses reimbursement policy.

