

Councillor Expenses Policy



Policy Type:	Council
Version:	2.0
Date Adopted:	01 November 2023
Service Unit	Democratic Support & Corporate Governance
Directorate:	CEO Office
Review Date:	November 2027

1. Purpose

This policy supports Councillors and members of delegated committees to perform their role as defined under the Local Government Act 2020, by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

The policy also provides guidance on entitlements, processes for reimbursement and reporting requirements, whilst ensuring that Councillors and members of delegated committees are enabled to perform their duties without disadvantage.

Councillor duties are those performed by a Councillor as a necessary part of their role, in achieving the objectives of Council. These duties may include (but are not limited to):

- Attendance at meetings of Council and its committees;
- Attendance at briefing sessions, workshops, civic events or functions convened by Council;
- Attendance at conferences, workshops and training programs related to the role of Councillor, Mayor or Deputy Mayor;
- Attendance at meetings, events or functions representing Council.
- Duties in relation to constituents concerning Council business.

Members of delegated committees exercise powers of Councillors, under delegation, therefore this policy also applies to those members in the course of undertaking their role as delegated committee members.

2. Definitions

Carer	A carer is defined under section 4 of the Carers Recognition Act 2012. This includes childcare and care of frail aged and/or disabled individuals who reside in the Councillor's household for whom the Councillor is the primary carer. Carer expenses will be paid in respect of a recognised attendant care provider, but is not payable to a family member of the Councillor.
Delegated committee	Delegated committees are defined under section 63 of the Local Government Act 2020. For the purpose of this policy, a Community Asset Committee is not deemed a delegated committee.

Tax Invoice	The financial details of the transaction to be provided on the tax invoice must include: Name of the supplier and their ABN. Description of the product or service provided. Date that the service or goods were received. Total amount paid, inclusive of GST (if applicable). Date the payment was made to the supplier.
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3. Scope

This policy applies to all Councillors and members of delegated committees of Moorabool Shire Council.

4. Non- Compliance

Non-compliance of this policy may be deemed to be in contravention the Moorabool Shire Councillor Code of Conduct and subject to appropriate action under that Code and/or action initiated by the relevant regulatory authorities.

5. Policy

Councillors and members of delegated committees are entitled, under section 40 of the Local Government Act 2020 (the Act), to reimbursement of expenses reasonably incurred in the performance of their duties.

This policy ensures that the reimbursement of these expenses is in accordance with the Act and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the Council.

Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that are:

- Bona fide expenses; and
- Have been reasonably incurred in the performance of the role of Councillor; and
- Are reasonably necessary for the Councillor or member of a delegated committee to perform their role.

In respect to the Mayor, Deputy Mayor (if elected) and Councillors, Council will make available reasonable resources and facilities reasonably necessary to enable them to effectively perform their role. Council will in accordance with the Act S42(2(a) consider the support which may be required because of a disability.

5.1 Carer and Dependent Related Expenses

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)).

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.

Council will provide reimbursement of costs where the provision of carer services is reasonably required when a Councillor or delegated committee member who is a carer (see Definitions) incurs reasonable expenses in the performance of their duties.

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.

5.2 Attendance at Meetings and/or Conferences OR Functions

Councillors will be given the opportunity of attending training programs, meetings, conferences and functions based on relevance to the role and development of the Councillor with regard to Ward or Council appointed representative or delegate responsibilities.

Attendance at meetings/conferences or functions without the need for a resolution of Council will be in accordance with the following approval process per financial year (or pro-rata amount in the financial year of the general Council election):

- Up to \$3000 for Councillors may be approved by the Chief Executive Officer;
- Up to \$5000 for the Mayor may be approved by the Chief Executive Officer;
- Attendance at a meetings/conferences or functions where the individual cost per Councillor is in excess of \$3000 per Councillor and \$5000 for the Mayor, as a total cost to Council, must be subject to approval by a formal resolution of Council.

Application to attend any overseas meetings or conferences involving Council expenditure must be approved by a resolution of Council.

Councillor attendance at meetings/conferences or functions, including those associated with Council Committees, or any other matters pertaining to Council service units will be subject to the process above.

Subject to the limit of \$3000 per Councillor or \$5,000 for the Mayor, Council will pay:

- Registration fees;
- Main conference dinner if not covered by registration cost, together with all meals within reasonable limits (a guide to what is considered to be within reasonable limits can be found in the annual Australian Taxation Office Determination for Reasonable Travel Expenses¹) for the duration of the attendance for the Councillor;
- Transport to, from and during attendance; and
- Accommodation costs for stays located greater than 50kms outside the municipality. Expenditure will be payable for the nights of the particular activity attended and for the nights pre and post where necessary. Accommodation should be as close as possible to the meeting venue or otherwise and to a maximum of four-star standard, unless approved by the Chief Executive Officer.

Any additional accommodation costs incurred as a result of extended stays or the attendance of partners and/or children must be borne by the Councillor.

Full details pertaining to any interstate or overseas meetings involving Council expenditure must be made on the Interstate/Overseas Travel Application form available from the Office of the CEO.

Within one month upon return from any interstate or overseas travel the Councillor must provide and certify, a reconciliation of all expenditure incurred.

Where a spouse or partner of a Councillor is invited to a civic function or function hosted by another level of government or representative body with the Councillor, the cost of attendance will be borne by Council.

Where a spouse, partner or child of a Councillor attends a conference or interstate or overseas meeting or event with the Councillor, Council will not cover the additional cost of attendance of the spouse, partner or child.

Where the spouse or partner of a Councillor is invited to a function hosted by the Mayor and/or Chief Executive Officer with the Councillor, the cost of attendance will be borne by Council.

5.3 Travel Expenses

All Councillor travel should be undertaken by utilising the most direct route and the most practicable and economical mode of transport.

Claims for travel expenses will be paid based on the actual form of transport used and in the form of reasonable allowances towards or reimbursement of necessary out of pocket expenses.

Where possible, a Council vehicle will be made available for use by a Councillor for attending approved functions within Victoria however, if a Council vehicle is unavailable, then a Councillor may claim travelling to attend any such meetings/functions for the use of his or her own vehicle in accordance with the Australian Taxation Office¹ published rate per kilometre for the relevant financial year.

For the purposes of annual reporting, the usage of a Council vehicle will be calculated based on the kilometres travelled within the reporting period and the rate applied by the manufacture for fuel using the following:

- Value of the vehicle
- Total use
- Council/personal use percentage
- On costs such as fuel, registration and maintenance.

Toll Fees (on the provision of Toll Notice or Statement) and car parking fees (on the provision of original receipts) incurred while conducting Council business will be reimbursed.

¹ [ATO Website - Tax Determination](#)

Council does not accept responsibility for reimbursement for:

- Travel from work or other locations where the kilometres claimed are greater than what would be claimed from the notified place of normal residence.
- Meetings arranged outside Moorabool Shire that would not form part of a Councillors' normal role.
- Any expenses arising from a breach of road, traffic parking or other regulations or laws or for damage or loss, of a vehicle.

Councillors choosing to travel by public transport will either be provided with relevant tickets or travel card upon request or reimbursed following the provision of original receipts.

Where travel is by flight (whether interstate or international), Council will only reimburse the cost of economy class travel.

5.4 Professional Development, Training & Memberships

Councillors will be reimbursed for any fees and materials associated with the attendance at approved corporate conferences, courses and seminars for their professional development and training as a Councillor.

Professional body membership fees for Councillors may be paid where there is a benefit to performing their elected roles and responsibilities. A resolution of Council is required approving reimbursement or payment of membership fees.

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.

5.5 Stationery, Consumables & Minor Equipment

Most stationery and consumable items are available from Council on request. However, any minor equipment up to the value of \$50, purchased by a Councillor that is subject to a reimbursement from Council, will remain the property of Council, and must be returned to Council and the end of the Councillors electoral term.

5.6 Cultural, Arts & Charitable Events

Councillors are encouraged to actively support local cultural, arts and charitable events. The cost of the tickets (at the publicly advertised price) will be treated as a reimbursable and reportable Councillor expense.

6. Approval of Expenses

The CEO will review expenses to ensure they are within reasonable limits for each type of expense. In doing so, this reduces the risk claims are outside of tolerances expected for and would be considered reasonable. Expenses which may be unreasonable will be discussed with the Councillor.

7. Procedure

Making a claim for reimbursement:

1. All claims must be made on the approved expense reimbursement form shown as Appendix 1, available from Office of the CEO.
2. Original receipts must be attached for all claims (credit card receipts will not be accepted). If an original receipt has been accidentally lost or destroyed and a reprint cannot be obtained from the supplier, a sworn Statutory Declaration may be provided.
3. Where the provider of the goods or service is registered for GST a tax invoice must be obtained and provided (without this the GST component of the cost cannot be reimbursed).
4. Claims must be lodged with the Office of the CEO as soon as possible after the expense was incurred.
5. Reimbursements will be provided by electronic funds transfer to an account nominated by the Councillor or delegated committee member.

8. Reporting

Councillor expenses subject to S40, S41 and S42 of the Local Government Act 2020 will be reported in the annual Performance Statement and Annual Report. This will include:

- Carer and Dependent Expenses
- Attendance at meetings and /or Conferences and Functions
- Travel
- Professional Development, Training and Memberships
- Stationery, Consumables and Minor Equipment
- Cultural, Arts and Charitable Events.

A Councillor or delegated committee member must provide a report on the principal outcomes or learnings gained from their attendance at any meeting or conference that has been approved by a resolution of Council, within one month of their return.

Biannual reports of all Councillor and delegated committee member expenses will be provided to Council, and Council's Audit and Risk Committee. The report will include:

- Expenses incurred by Councillors and delegated committee members;
- Reimbursement claims made by Councillors and delegated committee members; and
- Reimbursements made to Councillors and delegated committee members for the period of the report.

9. Related Legislation

Legislation:

- *Carers Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Gender Equity Bill 2020*

Councillor Expenses Policy

Council Policies:

- Governance Rules
- Public Transparency Policy
- Governance Framework

10. Council Plan Reference

Objectives: A Council that listens and adapts to the needs of our evolving community
Context: Measure performance, communicate our results and continue to improve our services every day

11. Review

Council's Executive Management Team commits to monitoring information sharing and decision-making processes to understand the overall level of success of the implementation of this Policy. This policy will be reviewed every 4 years, or as required to reflect changes to organisational or legislative requirements.

Councillor Expenses Policy



Expense Reimbursement Form Councillor/Delegated Committee Member

Name: _____ Ward _____

Address: _____
_____ Post Code _____

BSB No: _____

Account No: _____ Date Submitted: _____

Date	Nature of Council Business	Details of Expense	Amount Claimed	Receipt Attached (Yes/No)
		TOTAL \$		

I certify that the costs claimed for reimbursement have been incurred by me while performing my duties as a Councillor/delegated committee member of the Moorabool Shire Council.

Signature: Approved by:

Interstate and Overseas Travel Advice Form

This form aims to capture all details pertaining to either Interstate or Overseas Travel for inclusion in Council's Travel Register. Please ensure all fields below are completed.

Name:		
Title:		
Dates of Travel:	Start:	End:
Destination:		
Purpose:		

Expenditure Details

Air Fares:	\$
Accommodation:	\$
Conference Fees:	\$
Meals/other:	\$
TOTAL COST	\$

Upon completion, please forward this form to the Office of the Chief Executive, either before or immediately after travel for registration.