

Title:	Councillor Expenses and Support Policy
Type of policy:	Council
Adopted:	26 June 2024
Record No:	24/35685
Attachments:	Attachment 1 – Councillor Expenses and Support Procedure

Acknowledgement of Country

Murrindindi Shire Council is proud to acknowledge the Taungurung and Wurundjeri Woi Wurrung people as the traditional owners of the land we now call Murrindindi Shire.

We pay our respects to First Nations leaders and elders, past, present and emerging, who are the keepers of history, traditions, knowledge and culture of this land.

We commit to working in collaboration with traditional owners of this land in a spirit of reconciliation and partnership.

1. Purpose

The purpose of this Councillor Expenses and Support Policy is to establish the resources and support necessary to enable Councillors and Delegated Committee Member to perform their role, as defined under the *Local Government Act 2020* (the Act).

The operational implementation of this policy will be managed in accordance with the Councillor Expenses and Support Procedure (Attachment 1). The Procedure shall be reviewed on a regular basis to ensure the effective and efficient application of this policy.

2. Rationale

Section 39 of the Act provides for Mayor, Deputy Mayor (if appointed) and Councillor allowances.

Section 40 of the Act provides for the reimbursement of out-of-pocket expenses incurred while performing the duties as a Councillor or Delegated Committee Member. Section 42 of the Act requires councils to provide Councillors with the resources and facilities reasonably required to perform their role.

3. Scope

This policy covers both the Mayor, Deputy Mayor and Councillor allowances, the reimbursement of expenses and the provision of resources to enable Councillors to undertake their role effectively.

It also covers the reimbursement of expenses incurred by Delegated Committee Members in undertaking their duties. The Act does not mandate any other support for Delegated Committee Members.

4. Definitions

Reference Term	Definition
Act	The <i>Local Government Act 2020</i>

Carer	A carer is defined under section 4 of the <i>Carers Recognition Act 2012</i>
CEO	The Chief Executive Officer appointed by Council under section 94 of the Act.
Council	The seven Councillors elected to represent the Murrindindi Shire when they are acting in a formal decision-making forum.
Councillors	The seven Councillors elected to represent the Murrindindi Shire Council.
Delegated Committee Members	<p>Delegated Committee Members are members of a committee established under section 63 of the <i>Local Government Act 2020</i>; or a member of a joint delegated committee established under section 64 of the Act.</p> <p>For clarity, Delegated Committee Member does not include Community Asset Committee or Advisory Committee members, as they are not entitled to claim reimbursement under the Act unless specifically outlined in their contract with Council or Charter or Instruments of delegation.</p>
Eligible Council Business	<p>Eligible Council Business includes attending:</p> <ul style="list-style-type: none"> • Scheduled and Unscheduled Council Meetings and meetings of Committees of Council • Formal briefing sessions and civic or ceremonial functions convened by the Council or Mayor • Meetings necessary for the Councillor to exercise a delegation given by Council or as convened by the Mayor or Council • Meetings, functions, sector-conferences or other official role attended as a representative of the Council or Mayor • Meetings of any Council appointed committee or any incorporated charity or community organisation, as a representative of the Council • Meetings of a group, organisation or Statutory Body to which the Councillor has been appointed the Council delegate. • Meetings or to participate in delegations or deputations to which the Councillor has been appointed as a representative by Council, the Chief Executive Officer or Mayor • A street, property or area inspection (or to discuss with any person) any matter affecting or affected by the Council, and/or in order to carry out activities in the capacity of a Councillor <p>Any claims for expense reimbursement related to matters falling outside this definition must be approved by the CEO.</p>
Executive Office Team	Staff engaged by the CEO to support the Mayor, CEO and Executive.

5. Policy

5.1 Allowances

Under section 39 of the Act the Mayor, Deputy Mayor and Councillors are entitled to receive from the Council an allowance in accordance with a determination of the Victorian Independent Remuneration Tribunal. Allowances include the addition of an amount equivalent to the superannuation guarantee.

In accordance with State Government policy, if a Councillor normally resides more than 50kms by the shortest practicable road distance from the location or locations specified for Eligible Council Business the Councillor may claim an additional allowance in respect of each day in which one or more meetings or authorised functions were attended by that Councillor, up to a maximum amount per annum set by the Tribunal.

5.2 Expense Reimbursement

The Act provides for the reimbursement of eligible out-of-pocket expenses for Councillors and Delegated Committee Members. Councillor Allowances will be withheld when a Councillor is stood down in accordance with the *Local Government Amendment (Governance and Integrity) Act 2024*.

The basic test that will be applied to determine whether an expense is lawfully incurred is whether the expenditure is necessary because it is supplemental or incidental to or consequent on the exercise of Eligible Council Business or other approved duties.

Expenses that are covered by another body with its own reimbursement policy or procedure will not be covered.

Community Asset Committees or Advisory Committee members are not entitled to claim reimbursement unless specifically outlined in their contract with Council or relevant Charter or Instrument of delegation.

5.3 Child Care / Carer Expenses

Under Section 41 of the Act, Councillors and Delegated Committee Members are entitled to reimbursement for expenses relating to the care of a dependent, while they are undertaking their official duties. Council will provide reimbursement of costs where the provision of child care or carer services is reasonably required for a Councillor or Delegated Committee Member to perform their role.

5.4 Travel Expenses

Council Vehicles

Council will provide the Mayor with a vehicle for Eligible Council Business and other approved purposes during their term. The vehicle entitlement does not extend to private use. The vehicle type will be determined by the CEO in accordance with Council's Vehicle Policy.

Councillors are encouraged to use Council vehicles except where this is not practical.

Where a return trip is more than 500km, Councillors must use a Council vehicle arranged by the Executive Office Team. Any exception must be approved by the CEO in advance of the travel.

Use of Council vehicles must be in accordance with Council's Vehicle Policy, Fuel Card Policy and Driver Safety Policy.

Private Vehicles

Should a Councillor use a private vehicle for Eligible Council Business or other approved travel, the Councillor must ensure the vehicle meets the minimum requirements set out in Attachment 1.

Parking, Tolls and Other Vehicle associated expenses

Council will reimburse the following costs incurred during Eligible Council Business or other approved travel:

- Car parking fees. The most value for money option should always be sought
- Tolls and day passes
- Public transport fares in economy class.
- Taxis or rideshare costs (e.g. Uber) if no other method of transportation is available

Council will not reimburse:

- Expenses where no evidence has been provided (e.g. tax invoice)
- Travel fare upgrades (e.g regional rail first class)
- Fines and infringements.

Flights and Hire Car Expenses

Air travel and the use of hire cars are permitted for Eligible Council Business or other approved travel, with the prior approval of the Mayor and the CEO. Hire cars required by Councillors to undertake Eligible Council Business or other approved travel must be booked and paid for by the Executive Office Team. Any exception must be approved by the CEO in advance of the travel or expenses being incurred. Hire vehicle type will be determined by the CEO at a comparable level to Council's Vehicle Policy.

5.5 Accommodation

Accommodation will be booked by the Executive Office Team for Councillors undertaking Eligible Council Business, professional development or an approved purpose in the following circumstances:

- The Councillor is travelling 2 hours or more and is required to attend prior to 9:30am
- The Councillor is travelling 2 hours or more and the event finished after 5pm
- The Councillor is required over consecutive days
- Where the day will exceed 12 hours from leaving home to returning home
- Any other circumstances where it is deemed appropriate by the Mayor and CEO.

Councillors wishing to make alternative arrangements will incur the additional expense above what would have been purchased.

5.6 Meals

Reasonable expenses for meals and refreshments will be reimbursed when a Councillor is undertaking Eligible Council Business, professional development or another approved purpose and it is reasonable to expect that the Councillor purchase a meal or refreshments. Expenses for alcohol consumption are not eligible for reimbursement.

Council Meetings and Briefings

Where deemed appropriate, Councillors and relevant staff will be provided with suitable meals and

refreshments while attending Council Meetings and Briefings. This will be purchased directly by Council. Dietary requirements will be accommodated.

5.7 Accompanying Partner/Guests

Attendance at seminars, conferences and civic functions of a Councillor's partner or guest shall be at the expense of the Councillor.

Accommodation provided by Council may be shared by an additional person, so long as there is no additional cost to Council and the CEO has been advised prior.

5.8 Professional Development Expenses

All elected Councillors shall be supported in their role through a comprehensive induction program as soon as possible after an election. This will include legislative requirements, roles, responsibilities and conduct of Councillors, policy development, strategic planning as well as issues affecting the Murrindindi Shire Council

Professional development of Councillors during their term is strongly encouraged. Throughout the term of a Council, Councillors will be given professional development opportunities including short training programs, conferences, seminars and functions. The selection and approval of professional development by the Mayor and the CEO will be based on its relevance to the Councillor's role, Ward and/or their portfolio responsibilities and any demonstrable benefit to effective community representation.

To aid mutual understanding and learning across Councillors, individual Councillors attending professional development will be required to provide a brief report on the content and outcomes at a Council briefing within 30 days of attendance or completion.

Council will not contribute to tertiary or postgraduate level course costs.

Annual Financial Allocations

Council will allocate an annual amount to cover the professional development of all Councillors as a group. This may include necessary / mandatory training, team-based development or where the Mayor or Councillors request the attendance of all Councillors.

An additional annual budget allocation will be provided for individual Councillor professional development. The distribution of this amount amongst Councillors will notionally be determined by dividing the budgeted amount by the number of Councillors, noting that the final distribution will be by the agreement of the Councillors and the Mayor, based on individual needs.

Where a Councillor is presenting

Where a Councillor is invited to present at a conference or event and is paid a fee, that fee will be paid into Council's general revenue. Any gifts received are to be managed in accordance with Council's Gift Policy and Councillor Code of Conduct.

5.9 Information & Communication Support

Responsible Officer: Manager Governance & Risk

Adopted: 26 June 2024

Councillors will be provided with the following equipment to allow them to effectively carry out their duties:

- A portable computer, internet enabled
- Relevant software, including MS Office Suite
- Mobile phone, internet enabled.

5.10 Other Expenses

Other expenses incurred by Councillors will be reimbursed where they are associated with the Councillor conducting Eligible Council Business or approved travel to enable Councillors to undertake their role. The business reason for the cost, the amount and relevant evidence of purchase must be submitted as part of the reimbursement process for CEO approval.

Councillors will be supplied with the following items:

- Business Cards
- Stationery
- Name Badge
- Relevant subscriptions – such as local publications
- Protective clothing where required.

Administration Services

Administrative support, for work directly related to Councillor duties, will be provided through the Executive Office Team.

Meeting rooms

Where a Councillor requires a meeting space, it will be arranged by the Executive Office Team, on behalf of the Councillor, including the booking and payment of any fees.

Legal expenses

Other than by specific Council resolution or in accordance with a Council policy, any legal expenses incurred by a Councillor will be the responsibility of that Councillor.

Councillors may discuss potential liability claims on a case-by-case basis with the CEO to determine if any legal advice or insurance claim is applicable.

5.11 Insurance

Councillors are covered under the following Council insurance policies whilst discharging their duties as a Councillor:

- Public liability
- Professional indemnity
- Councillors and officers' liability; and
- Personal accident
- Motor vehicle accident (if using a Council vehicle)
- Corporate Travel (accompanying partners included).

Each Councillor has a responsibility to disclose details of any circumstances which may result in a claim, particularly for breach of professional duty. Similarly, if a Councillor becomes aware of a matter that exposes the Council to risk of a potential claim or that exposes the public to potential injury or harm, the matter is to be reported immediately to the CEO.

5.12 Procedures for Reimbursement of Councillor Expenses

All reimbursement claims must be submitted on the Councillor Claim Form within 60 days of expense being incurred. Claims in excess of 60 days will not be reimbursed.

A tax invoice / receipt must be obtained for each purchase. Where a receipt has been lost or could not be obtained a statutory declaration will be required.

The reimbursement claim including relevant evidence of purchase is to be submitted to the Executive Office Team for assessment. Councillor claims are then forwarded to the CEO for final assessment and approval.

5.13 Reporting and Auditing

Reporting of Councillor expenses (including purchases by Council for Councillors and reimbursements) will be included in the financial report presented to Council on a quarterly basis. This report is made publicly available.

Councillor expenses are subject to audit by the Victorian Auditor General, the Local Government Inspectorate and Council's internal auditor.

5.14 Breach of this Policy

Any breach of this policy will be dealt with in accordance with the *Local Government Act 2020* and the Councillor Code of Conduct.

6. Related Policies, Strategies and Legislation

- *Local Government Act 2020*
- Councillor Code of Conduct
- Councillor Gift Policy
- Fraud and Corruption Control Policy
- Vehicle Policy
- Fuel Card Policy
- Driver Safety Policy.

7. Council Plan

The review of this policy is consistent with the Council Plan 2021-2025 Strategic Objective 5.1.5 'Maintain transparent, inclusive and accountable governance practices'.

8. Management and Review

The CEO will monitor the implementation of this policy and conduct the review of the policy by September 2028 or earlier, as deemed appropriate.

9. Consultation

No community consultation was required for the review of this policy.

10. Human Rights Charter

This policy has been developed with consideration of the requirements under the [Charter of Human Rights and Responsibilities](#).

11. Gender Impact Assessment

This policy has been developed/reviewed with consideration of the criteria which inspires equality under the *Gender Equality Act 2020*.