

<b>Title:</b>	<b>Councillor Expenses, Professional Development and Support Policy</b>
<b>Type of policy:</b>	Council
<b>Adopted:</b>	26 June 2024-Under revision
<b>Record No:</b>	
<b>Attachments:</b>	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 policy is to ensure Councillors and Delegated Committee Members are provided with the resources and support necessary to perform their duties and to establish:

- Reimbursement processes for out-of-pocket expenses incurred by Councillors and Delegated Committee Member while performing their statutory role
- The framework for developing, delivering and reporting on Councillor professional development training (mandatory and discretionary)
- The process for reporting Councillor reimbursements and professional development expenses to the community.

The operational implementation of this policy will be managed in accordance with the Councillor Expenses and Support Procedure. The procedure shall be reviewed regularly to ensure effective and efficient implementation.

### 2. Rationale

This policy is required to comply with the *Local Government Act 2020* (Act) including:

- Section 33A, which requires Councillors, the Mayor and Deputy Mayor to be provided with induction training and ongoing professional development to perform their duties.
- Section 39, which confirms that Councillors, the Mayor and the Deputy Mayor are entitled to receive allowances, which can be withheld if professional development is not completed as required.
- Section 42, which requires Council to provide Councillors with the resources and facilities reasonably necessary to enable them to perform their role; and
- Section 41, which requires Council to adopt an expenses policy in relation to the reimbursement of out-of-pocket expenses incurred while performing an official role.

### 3. Scope

This policy covers both the Mayor, Deputy Mayor and Councillor allowances, the reimbursement of expenses and the provision of resources, including ongoing professional development 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
<b>Act</b>	The <i>Local Government Act 2020</i> as amended by the <i>Local Government Amendment (Governance and Integrity) Act 2024</i> .
<b>Carer</b>	A carer is defined under section 4 of the <i>Carers Recognition Act 2012</i>
<b>CEO</b>	The Chief Executive Officer appointed by Council under section 94 of the Act.
<b>Council</b>	The Councillors elected to represent the Murrindindi Shire when acting in a formal decision-making forum.
<b>Councillors</b>	The Councillors elected to represent the Murrindindi Shire Council.
<b>Delegated Committee Members</b>	<p>Delegated Committee Members are members of a committee established under section 63 of the Act; 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 Instrument of delegation.</p>
<b>Eligible Council Business</b>	<p>Eligible Council Business includes attending:</p> <ul style="list-style-type: none"> <li>• Scheduled and Unscheduled Council Meetings and meetings of Committees of Council</li> <li>• Formal briefing sessions and civic or ceremonial functions convened by the Council or Mayor</li> <li>• Meetings necessary for the Councillor to exercise a delegation given by Council or as convened by the Mayor or Council</li> <li>• Meetings, functions, sector-conferences or other official role attended as a representative of the Council or Mayor</li> <li>• Meetings of any Council appointed committee or any incorporated charity or community organisation, as a representative of the Council</li> <li>• Meetings of a group, organisation or Statutory Body to which the Councillor has been appointed the Council delegate.</li> <li>• Meetings and work performed under delegation or where the Councillor has been appointed as a representative by Council, the Chief Executive Officer or the Mayor</li> <li>• A street, property or area inspection (or to discuss with any person) any matter affecting or affected by the Council, and/or to carry out activities in the capacity of a Councillor.</li> </ul> <p>Any claims for expense reimbursement related to matters falling outside this definition must be approved by the CEO.</p>
<b>Executive Office Team</b>	Staff engaged by the CEO to support the Mayor, CEO and Executive.
<b>Experiential learning</b>	Learning derived from experience (e/g/ on-the-job training, self-directed learning, development roles, exposure and practice.

Reference Term	Definition
<b>Formal learning</b>	Learning through a structured program (e.g. training course, workshop, seminar, webinar, e-learning module).
<b>Regulations</b>	<i>Local Government (Governance and Integrity) Regulations 2020</i>
<b>Social learning</b>	Learning through others (e.g. personal or professional network, coaching, mentoring, membership of professional association)

## 5. Policy

### 5.1 Allowances

The Mayor, Deputy Mayor and Councillors are entitled to receive 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 (s.39 of the Act).

In accordance with State Government policy, if a Councillor normally resides more than 50 km 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 or failed to complete mandatory Councillor training in accordance with the Act.

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, 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

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

## 5.4 Travel Expenses

### Council Vehicles

Council will provide the Mayor with a vehicle for Eligible Council Business and other approved purposes. 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 impractical.

Where a return trip is more than 500 km, 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 the Councillor Expenses & Support Procedure.

### 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 selected)
- Tolls and day passes
- Public transport fares (economy)
- Taxis or rideshare costs (e.g. Uber) if no other method of transportation is available.

Council will not reimburse:

- Expenses without evidence (e.g. tax invoice)
- Travel fare upgrades (e.g. regional rail first class)
- Fines and infringements.

### Flights and Hire Car Expenses

Air travel and hire cars are permitted for Eligible Council Business or other approved travel, with the prior approval of the Mayor and the CEO. Hire car type will be determined by the CEO at a comparable level to Council's Vehicle Policy. Air travel and hire cars 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.

## 5.5 Accommodation

Accommodation will be booked for Councillors by the Executive Office Team for 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 finishes after 5pm
- The Councillor is required to attend 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 accommodation arrangements will incur the additional expense above the approved accommodation.

## 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. Expenses for alcohol consumption are ineligible for reimbursement.

### Council Meetings and Briefings

Where deemed appropriate, Councillors 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

Council will not reimburse the cost of a Councillor's partner or guest to attend an Eligible Council Business or professional development with a Councillor. Accommodation approved 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 Councillor Training

Council will ensure that Councillor training is targeted to equip Councillors with the knowledge and skills needed to effectively fulfill their roles in the best interests of the community and is designed to:

- Maximise benefit to the community
- Support strong collaborative working relationships, teamwork and collective decision-making skills
- Balance collective and individual Councillor development needs
- Be effective and cost efficient recognising the value of experiential, social learning and formal learning.

Council is committed to complying with the mandatory training requirements outlined in the Act and Regulations as summarised below.

<b>Training</b>	<b>Timing</b>	<b>Who</b>	<b>Matters to be covered</b>
Mayoral Training	Within 1 month of appointment	Mayor Acting Mayors appointed for one or more months Deputy Mayors  Training not required if already completed within preceding 12 months.	<ul style="list-style-type: none"> <li>• Roles and responsibilities</li> <li>• Chairing meetings</li> <li>• Engagement and advocacy</li> <li>• Leadership</li> </ul>
Councillor Induction	Within 4 months of taking the Oath or Affirmation	All Councillors, including people that have previously performed the role of Councillor and/or undertaken Councillor induction training.	<ul style="list-style-type: none"> <li>• Working together in a Council</li> <li>• Decision making, integrity and accountability</li> <li>• Community representation</li> <li>• Strategic planning</li> <li>• Financial management</li> <li>• Conduct</li> <li>• Land use planning</li> </ul>
Professional Development	Annually by 31 December except for an election year when it must be completed by 1 September	All Councillors	Matters identified above.  Training to progressively enhance and deepen knowledge and skills to perform the role of Councillor.

Councillors are responsible for ensuring that they complete the induction and annual professional development training and complete the required written declarations. Council is required to withhold a Councillor’s allowance until they have completed induction or professional development training in accordance with Section 33 and 33B of the Act.

The CEO must develop a Councillor induction program that meets mandatory training requirements and provide Councillors with reasonable assistance to complete the training within 4 months of taking office.

In relation to professional development training, the CEO’s role is to ensure that professional development training is available to be taken, and that Councillors receive reasonable assistance in accordance with Section 33A of the Act. The CEO will:

- Facilitate an annual workshop led by the Mayor to discuss mandatory and discretionary professional development training requirements
- Make available to Councillors tools to enable them to assess their professional development needs

- Develop an annual professional development training plan, in line with the Regulations and the allocated budget, confirming the content and the timing of mandatory and discretionary training for Councillors to endorse
- Ensure Councillors are provided with reasonable assistance to access training.
- Provide Councillors with a template to declare mandatory professional development compliance, which is to be signed before the CEO by 31 December each year or 1 September on an election year.
- Ensure professional development expenses are reported for each Councillor in the annual report in accordance with the Regulations.

Councillors attending formal learning and/or external professional development will be required to provide a brief report to Councillors on the training within 30 days of attendance or completion to share learning and maximise the value of the training opportunity to all Councillors.

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

#### Councillor training budget and training activity approval process

Council will allocate an annual amount to cover mandatory Councillor training requirements. An additional annual budget allocation will be provided for discretionary (collective or individual) professional development training. 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 between the Councillors and the Mayor, based on individual needs.

The CEO is responsible for approving training activities within the allocated budgets for mandatory and discretionary (collective or individual) Councillor professional development.

#### 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 the Model Councillor Code of Conduct, Councillor Values and Interactions Protocols Policy and Council's Gifts and Benefits Policy.

### **5.9 Information & Communication Support**

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

- A laptop 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 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 clause 5.11 below, 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 while 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 Council to risk of a potential claim or 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 the expense being incurred. Claims older than 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 approval.

## 5.13 Reporting and Auditing

Reporting of Councillor professional development training costs and 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 Act, Regulations, the Model Councillor Code of Conduct, Councillor, Values and Conduct Protocols Policy and the Councillor & Staff Engagement Policy.

## 6. Related Policies, Strategies and Legislation

- *Local Government Act 2020*
- *Local Government Amendment (Governance and Integrity) Act 2024.*
- *Local Government (Governance and Integrity) Regulations 2020*
- *Local Government (Planning and Reporting) Regulations 2020*
- [Guidance on the mandatory training for Mayors, Deputy Mayors and Councillors \(October 2024\)](#)
- Model Code of Conduct
- Councillor Values and Conduct Protocols Policy
- Councillor Gifts and Benefits Policy
- Fraud and Corruption Control Policy
- Vehicle Policy
- Fuel Card Policy
- Driver Safety Policy.

## 7. Council Plan

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 required.

## **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*.