YARRABAH ABORIGINAL SHIRE COUNCIL

Document Control and Version History

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ORIGIN AND AUTHORITY

Local Government Act 2009
Division 2, Chapter 8, Local Government Regulation 2012

SCOPE

This policy:

- Provides for the reimbursement of legitimate expenses incurred by the elected members of Yarrabah Aboriginal Shire Council in the performance of their official duties.
- Identifies the facilities which will be made available to the elected members of Council to assist them in carrying out their official duties.

POLICY PRINCIPLES

The following principles underlie this policy:

- **No private benefit to be derived**
  Facilities provided to councillors are for the sole use of councillors in undertaking their duties and must be used responsibly and appropriately.

- **Reasonable expenses reimbursement**
  Councillors should not be financially disadvantaged when carrying out their roles, and should be fairly and reasonably compensated in accordance with community expectations.

- **Public accountability and transparency**
  The allocation of facilities to councillors and the reimbursement of their expenses will be open to reasonable public scrutiny.

- **Public perceptions and community expectations**
  Council will provide only those facilities deemed necessary for the efficient performance of a councillor's responsibilities.

DEFINITIONS

Councillors

All councillors, including the Mayor and Deputy Mayor.

Council Business

Activities conducted on behalf of Council where a councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business objectives for the Council.

Council business should result in a benefit being achieved, either for Council or the community.

Council business includes:

- Council, Committee and Briefing meetings;
- Mandatory training and discretionary training activities/workshops, seminars and conferences relevant to local government;
- Civic ceremonies, public meetings and community events and dinners where a formal invitation has been received inviting one or more councillors to attend in an official capacity;
- Meetings of community groups where a councillor has been appointed by Council as a delegate to the group on an on-going basis or for the purpose of representing Council at a single meeting;
- Private meetings with constituents, where arranged through official Council channels and details of discussions are documented in official records or diaries;
- Civic functions attended on behalf of the Mayor;
- Council organized meetings, inspections, learning tours, community consultations and delegation activities;

- Meetings of community organisations where a Council delegate has not been appointed to attend or is unavailable to attend;
- Other events as identified by resolution of Council.

Discretionary Training

Any training that is not determined by Council as mandatory.

Mandatory Training

Any training which, by resolution of Council, must be attended by all, or one or more councillors.

REPORTING REQUIREMENTS

Legislation requires that as soon as possible after Council adopts or amends this policy, it must ensure that a copy of the policy may be inspected and purchased at Council's office and that the policy is published on Council's website.

Each of Council's annual reports must include a copy of any resolution made during the relevant financial year for the purpose of adopting an Expenses Reimbursement Policy.

Each annual report must also state the expenses incurred by, and the facilities provided to each councillor during the financial year as well as detailing any overseas travel undertaken by councillors acting in an official capacity.

POLICY STATEMENT

Council will reimburse councillors or pay compensatory allowances for expenses incurred in carrying out council business, as defined above, in accord with the attached guidelines.

The facilities detailed in the attached guidelines will, under the conditions set down in the guidelines, be made available to councillors to assist them in the completion of their duties.

Where there is any doubt about a councillor's eligibility for reimbursement of a particular expense, receipt of a compensatory allowance or access to a particular facility, a decision on the matter will rest with the CEO who has responsibility for implementing this policy.

REVIEW

This policy will be reviewed once every four years or as determined by Council. Scheduled reviews will be timed to occur early in the term of each newly elected council.

Council's Corporate Governance Officer will be responsible for completing reviews.

Guidelines

Expenses Reimbursement and Provision of Facilities for Councillors

Yarrabah Aboriginal Shire Council

1. PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide information about the reimbursement of expenses, the payment of compensatory allowances and the provision of facilities for councillors of the Yarrabah Aboriginal Shire Council engaged in Council business.

2. OVERVIEW

Whenever practical, Council officers will make bookings and manage payments on behalf of councillors engaged in Council business and provide them with the facilities identified below. When this is not possible and costs must initially be met by councillors themselves, councillors may claim for reimbursement or, in certain cases, compensatory allowances.

The reimbursement of expenses, the payment of compensatory allowances and the provision of facilities for councillors are subject to the authorisation of the Council's Chief Executive Officer (CEO), or other officer(s) delegated that authority by the CEO. In some instances, detailed below, they are also subject to explicit approval from Council or to specific budget provision.

3. EXPENSES

This section is about expenses incurred by councillors engaged in Council business as defined in Council's Expenses Reimbursement Policy.

Councillors are only entitled to claim those expenses and compensatory allowances detailed below and only under the conditions set-down.

In all cases, claims for reimbursement and compensatory allowances, together with supporting documentation, are to be submitted to the CEO after the relevant expenses have been incurred but no more than 30 days after they were incurred.

3.1. Travel

1.1.1 General Information on Travel

Only expenses incurred for travel undertaken for the purpose of completing Council business may be claimed.

Councillors are to use the most cost effective form of travel possible unless there are sound reasons for doing otherwise. If a councillor wishes to travel by means other than the most cost effective available and doing so would increase the cost of travel

by more than the lesser of 20 per cent or $100, the approval of the CEO or the CEO's delegate is required.

The standard of air travel for councillors travelling on Council business will be economy.

Travel which is fully within Yarrabah Aboriginal Shire and travel to attend an event at a Council-owned venue within Yarrabah Aboriginal Shire is never a claimable expense.

Council has travel insurance arrangements in place, including medical and luggage components that covers councillors and employees on authorised Council business.

1.1.2 Travel Approval and Booking

All councillor domestic air travel requires the approval of the Mayor and the CEO or the CEO's delegate prior to both booking and travel. Where flexibility is required for return times or connecting flights, a suitably flexible ticket may be purchased with the approval of the authorising officers.

All councillor air travel must be co-ordinated and booked by Council administration staff.

All councillor travel over a return-trip distance of greater than 200 km requires the approval of the Mayor and the CEO or the CEOs delegate prior to booking (if applicable) and travel.

International travel for councillors may only be undertaken with the express approval of Council by resolution and only where Council considers it appropriate to promote or represent Yarrabah Aboriginal Shire for a local government purpose.

Travel (and accommodation) will not be booked until a completed *Travel Request Form* with all required approvals and travel details has been completed and submitted.

All requests for travel and accommodation bookings, including associated registrations, should be made in sufficient time to take advantage of discounts and gain access to the widest possible range of flights and accommodation.

When a councillor is appointed by Council resolution as Council's representative on (or delegate to) a state or federal committee or government association, all travel and accommodation associated with the councillor's fulfilment of that role will be deemed to be approved.

1.1.3 Use of a Private Vehicle

Subject to the conditions on travel approval above, councillors may use private vehicles for the completion of Council business. Councillors who do this may make a claim based on the number of kilometres travelled and the type of vehicle. Such claims must be supported by log book details or an appropriate statutory declaration.

The rate per kilometre used in the calculation of such claims will be taken from those set out in the Australian Taxation Office's allowed deductions for motor vehicle expenses for businesses.

3.2. Accommodation

3.2.1. General Information on Accommodation

Only expenses incurred for accommodation necessary for the purpose of completing Council business may be claimed.

Councillors will generally be accommodated in three or four star accommodation unless none is available in a suitable location. If a councillor wishes to be accommodated at a venue which is 20 per cent or more expensive than a viable alternative, the approval of the CEO or the CEO's delegate is required. A condition on the approval of such requests may be that the councillor concerned must reimburse Council for the additional cost incurred.

When attending conferences, councillors must take advantage of any cost savings available from any package provided by conference organisers – staying in the recommended accommodation unless prior approval has been granted by the CEO or the CEO's delegate.

Accommodation within Yarrabah Aboriginal Shire and accommodation at private residences is never a claimable expense.

Unless the CEO is satisfied special circumstances apply, accommodation expenses will not be paid in connection with attendance at events in the Cairns, Tablelands and Innisfail areas as travel to and from these areas in one day would normally be possible.

All expenses incurred at an accommodation venue other than the cost of the accommodation itself must be paid for at the time of departure of the relevant councillor.

3.2.2. Accommodation Approvals and Bookings

All councillor accommodation bookings require the approval of the Mayor and the CEO or the CEO's delegate prior to both booking and travel.

All councillor accommodation must be co-ordinated and booked by Council administration staff.

Accommodation (and travel) will not be booked until a completed *Travel Request Form* with all required approvals and travel details has been completed and submitted.

All requests for accommodation and travel bookings (including associated registrations) should be made in sufficient time to take advantage of discounts and gain access to the widest possible range of accommodation and flights.

When a councillor is appointed by Council resolution as Council's representative on (or delegate to) a state or federal committee or government association, all travel and accommodation associated with the councillor's fulfilment of that role will be deemed to be approved.

3.3. Car Hire

For car hire in the context of a larger trip, the need for a hire car should be identified at the time approval is sought for the larger trip and prior to the booking of travel for the larger trip.

All car hire bookings require the approval of the Mayor and the CEO or the CEO's delegate.

Car hire bookings and payment should be completed by Council administration staff if at all possible.

Car hire expenses will only be paid by Council or reimbursed if use of the hire car is entirely for Council business.

3.4. Meals

A councillor who is travelling for the purpose of Council business is eligible to be paid an amount to cover the cost of:-

- Breakfast if away between 6.00 am and 9.00 am and no breakfast was provided;
- Lunch if away between 11.30 am and 2.00 pm and no lunch was provided;
- Dinner if away between 5.30 pm and 7.00 pm and no dinner was provided.

If away overnight an allowance as set by the Australian Taxation Office will be payable for meals while away unless they are already provided regardless of the actual amount of money spent on each meal.

3.5. Incidentals

A councillor who is travelling for the purpose of Council business is eligible for the reimbursement of the following incidental expenses:-

- Taxis;
- Public transport;
- Parking fees.

In all cases, eligibility for reimbursement is dependent on relevant spending being necessary for the completion of Council business. Incidental spending not necessary for the completion of Council business is not eligible for reimbursement even if it occurs in the context of broader travel which is necessary for the completion of Council business.

The following items may not be included in claims for incidental expenses:-

- Alcohol;
- Babysitting;
- Kennel services;
- Airline club services or membership;
- Toiletries;
- Barber or hair stylist services;
- Traffic infringements;
- In-flight and in-house movies;
- Tours and sight-seeing;
- Mini bar purchases;
- Personal telephone usage;
- Social events;
- Reading materials;

Claims for the reimbursement of incidental expenses must be supported by relevant receipts or an appropriate statutory declaration.

3.6. Training

There are two categories of professional development for councillors – mandatory training and discretionary training. Mandatory training is always Council business and discretionary training may be Council business if it is relevant to local government.

These guidelines set down the conditions under which councillors are eligible for reimbursement of expenses or the payment of compensatory allowances in relation to their participation in training as for their participation in other types of Council business. However, the following additional information applies in the case of training only.

3.6.1. Mandatory Training

Councillors must attend training where the Council resolves that all councillors, or a class of councillors (e.g. newly elected councillors), or a specified number of councillors are to attend training courses, conferences, seminars or workshops for skill development related to a councillor's role. Mandatory training may include councillor induction, code of conduct training and training in meeting procedure and legislative obligations.

A list of courses, conferences and similar opportunities which constitute mandatory training will be determined by Council resolution from time to time.

3.6.2. Discretionary Training

Where a councillor wishes to attend a conference, workshop or training to improve his or her skills or knowledge relating to local government and the relevant training has not been included in Council's approved list of mandatory training, the councillor may request that Council identify the training as Council business by way of resolution.

Once discretionary training is identified as Council business, the councillor completing the training may claim reimbursement of expenses or compensatory allowances as for other Council business. However, the total of Council paid costs, reimbursements and compensatory allowances paid in connection with an individual councillor's discretionary training in any one financial year will be capped at $2,000.

Each councillor is responsible for tracking his or her spending on discretionary training so as to avoid unintentional spending beyond the $2,000 cap and the incurring of expenses for which the councillor will be individually responsible.

Council's annual budget will include provision of $2,000 per councillor for discretionary training.

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3.7. Hospitality Expenses

Where the Mayor incurs hospitality expenses while conducting Council business, apart from official functions organised by the Council, the maximum amount that may be paid is $1,200 per year.

These funds will be available to the Mayor through the provision a credit with a spending limit of $1,200 per year.

Each month the Mayor will provide the CEO with information about his or her hospitality spending including for each instance of spending:-

- The date;
- The circumstances;
- The form of the hospitality (breakfast, lunch, dinner, gift or other);
- The cost.

3.8. Extension of Business Trips for Private Purposes

Subject to the approval of the CEO, a councillor may extend a domestic Council business trip to include non-business activities provided that this is at no additional cost to Council, i.e. the councillor meets additional meal, accommodation, travel and other expenses that would not have been incurred without the extension.

3.9. Councillor Reporting Arrangements

When councillors return from travel conducted for the purpose of completing Council business in which less than the whole Council was involved, they will report on the relevant Council business at a meeting of Council.

The responsibility for submission of such reports rests with the councillor leading the delegation or group or a councillor appointed from within the delegation or group by those in the delegation or group.

The report must be presented to Council within two months of councillors' return from travel.

4. FACILITIES

Facilities provided for councillors must be deemed necessary for the purpose of assisting councillors discharge their duties and responsibilities as councillors. Accordingly, Council may only provide councillors with the facilities detailed below.

Council determines the reasonable standard of facilities provided for councillors. If a councillor chooses a higher standard of facility than that prescribed by Council, any difference in cost must be met by the councillor.

All facilities provided to councillors remain the property of Council and must be accounted for during annual equipment audits. The facilities must be returned to council when the councillor's term expires, unless Council agrees to dispose of the facility in some other manner.

4.1. Administrative Tools and Office Amenities

4.1.1. Office Space and Access to Meeting Rooms

Council provides office accommodation and access to meeting rooms for councillors.

In general, rooms for councillor meetings with constituents will be located at Council's administration building.

Furniture and fittings for offices will be of a standard sufficient to allow councillors to adequately undertake their roles.

4.1.2. Computers for Business Use

Councillors are provided with a Wi-Fi capable laptop computer for Council business use.

4.1.3. Telephone

Councillors are provided with:

- Access to landline telephones within Council's administration building;
- A mobile phone connected on a $100 monthly plan or other plan as may be approved by Council.

Mobile phones are of a type which allow Wi-Fi access to the internet for councillor laptops.

Each month, councillors must reimburse Council for the cost of any mobile phone usage in excess of that provided for under the approved plan.

Councillors are responsible for replace or repairs of phone lost or damaged.

4.1.4. Fax, Printer, Photocopier, Paper Shredder

Councillors are provided with a fax, printer, photocopier and paper shredder for business use at Council's administration building.

4.1.5. Stationery

Councillors are provided stationery for official purposes only, including, but not limited to:

- Pens;
- Paper;
- Note paper;
- Letterhead;
- Business cards;
- Envelopes;
- With compliments slips.

Council stationery is not to be converted or modified in any way and may only be used for carrying out the role of a councillor.

4.1.6. Other Administrative Necessities

Subject to the approval of the CEO, councillors may be provided with other administrative necessities up to the value of $50 per councillor per year.

Council may approve the allocation of further administrative resources as it deems necessary.

4.2. Advertising

Council will not pay for, or provide services or facilities to support activities conducted solely or mainly for the purpose of councillor advertising or self-promotion.

4.3. Vehicle for Mayor's Use

Council will provide a late-model, medium to large-sized car and fuel for the Mayor's use.

While the car will be provided to allow the Mayor to conduct Council business, limited personal use will also be permitted.

The car maybe used by the Mayor's spouse on receipt of a copy of their current driver's licence.

The CEO must be informed immediately if permission is given to any other person for use the vehicle and a copy of their current driver's licence must be produced immediately.

The car provided to the Mayor will be serviced and maintained by Council. It will be garaged either at Council's administration building or at the Mayor's place of residence at the Mayor's discretion.

The car will be returned to Council at the expiry of the Mayor's term.

4.4. Councillor Use of Other Council Vehicles

Subject to the approval of the CEO and availability, councillors may borrow and use a Council vehicle and use Council fuel, for the purpose of conducting Council business. Vehicles will only be made available:-

- For periods of one day or less;
- To councillors with an appropriate and current driving licence;
- When requests for their use are made at least one day in advance of the proposed date of use.

Loaned vehicles must only be used for Council business and must not be driven by anyone other than the councillor to whom permission for the loan is given.

Councillors driving a council vehicle are responsible for any traffic infringement fines they incur while using the vehicle.

In the case of involvement in an accident, councillors driving a council vehicle must provide a full report of the circumstances of the accident on return of the vehicle including information on any damage or injury.

4.5. Name Badges and Safety Equipment

Councillors will be provided with any safety equipment such as overalls, safety helmets or glasses, as required, in their role.

Councillors will be provided with a name badge.

4.6. Maintenance Costs of any Council Owned Equipment

Council will cover all ongoing maintenance costs associated with Council owned equipment subject to proper usage and care on the part of councillors.