



Councillor's Expenses Reimbursement Council Policy (Statutory)

1. PURPOSE

The Policy aims to ensure accountability and transparency in the reimbursement of expenses incurred by the Mayor and Councillors.

2. SCOPE & AUTHORITY

The policy applies to all Councillors for the reimbursement of expenses incurred, or to be incurred, by them in undertaking their responsibilities. This policy does not provide for salaries or other forms of Councillor Remuneration. Councillor Remuneration limits are determined annually by the Local Government Remuneration Commission.

The policy ensures that the council's reimbursement of expenses incurred by councillors is consistent with the Local Government principles and financial sustainability criteria as defined in the Local Government Act 2009.

This policy is a requirement of the Local Government Regulation 2012 (Qld), Section 250 which states:

250 Requirement to adopt expenses reimbursement policy or amendment

- (1) A local government must adopt an expenses reimbursement policy.
- (2) A local government may, by resolution, amend its expenses reimbursement policy at any time.

3. POLICY STATEMENT

3.1 Council's General Position

Councillors should not be financially disadvantaged when carrying out their roles and should be fairly and reasonably compensated in accordance with statutory requirements and community expectations.

Councillors should not receive a private benefit through their role as a Councillor and as such this policy provides for actual reimbursement of legitimate expenses and full disclosure through appropriate accountability requirements.

3.2 Reimbursement of Expenses

The Council will reimburse Councillors for expenses as set out in the policy.

Any expenses not provided for by this policy may be reimbursed only with approval from the Chief Executive Officer. When considering an application for approval of any matter related to this policy, the Chief Executive Officer must have regard to any relevant principles as contained in the Local Government Act 2009 and any applicable budget allocation.

a) Council business

The Council will reimburse expenses incurred in undertaking Council business, which is generally described in Chapter 2, Part 1 of the Local Government Act, 2009. Council business should result in a benefit being achieved either for the local government and/or the local government area.

For clarity, participating in a community group event or being a representative on a board not associated with Council is not regarded as Council Business. Council business does include, but is not limited to:

- i. preparing, attending and participating in Council meetings, committee meetings, workshops, strategic briefings, deputations and inspections
- ii. attending civic functions or civic events to perform official duties or as an official Council representative
- iii. attending public/community meetings, presentation dinners and annual general meetings as an official Council representative

b) Professional development

The Council will reimburse expenses for Council approved professional development incurred for:



Councillor's Expenses Reimbursement Council Policy (Statutory)

- i. mandatory professional development
- ii. discretionary professional development deemed beneficial (by the CEO or resolution of Council) for a Councillor's role

c) **Travel expenses**

The Council will reimburse local, interstate and overseas travel expenses (eg. flights, car, accommodation, meals) deemed necessary (by the CEO or resolution of Council) for undertaking Council business and approved professional development. Councillors are to travel via the most direct route, using the most economical and efficient mode of transport. The amount of the reimbursement will be the actual amount expended by the Councillor. Any fines incurred while travelling in Council owned vehicles, privately owned vehicles or rental vehicles when attending to Council business will be the responsibility of the Councillor incurring the fine.

d) **Flight bookings**

All Councillor travel approved by Council will be booked and paid for by Council. Economy class is to be used where possible although business class may be approved in certain circumstances (by the CEO or resolution of Council). Airline tickets are not transferrable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses (eg. cost of partner accompanying the Councillor).

e) **Travel transfer costs**

Any travel transfer expenses associated with Councillors travelling for approved business will be reimbursed on production of original receipts. Examples include trains, buses and ferry fares. Cab charge vouchers may also be used if approved by the CEO where Councillors are required to undertake duties relating to the business of Council.

f) **Private vehicle usage**

If a council vehicle is not available, then a councillor may use their own vehicle and be reimbursed at the rates determined by the ATO at the time that the expenses are incurred, if the:

- i. travel is in accordance with this policy, and
- ii. claim for reimbursement is substantiated with log book details, and
- iii. total claim does not exceed the cost of the same travel using economy flights plus the cost of taxi transfers.

g) **Accommodation**

All Councillor accommodation for Council business will be booked and paid for by Council. Where accommodation is recommended by conference organisers, Council will take advantage of the package deal that is most economical and convenient to the event.

h) **Meals**

Councillors will be reimbursed for the actual cost of meals when:

- i. the Councillor incurs the cost personally, and
- ii. the meal was not provided within the registration costs of the approved activity/event/travel, and
- iii. the Councillor can produce original documents sufficient to verify the actual meal cost.

The actual and reasonable costs allowed for meals are not to exceed the Queensland Government Public Service Domestic Travelling and Relieving Expenses Directive 09/11 (or as updated), equal to the allowance for overnight stay in Brisbane.

If a Councillor cannot produce a receipt for a meal they have purchased then a statutory declaration must be completed to claim the reimbursement. No alcohol will be paid for by Council.

i) **Incidental expenses**

Up to \$20 per day may be reimbursed to cover the actual costs of any incidentals incurred by Councillors required to travel, and who are away from home overnight, for official Council business.



Councillor's Expenses Reimbursement Council Policy (Statutory)

j) Car parking amenities

Council will reimburse councillors parking costs while attending official Council business, upon production of tax invoice. Any fines incurred while travelling in Council-owned vehicles, privately owned vehicles or rental vehicles when attending to Council business will be the responsibility of the Councillor incurring the fine.

3.3 Provision of Facilities

a) Council vehicles

Councillors will have access to a suitable Council vehicle for Council business if required. A Councillor wishing to use a Council vehicle for Council business is to make the booking with the Finance & Corporate service staff at least 2 days prior to use, where possible.

b) Fuel costs

All fuel used in a Council owned vehicle on Council business will be provided or paid for by Council.

c) Computers, mobile phones and tablets

Council may allocate in a financial year provision for computers, Wi-Fi connection and mobile phones to enable Councillors to communicate effectively. Council may provide a Councillor with home office equipment including computer, internet access, if necessary.

d) Administration tools

Administrative tools may be provided to Councillors (within budget constraints) as required to assist Councillors in their role. Examples include but are not limited to:

- access to suitable hot desks at the Council office and meeting rooms for usage as required
- office space and meeting rooms
- computers
- mobile phones reimbursement of call/costs
- stationary
- access to photocopiers
- printers
- facsimile machines
- publications
- use of Council landline telephones and internet access in Council offices.
- secretarial support may be provided for the Mayor and Councillors

e) Access to council office amenities

Councillors will be issued with a security token to gain entry to the Administration Offices during ordinary business hours.

f) 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. This includes the replacement of any facilities which fall under Council's asset replacement program.

g) Name badge and safety equipment for Councillors

Councillors will be provided with:

- i. a name badge
- ii. the necessary safety equipment for use on council business. e.g., safety helmet/boots
- iii. a polo shirt to wear at conferences/meetings outside the Shire



Councillor's Expenses Reimbursement Council Policy (Statutory)

h) Insurance Cover

Councillors will be covered under relevant Council insurance policies while on Council business. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillor's liability and personal accident, and domestic and overseas travel.

Council will pay the excess for injury claims made by a Councillor resulting from the conduct of official Council business and on any claim made under insurance cover.

Council will cover costs incurred through injury, investigation, hearings or legal proceedings into the conduct of a Councillor where arising out of, or in connection with the Councillor's performance of his/her Councillor functions. Where it has been found that the Councillor breached the provisions of the Local Government Act 2009 or other legislation, the Councillor will reimburse Council all associated costs incurred by Council.

For all purposes of this policy, the use of a private motor vehicle for official purposes must be authorised by the CEO.

Before authorisations are given under this directive, the following conditions must be met:

- i. the vehicle is to be covered by either a comprehensive motor vehicle insurance policy or a third party property damage insurance policy; and
- ii. the councillor is to produce evidence that the insurance policy has been endorsed to indemnify the Balonne Shire Council against certain liabilities at law. This is a standard endorsement available on request from all insurance companies. The policy does not require the actual words 'Balonne Shire Council'; the word 'employer' will suffice. Balonne Shire Council will refund any endorsement fees.

4. RESPONSIBILITIES

4.1 All Council Employees

- shall only provide facilities and reimbursements to Councillors consistent with this policy

4.2 Managers and Directors

- are obliged to respect, promote and act compatibly with the principles described in this policy
- must implement localised processes to ensure compliance with this policy

4.3 Director, Finance & Corporate Services

- shall be the custodian of this policy
- is responsible for ensuring the policy is understood and adhered to by all Councillors and relevant employees.
- shall implement control measures and processes that provide assurance that Council acts in accordance with the policy

4.4 Chief Executive Officer

- may determine whether any expenses not provided for by this policy may be reimbursed (as per clause 3.2), having regard to any relevant principles as contained in the Local Government Act 2009 and any applicable budget allocation
- may determine that discretionary professional development is beneficial for a Councillor's role (as per clause 3.2 (b))
- may determine that local, interstate or overseas travel expenses are necessary for undertaking Council business and approved professional development (as per clause 3.2 (c))
- may determine that business class travel is able to be utilised by a Councillor (as per clause 3.2 (d))
- may determine that cab charge vouchers may be used by a Councillor (as per clause 3.2 (e))

4.5 Councillors

- shall seek facilities and reimbursements consistent with this policy
- may determine by resolution that discretionary professional development is beneficial for a Councillor's role (as per clause 3.2 (b))



Councillor's Expenses Reimbursement Council Policy (Statutory)

- may determine by resolution that local, interstate or overseas travel expenses are necessary for undertaking Council business and approved professional development (as per clause 3.2 (c))
- may determine by resolution that business class travel is able to be utilised by a Councillor (as per clause 3.2 (d))

5. RISK

This Policy aims to mitigate the risk of actual or perceived misuse of public funds by ensuring accountability and transparency in the provision of facilities and reimbursement of expenses incurred by the Mayor and Councillors. The policy ensures that the council's reimbursement of expenses incurred by councillors is consistent with the Local Government principles and financial sustainability criteria as defined in the Local Government Act 2009.

6. IMPACTS

Corporate Plan: Goal – 5. Governance; Program Areas – 5.4 High levels of accountability and compliance

Human Rights Compatibility Statement: This Policy has been assessed as compatible with the Human Rights protected under the Human Rights Act 2019

Engagement: This policy has been developed with guidance from Qld State Government resources, Council's Auditors and Audit and Risk Committee and in consultation with the Senior Leadership Group

7. RELATED LAWS

- Local Government Regulation 2012 (Qld)
- Local Government Act 2009 (Qld)
- Income Tax Assessment Act 1997 (Comm)

8. RELATED COUNCIL DOCUMENTS

- Entertainment and Hospitality Expenditure Policy
- Councillor Code of Conduct
- Reimbursement of Expenses Claim form

9. REVISION HISTORY

Revokes: Councillor's Expenses Reimbursement Policy # 75712 Version 3.0 Adopted by Council 16/05/2019

Previous approved versions:

Councillor's Expenses Reimbursement Policy Reference # 75712 Version 2.0

Councillor's Expenses Reimbursement Policy Reference # 75712 Version 1.0

Suggested to review by: 2 years from adoption

10. DEFINITIONS

CEO means the Chief Executive Officer of the Balonne Shire Council appointed in accordance with the Local Government Act 2009.



Councillor's Expenses Reimbursement Council Policy (Statutory)

Council means Balonne Shire Council, its elected Councillors, its management and its employees.

Council employees means all permanent, casual and temporary employees, contractors, volunteers, apprentices, trainees and work experience students.

Council business means the official business of a Councillor as generally described in Chapter 2, Part 1 of the Local Government Act, 2009. Council business should result in a benefit being achieved either for the local government and/or the local government area. Participating in a community group event or being a representative on a board not associated with Council is not regarded as Council Business.

For clarity, participating in a community group event or being a representative on a board not associated with Council is not regarded as Council Business. Council business does include, but is not limited to:

- i. preparing, attending and participating in Council meetings, committee meetings, workshops, strategic briefings, deputations and inspections
- ii. attending civic functions or civic events to perform official duties or as an official Council representative
- iii. attending public/community meetings, presentation dinners and annual general meetings as an official Council representative

Councillors means the currently elected Mayor and Councillors of Balonne Shire Council, unless otherwise stated.

Expense means payments made by Council to reimburse Councillors for their reasonable expenses incurred or to be incurred when discharging their duties as Councillors. These payments are not regarded as remuneration. The expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge when on Council business.

Facility means the 'tools of trade' provided by Council, required to enable Councillors to perform their duties with relative ease and at a standard appropriate to fulfil their professional role for the community.

Hospitality expense means reasonable costs associated with entertaining visitors where Council has an interest in, or a specific obligation towards, facilitating the visit, as defined in Council's Entertainment and Hospitality Expenditure Policy.

Professional Development means attendance by a Councillor at an event where the Councillor expects to develop further skills and knowledge relevant to their role as a Councillor.

Representation means attendance by a Councillor at various community and special interest representative group meetings and events, which are relevant to the role of Councillor.

Reasonable means the application of sound judgement and consideration of what is prudent, responsible and acceptable to the community when determining levels of facilities and expenditure.

Training means any facilitated learning activity which is considered by Council to be a requirement for Councillors to discharge their duties and responsibilities as Councillors.

11. ATTACHMENTS

Nil