

# COUNCILLORS EXPENSES REIMBURSEMENT POLICY

## SCOPE

All Councillors, including the Mayor, of Banana Shire Council.

## LEGISLATION

*Local Government Regulation 2012 Section 244 (3) (a) & 249 to 252*

## OBJECTIVE

To:

- Set the parameters to authorise payments to Councillors for reasonable expenses incurred, or to be incurred, for discharging their duties and responsibilities as Councillors, and
- Provide for the facilities that are to be provided to Councillors for the purpose of discharging their civic duties, having regard to local circumstances.

## DEFINITIONS

CEO	Chief Executive Officer
Council	Banana Shire Council
Council Business	Activities conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities, or achieve business objectives of the Council. Council business should result in a benefit being achieved either for the local government and/or the local community.

This includes:

- Preparing for, attending and participating in Council meetings, committee meetings, workshops, deputations and inspections;
- Attending conferences of local government industry associations of professional bodies (e.g. LGAQ),
- Attending civic ceremonies and community events such as representing Council at Anzac Day ceremonies or opening a school fete, where they have been formally invited in their capacity as Councillor to undertake the official duty;
- Attending public meetings, annual meetings or presentation dinners where invited as a Councillor;

- Attending meeting of community groups (e.g. Scout Associations, Progress Associations, etc) where invited to speak about Council programs or initiatives;
- Private meetings with constituents (residents, ratepayers, community groups, developers, etc) where arranged through official Council channels and details of discussions are documented in official records or diaries.

**Note:** Attending or participating in a community event, community group, or being a representative on a board as a community member is not regarded as 'Official Council Business'.

Council Vehicle	Any vehicle, owned, leased or hired by Council, or otherwise under Council's control, is classed as a Council Vehicle.
Councillors	Includes the Mayor, Deputy Mayor and other Councillors of Banana Shire Council unless the text of the paragraph indicates otherwise.
Expenses	Costs reasonably incurred, or to be incurred, in connection with Councillors discharging their duties. The expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge.  Expenses are not included as part of a Councillor's remuneration.
Facilities	Facilities provided to Councillors that are the 'tools of trade' and required to enable them to perform their duties with relative ease and at a standard appropriate to fulfil the community expectations for their role.
IT	The Information Technology section of Banana Shire Council.
LGAQ	Local Government Association of Queensland
Mandatory Professional Development	Where a Councillor is required by a State Government directive or a Council policy or resolution to attend.
Private use of a Council Vehicle	Use of a Council Vehicle for other than official Council business is Private Use of a Council Vehicle.
Professional Development	Encompasses all types of facilitated learning opportunities for example, training provided by a Government Department (e.g. Department of Local Government), or Industry Body (e.g. LGAQ).
Reasonable	Council must make sound judgements and consider what is prudent, responsible and acceptable to the community when determining reasonable levels of facilities and expenditure.

## POLICY

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This policy authorises the:

- Payment of reasonable expenses incurred, or to be incurred, by Councillors; and
- Provision of facilities, including administrative support staff, to assist Councillors in discharging their duties and responsibilities.

### STATEMENT OF PRINCIPLES

Council has formulated this policy in line with the following core principles and the provisions of the *Local Government Act 2009* and the *Local Government Regulation 2012*.

#### Key Principles

1. The use of public money in the public interest by responsible budgeting and accounting.
2. Fair and reasonable allocation of Council resources (allowances, facilities and other benefits) to enable Councillors to conduct the duties of their office.
3. Transparent decision making by public disclosure of policy and resolutions; and
4. Accountability for expenditure and use of facilities through full justification and acquittal.

### POLICY LIMITATIONS

This policy deals with reimbursement of expenses or provision of a facility to Councillors, but does not apply to:

- The conduct of Civic Functions; or
- The remuneration of Councillors.

### GENERAL ENTITLEMENT

Councillors are entitled to be:

- Reimbursed for expenses incurred in representing Council, and
- Provided with facilities to assist them in undertaking their duties, as described below.

### PROFESSIONAL DEVELOPMENT

Council encourages Councillors to undertake relevant professional development and will reimburse expenses incurred for:

- Mandatory professional development, and
- Discretionary professional development deemed essential for the Councillor's role.

#### Mandatory Professional Development

Council will reimburse expenses for attendance and will pay for or reimburse Councillors for all associated reasonable costs (including registration, travel, accommodation, meals etc) at the following:

- Mandatory training courses or workshops for skill development related to a Councillor's role or portfolio; or

- Regional, State or National Local Government associated conferences, symposiums, workshops and training courses.

Note: Wherever possible, registrations should be made in sufficient time to take advantage of any 'early bird' discounts.

### **Discretionary Professional Development**

Where a Councillor identifies the need to attend a conference, workshop or training to improve skills relevant to their role as a Councillor, other than mandatory professional development as above, the Councillor may request Council's approval to attend.

Each Councillor is allocated a maximum of \$5,000 per term towards registration, travel, accommodation and other costs for Discretionary Professional Development.

## **PAYMENT OF EXPENSES**

Expenses will be paid directly by Council or reimbursed to a Councillor, as applicable, through administrative processes approved by the Chief Executive Officer subject to the limits outlined in this policy.

## **TRAVEL**

Travel is to be approved either by resolution of Council or by the Mayor and Chief Executive Officer or by the Chief Executive Officer.

Council will reimburse travel expenses deemed necessary to achieve the business of Council where:

1. A Councillor is an official representative of Council; and/or
2. The activity / event has been endorsed by Council by resolution or policy.

Councillors are required to travel the most direct route, using the most economical and efficient mode of transport.

### **Parking and Tolls**

Council will reimburse parking costs and toll fees incurred by Councillors while attending to official Council business.

A tax invoice or parking ticket, or copy, is required for reimbursement.

### **Traffic Fines**

Any traffic, parking or similar fines incurred while travelling in Council owned vehicles or privately owned vehicles, when attending to Council business, will be the responsibility of the Councillor incurring the fine and will not be reimbursed by Council.

### **Travel Arrangements**

All Councillor travel arrangements authorised by this or other policy or by Council, are to be arranged and paid for by Council where feasible. Economy class is to be used where possible although business class may be approved in certain circumstances (e.g. where the duration of the flight exceeds 8 hours). Excess baggage will be at the Councillor's expenses unless otherwise approved.

### **Airline**

Airline tickets will not be transferable and will only be procured for the Councillor's travel on Council business. They will not be used to offset other unapproved expenses. (e.g. cost of partner or spouse accompanying the Councillor)

Flybuys and other incentives are not to be personally accepted by a Councillor or other person. (Council may take advantage of any discounts etc.)

### **Travel Insurance**

Travel Insurance is payable by Council to cover Councillors travelling for official Council business.

### **Private Costs (Passports etc.)**

Councillors will personally be responsible for all private costs (e.g. applying for or renewing their passports and obtaining visas).

### **Private Vehicle Usage**

Councillor's private vehicle usage will be reimbursed at the Australian Taxation Office rate (cents per kilometre) if:

1. A Council vehicle is not available for use by the Councillor (or it is impracticable to use a Council vehicle) subject to:
  - The claim for kilometres is substantiated by logbook or other suitable records kept by the Councillor that records the purpose of each Council related trip; and
  - Total travel claim does not exceed the cost of the same travel using economy flights plus the cost of taxi transfers.
2. If a Council vehicle is available, but a Councillor elects to use a private vehicle for Council approved business:
  - Council will reimburse fuel costs upon production of a fuel tax invoice. (Council's plant fleet manager may be requested to estimate the amount of fuel consumed for each trip).

**Note:** A private vehicle used for Council business will not be covered by Council's Comprehensive Insurance. It is the Councillor's personal responsibility to ensure that the owner's comprehensive insurance cover or other cover applies in these circumstances.

## **ACCOMMODATION**

Councillors are entitled to stay at motel/hotel accommodation (3 or 4 star) when it is considered necessary to attend Council business, or where it is not practical for the Councillor to return home for the night.

When attending conferences or workshops, accommodation will be booked and paid by Council. Where practical and economical, advantage is to be taken of any package provided by conference organisers.

**Note:** Request for accommodation should be made in sufficient time to take advantage of discounts and gain access to the widest range of accommodation options where possible.



## INCIDENTAL ALLOWANCE

Council will pay the following incidental allowance to cover additional cost (phone calls, newspapers, laundry / dry cleaning, etc) incurred when Councillors are required to stay away from home overnight for official Council business:

- \$20.00 per day

## MEALS

Council will reimburse Councillors for the cost of meals when travelling or attending to Council business outside the Shire or within the Shire if it is not practical to return home due to Council related functions provided:

- a. The Councillor incurs the cost personally; and
- b. The meal was not provided:
  - As part of the registration costs of the activity / event; or
  - During a funded flight.

The following limits apply to the amount Council will reimburse for meals:

- Breakfast \$35.00
- Lunch \$20.00
- Dinner \$50.00

No expenses on alcohol will be reimbursed by Council.

A tax invoice, or copy, is required for reimbursement.

## HOSPITALITY EXPENSES

Councillors may have occasion to incur hospitality expenses while conducting official Council business. Hospitality expenses incurred will typically take the form of meals, appropriate gifts and beverages including alcohol.

The maximum amount of hospitality expenses that may be reimbursed is:

- \$4,000 per annum for the Mayor, and
- \$500 per annum for Councillors.

A tax invoice or other satisfactory documentary proof, or copy, is required for reimbursement.

## TRAVEL TRANSFER EXPENSES

Councillors will be reimbursed for travel transfer costs (e.g. taxi, rail, ferry, bus fare) associated with travelling for Council business.

A tax invoice, a transport ticket or other satisfactory documentary proof, or a copy, is required for reimbursement.

## PROVISION OF FACILITIES

Council will provide administrative tools and facilities as required to assist Councillors in their role. All facilities provided to Councillors remain the property of Council and must be returned to Council when a Councillor's term expires.

Council facilities including stationery are not to be used for personal or political purposes.

### Home Office

Council will provide Councillors with the following home office equipment in lieu of a permanent individual office to enable Councillors to carry out their role effectively:

- Tablet or laptop computer or other necessary technology
- Internet access
- Printer or access to printer in Council's Administration buildings
- Stationery and consumables as required

### Secretarial Support

Secretarial support will be provided in accordance with existing staff structure.

### Office Space and Meeting Room

Office space and a meeting room will be provided at the Biloela Council Administration Centre and at the Taroom and Moura offices for Councillors to utilise when working in these areas. Meeting rooms will be required to be booked in advance to ensure availability.

### Office Administrative Tools

The following administrative tools will be provided to Councillors at Council's Administration Centre and the Taroom and Moura offices on an as required basis to assist in their role:

- Access to photocopier
- Access to facsimile machine
- Access to printer
- Publications
- Use of Council landline telephone.

### Council Vehicle

1. Excluding take home basis, a Council vehicle may be supplied to a Councillor, on an as required basis, for attending Council business at the discretion of the Chief Executive Officer at no cost to the Councillor.
2. In recognition of the duties required to be performed by the Mayor and the irregular hours required to attend Council, community and civic responsibilities, a Council vehicle may be supplied to the Mayor, on a take home basis for attending Council business subject to:
  - Council being reimbursed for Private Use.  
(See Private Use of a Council Vehicle below)
3. A Council vehicle may be supplied to a Councillor, excluding the Mayor, on a take home basis for attending Council business at the discretion of the Chief Executive Officer subject to:

- The cost being less than, or comparable, with the Councillor being reimbursed for utilising Councillor's own transport, or
- The supply of a Council vehicle being advantageous for some other relevant reason.
- Council being reimbursed for any Private Use.  
(See Private Use of a Council Vehicle below)

### **Private Use of a Council Vehicle**

Council is to be reimbursed for any Private Use of a Council Vehicle.

Council is to be advised of any Private Use of a Council Vehicle on a monthly basis. Such usage is to be charged by issue of a debtors invoice within 30 days of Council being advised of such usage.

### **Ad hoc usage**

For occasional ad hoc Private Use of a Council Vehicle, Council is to be reimbursement in full at the Australian Taxation Office rate (cents per kilometre). Kilometres are to be recorded by log book kept by Council or other record suitable to Council.

### **Regular usage**

For regular Private Use of a Council Vehicle, a Councillor may opt to either:

1. Reimburse Council at the Australian Taxation Office rate subject to:
  - The kilometres being recorded by log book kept by Council or other record suitable to Council, that records the purpose and kilometres of each Council related trip and the distance and location of private usage.

OR

2. Reimburse Council as a percentage of the running costs of the vehicle or vehicles subject to:
  - The kilometres being recorded by log book kept by Council or other record suitable to Council, that records the purpose and kilometres of each Council related trip and the distance and location of private usage, and
  - The percentage of the running cost being calculated based on kilometres travelled either:
    - Over the period of the Councillors usage advice (usually a month), or
    - on a set rate per month calculated on a representative period of 3 months.

Provided that the percentage rate will not be less than 5% of the Total Running Cost in either case.

Council's Principal Fleet and Workshop Advisor is to calculate the Total Running Cost of relevant vehicles. Such total running cost to be reviewed at least annually.

### **Other Administrative Tools**

The following other administrative tools will be provided to Councillors on an as required basis:

- Name badges



- Necessary Personal Protective Safety equipment for use on official business (e.g. safety vests, safety boots, helmets)

Councillors are to observe the appropriate Work Health and Safety measures when at any workplace.

### **Internet Access**

Councillors are required to have internet access to receive Council meeting agendas and communicate via email or other medium.

Council will supply:

- Council Connected Internet – Internet access provided by a service in Council's name and paid for by Council. This service is only to be used for business related to the Councillor's role as a Councillor.

or

If suitable internet services is not available at the usual place of residence of a Councillor due to distance from the transmission network or other reason or it is more practicable for the Councillor to utilise the Councillor's own internet access, after due consultation with Council's IT, the Councillor may choose the following option in relation to internet access:

- Councillor Personal Internet Connection – Internet access provided by a service in the Councillor's name and paid for by the Councillor. Council will pay a internet connection allowance of \$300 per annum.

### **Mobile Phone**

Council will provide a mobile telephone to Councillors for official Council business. Councillors may choose one of the following options in relations to the provision of a mobile phone:

- Council Mobile Phone – Council provides the mobile phone and pays for all associated costs. Cost of any personal calls made must be reimbursed to Council.
- Councillor Personal Mobile Phone – Councillor utilises a personally owned mobile phone and pays all associated costs. Council will pay a mobile phone allowance of \$300 per annum.

### **Maintenance of any 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 that fall under Council's asset replacement program.

### **Insurance cover**

Councillors will be covered under relevant Council insurance policies while discharging civic duties. Specifically, insurance cover will be provided for public liability, professional indemnity, workers compensation, Councillors and officers' liability and personal accident.

### **Public Liability and Professional Indemnity**

Councillors are included under Council's Public Liability and Professional Indemnity policy (Local Government Mutual –LGM). Any deductible payable as a consequence of a claim made pursuant to this policy will be paid by Council.

### **Worker's Compensation**

Council has included Councillors in its Worker's Compensation coverage (Local Government Self Insurance Scheme – LGW). That provides for a level of benefits substantially the same as for an employee of Council with the exception that elected members cannot bring a common law damages action against Council under the Worker's Compensation & Rehabilitation Act 2003.

This Workers Compensation covers Councillors while they are engaged in official Council business.

This business would include but is not limited to such activities as attending a Council meeting or workshop, representing Council at an official function, or attending activities at another Council or location that is relevant to their elected position.

In assessing benefits under this scheme, the employment circumstances of any injured person is considered. Should the Councillor be self-employed or undertake other work for any other employer, other than Council, and was incapacitated for one or more occupations then regard would also be made for the actual income loss and a rate of pay calculated in terms of the Act.

### **Councillors and Officers Liability**

Council has effected separate Councillors and Officers Liability Insurance on behalf of Councillors.

If Councillors wish to take the benefit of this insurance, Councillors must: ==

- In the event that a claim is made, first notify the CEO (or his/her delegate) of the existence and circumstances of the claim; and
- Thereafter allow management of the claim (e.g. engagement of lawyers etc) to be handled by Council's Claims Managers (currently Jardine Lloyd Thompson Ltd) and/or the insurer.

Any deductible payable as a consequence of a claim made pursuant to this policy:

- Will be paid by Council, so long as the Councillor complies with the requirements above; or
- Otherwise, must be paid by the Councillor.

Note: Comprehensive Insurance - a private vehicle used for Council business will not be covered by Council's Comprehensive Insurance. It is the Councillor's personal responsibility to ensure that comprehensive insurance cover applies.

## **PERIOD OF ENTITLEMENT**

Entitlement and reimbursements under this Policy commence with the commencement of the term of office for each Councillor and/or the adoption of amendments to the policy. All entitlements cease when a person ceases to be a Councillor of Banana Shire Council. Claims for reimbursement of expenses incurred during the term of office for each Councillor that are not finalised by the end of the Councillors term will be reimbursed in accordance with this policy.

## REVIEW OF POLICY

This policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed within six (6) months of each quadrennial election.

## PROCEDURE

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Procedures as approved and issued by the Chief Executive Officer, and subject to further revision, amendment and issue under the authority of the Chief Executive Officer.

## CERTIFICATION

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**CHIEF EXECUTIVE OFFICER**  
**BANANA SHIRE COUNCIL**

  
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**DATE**