



### 1.0 AUTHORITY

*Local Government Act 2020*, sections 40, 41 and 42.

*Local Government (Planning and Reporting) Regulations 2020*

*Local Government (Governance and Integrity) Regulations 2020*

### 2.0 INTENT

This policy supports Councillors and members of delegated committees to perform their role, as defined under the *Local Government Act 2020* (the Act), by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. The policy provides guidance on:

- Entitlements
- Provision of resources, facilities and support
- Process for reimbursement
- Reporting, monitoring, evaluation and review requirements

The policy ensures accountability and transparency and seeks to align the payment of Councillor expenses with community expectations.

### 3.0 SCOPE

This policy applies to all Councillors of the Mornington Peninsula Shire (the Shire), members of a delegated committee and members of a joint delegated committee.

### 4.0 GOVERNANCE PRINCIPLES

Under the Act, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the municipal community is to be engaged in strategic planning and strategic decision making;
- the ongoing financial viability of the Council is to be ensured;
- the transparency of Council decisions, actions and information is to be ensured.

### 5.0 POLICY STATEMENT

#### General Principles

- 5.1 The policy acknowledges significant demands and expectations are placed on Councillors and members of delegated committees and where necessary provides that appropriate resourcing and facilities be offered to successfully fulfil their role.
- 5.2 Under section 40 of the Act, Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that:
- are bona fide expenses;



- have been reasonably incurred in the performance of their role; and
  - are reasonably necessary to perform that role.
- 5.3 Councillor expenses are those expenses necessarily incurred by Councillors for the purpose of Council business.
- 5.4 Council business can be reasonably defined as:
- Attending Council meetings, Council Committee meetings, formal briefing sessions and civic or ceremonial functions convened by the Council, the Mayor or the Chief Executive Officer.
  - Attending meetings or workshops scheduled by the Council, the Mayor or the Chief Executive Officer.
  - Attending a meeting or function as the nominated representative of Council or the Mayor.
  - Attending meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed as the Council delegate or the nominated representative of the Council.
  - Attendance at site inspections or meetings relevant to a matter which is, or is anticipated to be, the subject of a decision of Council.
  - Attending to discuss with officers or any person any matter relating to the Shire.
  - Attending conferences as an attendee and/or speaker as Council's nominated representative or delegate and which:
    - Are consistent with the Council's Objectives; and
    - Will cover or present material with application/importance/relevance to current or future issues faced by the Council; and
    - Are within the Councillor's annual budget allocations for the provision of training, conferences and seminars.
- 5.5 The policy presumes Councillors are residents in the municipality and any additional costs or expenses attributable to a Councillor's residence being outside the municipality are considered inappropriate for reimbursement.
- 5.6 The policy requirements apply to all Councillor expenses whether the cost has been paid for by the Councillor or the Shire.
- 5.7 Councillors should at all times seek the most cost effective and economical option when conducting Council business.

## 6.0 ENTITLEMENTS

### 6.1 Travel

In carrying out their duties, Councillors are required to attend numerous formal and informal meetings, functions and events. The following expenses will be considered for reimbursement:

- **Public Transport** – either by use of a Shire supplied myki card, or personal myki card.
- **Private vehicle** – at the same rate applied to staff in the Shire’s current enterprise bargaining agreement on provision of record of kilometres travelled.
- **Car Parking Fees** - on provision of original receipts.
- **Tolls** – on provision of copies of statements.

### 6.2 Interstate and International Travel

6.2.1 A Council resolution is required for all travel interstate or overseas to attend events such as Councillor Training, Conferences and seminars.

6.2.2 Approval must be sought prior to the travel taking place. Interstate or overseas travel claims made post travel will not be considered.

6.2.3 A report seeking Council approval will be prepared by the Governance Unit. The report will provide the following:

- Details of reason and proposed location and dates of travel.
- Potential benefits to the Shire.
- Alignment with Council policies, strategies and goals under the Council Plan.
- Estimated cost of travel including airfares, accommodation, fees and incidentals.
- Budget allocations; and
- Statement identifying that a post travel delegates report will be prepared by the Councillor within thirty (30) days of returning from travel.

6.2.4 Councillors may accept upgrades as long as there is no extra cost to the Shire.

6.2.5 **Duration of travel** – travel and accommodation will be booked for the duration of the event however it may be reasonable for one day either side of the event to be considered.

6.2.6 **Sustenance** – Councillors can claim the reasonable cost of daily sustenance including breakfast, lunch, dinner and refreshments in line with the reasonable travel expense amounts published by the Australian Taxation Office.

6.2.7 **Post travel reporting** - Councillors must provide Council with a delegates report outlining the outcomes and benefits of the travel within thirty (30) days of returning, or at the next available Council Meeting.

6.2.8 **Passport and Visas** - Councillors travelling overseas are responsible for ensuring that they have a current passport and relevant visas.

### 6.3 Training, Conferences and Seminars

6.3.1 Allowance for attendance at Training, Conferences and Seminars is as follows:

Expenditure Type	\$ Amount per Councillor
Training, Conferences and Seminars	\$16,000 for the 4-year Council term
Mayor – Training, Conferences and Seminars	(additional) \$3,500 for the term of Mayor

6.3.2 Attendance at Training, Conferences and Seminars is available to all Councillors and is subject to the following:

- Approval must consider the community benefit of attendance.
- If the cost is equal to or less than \$2,000, approval is to be sought from the Manager – Governance subject to the above training allowance.
- Attendance at Training, Conferences and Seminars over the \$2,000 threshold must be approved by Council resolution.

6.3.3 All costs attributable to attending the training, conference or seminar will be accounted for in the total including travel expenses, meals etc. not included in the cost of the event.

6.3.4 Upon the commencement of each electoral term a purpose designed induction program will be provided to Councillors. The cost of the Councillor Induction Program will be met from the Corporate Governance budget and not attributed to an individual Councillor's expenditure.

6.3.5 Once approval has been provided for a Councillor to attend training, a conference or seminar, the Councillor must attend.

### 6.4 Carer expenses

6.4.1 In accordance with sections 41(2)(c) and (d) of the Act, the Shire will reimburse the cost of necessary carer expenses incurred by Councillors to enable the Councillor to undertake Council business.

6.4.2 The Shire will reimburse the costs of necessary expenses incurred by the Councillor, where that Councillor is in a care relationship as defined in section 4 of the *Carer's Recognition Act 2012*.

6.4.3 Reasonable **carer expenses** will be considered for reimbursement that relate only to care and no other domestic duties, on the provision of a receipt from a registered carer or business.

6.4.4 Reasonable **child care costs** will be reimbursed on provision of a receipt from a registered child care provider showing the date and time care was provided and detail the reason care was needed on each occasion.

6.4.5 For the purpose of this policy a child shall be defined as up to the age of 16.

### 6.5 Information and Communication Technology

6.5.1 To ensure Councillors are accessible while conducting Council business, communication costs are met directly by the Shire and allocated to each Councillor's expenditure.

6.5.2 Councillors will be provided with the following for Council business use:

- Lap top and/or i-Pad with internet capability.
- Internet access.
- Mobile/Smart telephone; and
- Printer.

6.5.3 Councillors who choose to use non-Council mobile telephone (in lieu of a Council supplied telephone) can make a claim for reimbursement of expenses incurred on Council business. In such circumstances, the claim will need to identify specific Council use.

6.5.4 Councillors may request the transfer to Council of their non-Council mobile telephone number. Approval will be given if there are no transfer costs or pre-existing contract arrangements imposed on the Shire.

### 6.6 Resources, Facilities and Support

6.6.1 Administrative support is made available by the Shire for Councillors. This support will assist each Councillor with their official duties and the response to correspondence, emails, enquiries and to assist with bookings and travel arrangements.

6.6.2 Councillors are provided with appropriate office space including the Councillors office, Councillor lounge and meeting rooms.

6.6.3 Councillors are provided with appropriate stationery and access to copying machines.

6.6.4 When communicating with constituents, Councillors are encouraged to use electronic formats. Where postage services are required on Council business related matters Councillors shall have access to postal services which will be arranged through the Mayor and Councillor Support Team.

6.6.5 **Insurance** – the Shire will provide appropriate insurance to cover Councillors whilst undertaking Council business.

### 6.7 Sustenance

6.7.1 The following internal sustenance arrangements shall be offered to all Councillors:

- Reasonable refreshments during meetings on Council business days.



- Reasonable meals served during evenings of Committee, Council and other key meetings; and
- Provision of light refreshments in the Councillors' lounge.

6.7.2 Alcohol may be provided at special Council events such as the Annual Council Meeting and the Councillor Christmas party even when such events are held on Council premises. The Mayor may approve alcohol to be provided at special Council events, following consultation with Councillors.

### 6.8 Additional facilities for the Mayor

6.8.1 Each Mayor will be provided with:

- A Mayoral medallion, added to the Mayoral Chains, for use at official functions. At the end of the Mayoral term each Mayor will be presented with a replica medallion in recognition of their services.
- Administrative support to assist the Mayor in performing their official duties.
- Office accommodation and associated equipment within the Rosebud Municipal Office.

6.8.2 A fully maintained vehicle and fuel card for use for Council business and in accordance with the requirements of the Shire's Fleet Management Policy.

### 6.9 Councillor with disabilities

Any Councillor with a disability will be suitably accommodated with additional facilities. The Shire will approve all relevant and additional expenses in order to support the performance of their civic duties.

### 6.10 General Expenses

General expenses incurred by Councillors that may be considered for reimbursement include:

- Councillor ticket to a function or event where there is a clear link to Council business.
- Council related books and subscriptions.

### 6.11 Accompanying Spouse or Partner

The Shire will not incur the cost of expense of a spouse or partner attending Council business unless under the following circumstances:

- Attendance at one primary conference dinner when held in Victoria.
- Functions held by the Shire; and
- Functions held by another Victorian municipality where there is an agreed expectation of partners attending (i.e. spouse/partner of the Councillor is specified on the invitation).



### 7.0 EXCLUSIONS TO ENTITLEMENTS

- 7.1 The following out of pocket expenses are the responsibility of Councillors and will not be considered or reimbursed:
- Expenses incurred by Councillors relevant to their personal business or private roles.
  - Any cost or expense (or portion thereof) which should reasonably be borne by another entity or for which another entity is reasonably liable.
  - The cost of any road, traffic, parking or public transport fines or Infringements whether or not in the course of performing their role.
  - Non-Council business related functions organised or attended by a Councillor.
  - Any private travel, regardless of whether it forms part of or coincides with approved Council business.
  - Travel, accommodation or any other expenses for spouses, partners or accompanying persons, excluding those allowed for under **6.11**.
  - The cost of purchasing any resources or facilities outlined under **6.6** that have been made available to Councillors by the Shire.
  - The cost of attending a charity or fundraising event.
- 7.2 Councillor related expenses are not eligible for personal loyalty rewards programs.
- 7.3 Council facilities will not be used for non-Council purposes such as personal meeting or business meetings that are not Council related.
- 7.4 Any intentional, wilful or negligent damage to Shire supplied facilities and equipment.
- 7.5 Expenses incurred whilst on a period of approved leave.

### 8.0 PROCESS FOR REIMBURSEMENTS

#### 8.1 Reimbursement Process

- 8.1.1 To claim reimbursement, Councillors must complete a Councillor Expenses Claim Form providing full details, original receipts and supporting documentation.
- 8.1.2 To claim reimbursement for mileage, Councillors must complete the Councillor Kilometre Reimbursement Claim Form in addition to the Councillor Expenses Form providing full details as required.
- 8.1.3 Councillors must ensure that claims for reimbursement are submitted to the Manager – Legal and Governance within **fourteen (14) days** from the end of calendar month in which the expenses were incurred or following the completion of travel. Expenses that are submitted outside of this timeframe will not be considered for reimbursement.



8.1.4 All Councillor expense claims are considered by the Manager – Legal and Governance in line with policy principles. If the claim is denied, the Manager – Legal and Governance will advise the Councillor in writing of the reasons.

### 8.2 Reimbursement Claim Verification

The following process will be undertaken to verify all Councillor expense claims:

- All expenses will be checked against Councillor diaries.
- All valid receipts must be attached.
- Manager – Legal and Governance to review all documentation and recommend for payment or denial.
- Chief Financial Officer to review and approve payment.
- Approved expenses are allocated to appropriate expense account.
- Councillor advised if expense claim is not approved.
- Expenses published on the Shire website.

## 9.0 REPORTING, MONITORING, EVALUATION AND REVIEW

9.1 An itemised listing of all Councillor expenses will be published on the Shire website and updated monthly. The listing will include:

- Conferences.
- Training.
- Seminars.
- Events.
- Hospitality: and
- All optional extras such as dinners, social activities and accommodation related to the event.

Each listing will include the Councillor's name, date, name and description of the event, purpose and the cost.

9.2 Councillor expenses published on the Shire website will be updated monthly and will reflect the Councillor term. Expense detail for previous terms can be inspected on request.

9.3 Section 40(2) of the Act provides that a Council must provide details of all reimbursements under this section to the Audit and Risk Committee. Quarterly reports of all Councillor and delegated committee member expenses will be provided to the Audit and Risk Committee.





9.4 The *Local Government (Planning and Reporting) Regulations 2020* require the following expenses to be included in the Shire's Annual report:

- Travel expenses.
- Professional development expenses.
- Expenses to support the performance of the role.

9.5 Councillors will be provided with individual monthly reports on directly attributable Councillor expenses. Councillors will generally be provided with 14 days to review their report and seek clarification where required. Reporting of Councillor expenses will include running totals of reimbursements under each category.

9.6 Details of Councillor expenses are reported by the State Government through the Local Government Performance Framework.

### 10.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

### 11.0 ASSOCIATED DOCUMENTS

- *Local Government Act 2020*
- *Carers Recognition Act 2012*.
- *Workers Compensation Act 1985*
- Councillor Gift Policy
- Councillor Code of Conduct
- Councillor Conflict of Interest Policy
- Public Transparency Policy

### 12.0 DEFINITIONS

<b>Councillor</b>	Means a Councillor of the Mornington Peninsula Shire Council.
<b>Member of a delegated committee</b>	For the purposes of this policy only, a member of a delegated committee has the same meaning as Councillor.
<b>Carer</b>	Means a carer under section 4 of the <i>Carers Recognition Act 2012</i> .
<b>Out of pocket expenses</b>	Means an expense met by the Councillor or delegated committee member, using their own funds, which may later be reimbursed.

### 13.0 POLICY SPONSOR

The Manager – Legal and Governance is responsible for overseeing the application and review of the Councillor Expenses Reimbursement, Resources and Facilities Policy.



### 14.0 DOCUMENT CONTROLS

Council will review this policy within four years or earlier as required.

Version Control		
Date	Version	Detail of revision
9/8/2022	1.0	<ul style="list-style-type: none"><li>• Removal of separate section on Delegate expenses. Policy refers to expenses for Councillors and Delegates.</li><li>• Removal of section on non-Council funded travel.</li><li>• Removal of specific rates for child-care.</li><li>• Provision of Mayoral vehicle in line with the Shire Fleet Management Policy.</li><li>• Cost of spouse/partner clarified.</li><li>• All reference to provision of gifts or hospitality removed.</li><li>• Reporting requirements when returning from overseas or interstate simplified to a Delegates report within 30 days of return from travel or next available Council Meeting.</li><li>• Clarity provided on provision of sustenance.</li><li>• Reimbursement claims to be lodged within 14 days from the end of the calendar month in which they were incurred.</li><li>• Expenses for attending fundraising or charity events included in exclusions.</li><li>• Further clarity provided on reimbursement claim verification process.</li><li>• Councillors cannot claim expenses whilst on a period of approved leave.</li></ul>
4/4/2023	2.0	<ul style="list-style-type: none"><li>• 6.2.1 amended to include all interstate and overseas travel.</li><li>• Clarity that pre-approval is to be sought for all interstate and overseas travel.</li><li>• Clarity that Councillor training allowance includes all expenses associated with attending the event.</li><li>• Manager Legal and Governance to approve all expenses &lt;\$2,000.</li><li>• Claim verification process changed from Director Corporate Services to CFO.</li><li>• Itemised expenses associated with attendance at training, conferences and seminars to be published on the Shire website.</li></ul>

#### Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Shire department, the change to an existing policy or document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council.