



Mayor and Councillors Expenses and Facilities Policy

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Policy Summary

This Policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Bourke Shire Council Councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.

The Policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The Policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts listed in this Policy are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	As per funds available for travel as included in Council's Annual Operational Plan.	Per Year
Interstate, overseas and long- distance intrastate travel expenses	As per funds available for travel as included in Council's Annual Operational Plan.	Per Year
Corporate Uniform	Name badge per Councillor and up to \$150 for a corporate shirt during each term of Council.	Per Term
Accommodation and meals	Where not booked by Council, as per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually.	Per Meal/Night per Councillor
Provision for Partners	Will meet cost of accompanying person of Councillor for LGNSW Annual Conference official dinners only.	Per Year
Professional development	As per funds available for Professional Development for all Councillors as included in Council's Annual Operational Plan.	Per Year
ICT expenses	Councillors provided with a laptop or tablet for Council related activities. No reimbursement is made in respect of phone, internet,	Upon election

	or home office expenses for Councillors-except regarding the Mayor, as detailed.	
Carer expenses	Provided to all Councillors, up to a maximum of \$500 per annum.	
Access to facilities in a Councillor room (where available).	Provided to all Councillors.	Council Term
Council vehicle and fuel card	Provided to the Mayor for Mayoral duties.	Mayoral Term
Christmas Cards and Postage	Provided to the Mayor - \$500 annual budget.	Per Year
Support to Mayor by Executive Assistant	Provided to the Mayor.	Mayoral Term

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three (3) months of an expense being incurred. Claims made after this time cannot be approved.

A report on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. This report will include expenditure summarised by individual Councillor and as a total for all Councillors.

Part A – Introduction

1. Introduction

1.1 The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Bourke Shire Council.

1.2 The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.

1.3 The purpose of this Policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.

1.4 Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this Policy.

1.5 Expenses and facilities provided by this Policy are in addition to fees paid to the Mayor and Councillors. The minimum and maximum fees a Council may pay the Mayor and each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

1.6 In addition to the fees paid to the Mayor and Councillors, Council will also contribute to a nominated Superannuation Account a superannuation contribution required under the Commonwealth Superannuation Guarantee (Administration) Act 1992. As of 1 July 2024, the Superannuation Guarantee rate was 11.5%. As of 1 July 2025, the rate will increase to 12% onwards. The superannuation payment will be made at the same intervals as when the annual fee is paid to the Mayor and Councillors.

1.7 In accordance with the Australian Taxation Office Interpretive Decision 2007/05, Council may enter into an arrangement with a Councillor under which the Councillor agrees to forgo all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf. Any request by a Councillor must be in writing and cannot be retrospective.

2. Policy Objectives

2.1 The objectives of this Policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties.
- enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties.
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors.
- ensure facilities and expenses provided to Councillors meet community expectations.
- support a diversity of representation.

- fulfil the Council's statutory responsibilities.

3. Principles

3.1 Council commits to the following principles:

- **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
- **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as a Councillor.
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- **Equity:** there must be equitable access to expenses and facilities for all Councillors.
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private Or Political Benefit

4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.

4.2 Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.

4.3 Such incidental private use does not require a compensatory payment back to Council.

4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.

4.5 Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:

- production of election material.
- use of Council resources and equipment for campaigning.
- use of official Council letterhead, publications, websites or services for political benefit, and
- fundraising activities of political parties or individuals, including political fundraising events.

Part B: Expenses

5. General Expenses

5.1 All expenses provided under this Policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this Policy.

5.2 Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

6. Expenses

General Travel Expenses

6.1 All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.

6.2 Council will either pay or reimburse Councillors for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW (intrastate) and interstate, including representing Council at official meetings of Boards or Committees for which a Councillor has been appointed as Council's delegate.

This includes reimbursement:

- for public transport fares
- for the use of a private vehicle or hire car
- for taxi cabs
- for parking costs
- for tolls incurred on private E-tags
- for documented ride-share programs, such as Uber, where tax invoices can be issued.

6.3 Where travel is undertaken by air, this will be by economy class. All bookings for air travel will be made by Council staff (via Executive Assistant).

6.4 Where a vehicle is the most practicable and economical mode of transport, Council will endeavour to make a vehicle available for the required travel and Councillors are asked to clarify the availability of a vehicle with Councils General Manager. Where a Council vehicle is not available, a private motor vehicle may be used, or a vehicle hired. Where a Councillor chooses to travel in their own vehicle, or hire a vehicle, when a Council vehicle or a seat is available in a Council vehicle, travel will not be reimbursed unless otherwise approved by the General Manager.

6.5 Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award, as applicable as at 1 July annually. Such rate will deem to cover and include any claims for accidental damage or repairs to the Councillors private

vehicle and any loss or no claim bonus and any excess not covered by any insurance Policy.

6.6 The allowable distance claimed for travel in a private vehicle will be by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the inspection, meeting or conference.

6.7 Councillors seeking to be reimbursed for use of a private vehicle must keep a logbook recording the date, distance and purpose of travel being claimed. Copies of the relevant logbook contents must be provided with the claim.

6.8 Where travel is undertaken by rail, Council will meet the cost of a first-class ticket, or equivalent, including sleeping berths, where necessary.

6.9 The maximum allowance payable for any return travel event under sections 6.5 and 6.8 herewith shall not exceed the cost of return economy class airfares to/from the locality.

6.10 Where travel is undertaken by taxi/authorised hire car/ ride share, Council will reimburse expenses upon presentation of receipts.

Interstate and Overseas Travel

6.11 Given Council's location near the Queensland interstate border, and its membership of the Border Regional Organisation of Councils, travel to these Border Council regions will be considered as general travel. In addition, travel to the ACT is also not deemed to be interstate. Arrangements and expenses for this travel will be governed by Clauses 6.1-6.10 of this Policy.

6.12 In accordance with Section 4 herewith, Council will scrutinise the value and need for Councillors to undertake interstate and overseas travel unless direct and tangible benefits can be established for the Council and the local community.

6.13 Total interstate and overseas travel expenses for all Councillors will be as per the available funds as set aside in Councils Annual Operational Plan.

6.14 Councillors seeking interstate travel must firstly obtain the approval of a full Council meeting prior to travel.

6.15 Expenses payable for approved interstate travel will be in accordance with that for general travel, as per Clauses 6.1 – 6.10 herewith, with the class of air travel to be economy class.

6.16 Councillors seeking overseas travel must firstly submit a case to and obtain the approval of a full Council meeting prior to travel.

6.17 The case should include:

- the objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
- who is to take part in the travel
- the duration and itinerary of the travel
- a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.

6.18 For international travel, the class of air travel is to be economy.

6.19 Bookings for approved air travel are to be made through the General Managers Office (via the Executive Assistant).

6.20 For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

6.21 Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and Meals

6.22 In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 5.00pm or starts earlier than 9.00am.

6.23 Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside of the Bourke Shire.

6.24 The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually. The allowances for 2024/2025 are available at:

<https://arp.nsw.gov.au/c2024-09-meal-travelling-and-other-allowances-for-2024-25/>

6.25 The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by a full meeting of the Council, being mindful of Clause 6.24, herewith.

6.26 Councillors will not be reimbursed for alcoholic beverages.

Refreshments for Council Related Meetings

6.27 Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor workshops or briefings, approved meetings and engagements and official Council functions as approved by the General Manager.

6.28 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional Development

6.29 Council will set aside funding in its annual Operational Plan to facilitate professional development of Councillors through conferences, programs, training, and education courses.

6.30 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.

6.31 Approval for professional development activities, other than those identified and approved in each Councillors Professional Development Plan is subject to a prior written request to the General Manager outlining the:

- details of the proposed professional development
- the relevance to Council priorities and business
- the relevance to the exercise of the Councillor's civic duties.

6.32 In assessing a Councillor request for a professional development activity not identified in each Councillors Professional Development Plan, the General Manager must consider the factors set out in Clause 6.31, as well as the cost of the professional development in relation to the Councils remaining budget.

6.33 Council will meet the reasonable cost of fees, transportation and accommodation associated with the attendance of Councillors at professional development activities, as approved. Council will also meet the reasonable cost of meals when they are not included in the relevant fees. These costs will be met by the annual budget allocation for Councillor professional development.

Conferences and Seminars

6.34 Council is committed to ensuring its councillors are up to date with contemporary issues facing Council, the community and local government in NSW.

6.35 Council will set aside annual funding in its budget to facilitate Councillor through attendance at conferences and seminars.

6.36 The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably amongst Councillors.

6.37 Approval for a Councillor to attend a conference or seminar is subject to approval by a full meeting of Council. In assessing a Councillor request, the Council must consider factors including the:

- relevance of topics and presenters to current council priorities and business and the exercise of the Councillors civic duties
- cost of the conference or seminar in relation to the total remaining budget

6.38 In those circumstances where there is insufficient time for a required Council decision, the Mayor has the authority to approve the attendance and then report the matter to the next Council meeting for advice and notation of that decision.

6.39 Council will meet the cost of registration fees, transportation and accommodation associated with attendance at conferences and seminars, as approved by a full meeting of Council. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Travel expenses and reimbursement for accommodation and meals not included in the conference fee will be subject to Clauses 6.22 – 6.26 this Policy.

6.40 Notwithstanding clause 6.37 herewith, in keeping with their role of representing Bourke Shire Council, the Mayor and General Manager, are specifically authorised to attend the:

- Annual Australian Local Government Association Conference (National General Assembly) as held in Canberra ACT.
- Annual Australian Local Government Association Roads Congress as held and shared throughout the states and territories of Australia.
- Annual Local Government NSW (LGNSW) Conference as held in either Sydney or a regional locality.
- Annual Local Government NSW (LGNSW) Water Conference as held in either Sydney or a regional locality.
- Annual Local Government NSW (LGNSW) Destination and Visitor Economy Conference as held in either Sydney or a regional locality.

Attendance at these conferences will be in accordance with Section 6.22 – 6.26 of this Policy. Councillors will be invited to nominate to attend the LGNSW Annual Conference.

Information and Communications Technology (ICT) Expenses

6.41 Each Councillor is provided with a Council email address, which is to be used for all Council related email correspondence. Councillors are subject

to compliance with Council's record keeping policies and procedures, and the State Records Act 1998 provisions for all Council related correspondence.

6.42 Council will supply Councillors with a laptop or tablet device for the purpose of undertaking their Council business. No additional equipment beyond this laptop or tablet is provided for under this Policy. No reimbursement will be made in respect of home phone expenses, mobile phone handset expenses, mobile phone data expenses, tablet services and apps or home internet expenses. In addition, there is no reimbursement of costs associated with the maintenance of a home office, such as and including consumable stationery or printer ink cartridges.

6.43 All devices provided by Bourke Shire Council will be selected and purchased by Council's IT Department in accordance with Council's general business and security requirements. Not in template/ from old BSC Policy

Special Requirement and Carer Expenses

6.44 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing-impaired Councillors and those with other disabilities.

6.45 Transportation provisions outlined in this Policy will also assist Councillors who may be unable to drive a vehicle.

6.46 In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

6.47 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$500 per annum for attendance at official business, plus reasonable travel from the principal place of residence.

6.48 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

6.49 In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

7. Insurances

Councillors will receive the benefit of insurance cover for:

1. **Personal injury** while on Council business. This cover does not include medical expenses for illness in Australia.

2. **Professional indemnity** for matters arising out of a Councillors performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty is, in the opinion of Council, in good faith or proper. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
3. **Public liability** for matters arising out of a Councillors performance of civic duties or exercise of their functions under the Local Government Act. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
4. **Councillors and Officers liability.** This policy provides protection in respect of actions against individual Councillors in addition to legal costs incurred by them in defending an allegation of wrongful act made in the course of their duties as Councillors. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
5. **Travel insurance.** Councillors will be provided with travel insurance when travelling outside the Bourke Shire Local Government area for those situations not covered under the personal injury policy.

8. Legal Assistance

8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

- a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
- a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
- a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.

8.2 In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.

8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in

office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.

8.4 Council will not meet the legal costs:

- of legal proceedings initiated by a Councillor under any circumstances,
- of a Councillor seeking advice in respect of possible defamation, or in seeking a non- litigious remedy for possible defamation,
- for legal proceedings that do not involve a Councillor performing their role as a Councillor.

8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

9. Legal Advice

Legal advice relating to a pecuniary interest, conflict of interest or matter governed by Councils Code of Conduct which, in the opinion of the General Manager is necessary to clarify the Councillor's responsibilities in the performance of his/her duties will be provided and paid for by Council.

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Part C – Facilities

10. General Facilities And Equipment For All Councillors

Facilities/Equipment

Council will provide the following facilities and equipment to Councillors to assist them to effectively discharge their civic duties:

- Business Cards – with approved details.
- Letterheads – for responding to matters raised by constituents.
- Meeting Room – Subject to availability, the meeting room or conference room will be able to be used by Councillors to conduct Council related interviews etc. Access to a computer and printing facilities along with water, soft drinks and tea/Coffee making facilities will be made available by Council. Rooms may be booked through the Executive Assistant.
- Corporate Apparel – Council will supply each Councillor at the beginning of each Council term, a shirt/blouse embroidered with Councils logo or of Council design with such cost not to exceed \$150 per Councillor.
- Personal Protective Equipment – Each Councillor required to undertake inspections as part of their role as a Councillor will be supplied personal protective equipment where such equipment is required as a condition of entry onto the individual work site.
- A Name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
- Laptop Computer or tablet.

11. Additional Facilities/Equipment For The Mayor

In addition to that facilities/equipment provided to the Councillors, the Mayor, in carrying out the duties of office, is also entitled to receive the following:

- A fully maintained vehicle (Toyota Prado GXL or equivalent) will be supplied for the use of the Mayor and will be available at all times whilst undertaking his/her Mayoral Duties. A fuel card will be provided for use with the Mayoral vehicle. The Mayor is required to undertake the completion of a log book. A Mobile telephone booster kit will be installed in the Mayoral vehicle.
- Provision of a mobile telephone handset for use whilst undertaking his/her Mayoral Duties which Council will pay rent and call charges. Alternatively, the Mayor may provide his/her own mobile telephone handset for which Council will pay rent and call charges up to an amount of \$80 per month.
- Official stationery incorporating Mayoral letterhead for official Council correspondence issued under the hand of the Mayor.
- Christmas greeting cards and associated postage up to an amount of \$500 per year.

- Business Cards for his/her role as Mayor.
- Secretarial Services – word processing, preparation of Mayoral Minutes, speeches, media releases and administrative support provided by the Executive Assistant.
- Administrative support – assistance with the coordination of functions, organisations, meetings etc.
- Where practicable and available, provision of appropriate facilities, suitable for interviews and small civic receptions
- Use of ceremonial Chains of Office.
- A suitable name badge.
- Council will provide water, soft drinks, tea, and coffee to the Mayor when fulfilling his/her Mayoral duties as required.
- Where an official invitation is extended to the Mayor and spouse or partner, the cost of the additional ticket for the spouse or partner will be covered under the Mayor's expenses allocation. This applies to attending dinners, non-Council functions, charity and fundraising events, community and corporate or industry events which are relevant to Council's interest and where Council's representation would be expected.
- Funds to host an annual Mayors Christmas Function for Councillors and staff of Council.
- All facilities provided to the Mayor will also be available to the Deputy Mayor when acting in the capacity of Mayor.

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Part D: Processes

12. Approval, Payment And Reimbursement Arrangements

12.1 Expenses should only be incurred by Councillors in accordance with the provisions of this Policy.

12.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.

12.3 Up to the maximum limits specified in this Policy, approval for the following may be sought after the expense is incurred:

- Approved travel relating to the conduct of official business
- Carer costs

12.4 Final approval for payments made under this Policy will be granted by the General Manager or their delegate.

Direct Payment

12.5 Council may approve and directly pay expenses. Requests for direct payment must be submitted through the appropriate system for assessment against this Policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

12.6 All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the General Manager or their delegate.

Notification

12.7 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.

12.8 If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

12.9 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this Policy:

- Council will invoice the Councillor for the expense
- the Councillor will reimburse Council for that expense within 14 days of the invoice date.

12.10 If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

Timeframe for Reimbursement

12.11 Unless otherwise specified in this Policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

13. Disputes

13.1 If a Councillor disputes a determination under this Policy, the Councillor should discuss the matter with the General Manager.

13.2 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

14. Return Or Retention Of Facilities

14.1 All unexpended facilities or equipment supplied under this Policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.

14.2 Should a Councillor desire to keep any equipment allocated by council, then this Policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.

14.3 The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's annual report.

15. Publication

15.1 This Policy will be published on Council's website.

16. Reporting

16.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.

16.2 Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

17. Gifts Given By Councillors

17.1 Gifts that are presented by Councillors to constituents or visitors should be of token value and generally of a corporate nature. On occasions when an official delegation visits Council, the Mayor and General Manager or their delegate may wish to present a gift on behalf of the Council as a whole. In these circumstances, a reasonably priced gift that is more than of token value may be purchased provided the gift is declared in Council's Gifts and Benefits Register. The cost of the gift will be approved prior to its purchase by the General Manager or their delegate.

18. Payment Of Spouse And Partner Expenses

In limited circumstances, Council shall meet certain costs incurred by a Councillor on behalf of their spouse, partner or accompanying person that are properly and directly related to the role of the Councillor in the performance of his or her duties. For clarity, the only additional expense for spouses, partners or accompanying persons that Council will meet is the cost of the official conference dinner for an accompanying person of a Councillor in respect of the Local Government NSW Annual Conference.

Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing, parking and transport are not considered reimbursable expenses.

In recognition of the importance of a good work and family balance, spouses, partners or accompanying persons are welcome to join Councillors whilst attending events away from home. In such circumstances, Council will not require reimbursement of costs if no additional travel and accommodation expenses are incurred over and above what would have been expended by the individual Councillor. For example, if the person/s travel as a passenger in the Councillor's vehicle and are able to be accommodated in the same room already provided as standard to the Councillor, it will be considered that no additional cost has been incurred by Council. Where a spouse, partner or accompanying persons do attend an event away from home with the Councillor, all additional costs of the person/s will not be met by Council. This includes social outings and tours which may be provided as part of a "partners program".

19. Auditing

19.1 The operation of this Policy, including claims made under the Policy, will be included in Council's audit program and an audit undertaken at least every two years.

20. Breaches

20.1 Suspected breaches of this Policy are to be reported to the General Manager.

20.2 Alleged breaches of this Policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

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Part E – Appendix

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

Local Government Act 1993 - Sect 252

Payment of expenses and provision of facilities

252 Payment of expenses and provision of facilities

- (1) Within the first 12 months of each term of a council, the council must adopt a Policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.
- (2) The Policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a Policy under this section.
- (4) A council may from time to time amend a Policy under this section.
- (5) A Policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

Local Government Act 1993 - Sect 253

Requirements before Policy concerning expenses and facilities can be adopted or amended

253 Requirements before Policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a Policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the Policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft Policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its Policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (5) A council must comply with this section when proposing to adopt a Policy in accordance with section 252(1) even if the council proposes to adopt a Policy that is the same as its existing Policy.

*Local Government (General) Regulation 2021 - Reg 217***Additional information for inclusion in annual report****217 Additional information for inclusion in annual report**

- (1) For the purposes of section 428(4)(b) of the Act, an annual report of a council is to include the following information:
- (a) details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons while representing the council (including visits sponsored by other organisations),
- (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following,
- (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
- (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,
- (iii) the attendance of councillors at conferences and seminars,
- (iiia) the provision of induction training for councillors, supplementary induction training for mayors and professional development programs for mayors and other councillors,
- (iv) other training of mayors and councillors and the provision of skill development for mayors and councillors,
- (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
- (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
- (vii) the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Secretary from time to time,
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,

Local Government (General) Regulation 2021 - Reg 403

Payment of expenses and provision of facilities

403 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES

- (1) A Policy under section 252 of the Act must not include any provision enabling a council,
- (a) to pay any councillor an allowance in the nature of a general expense allowance, or
 - (b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than a mayor.
- (2) A Policy under the Act, section 252 must provide for the making of payment of expenses associated with carer responsibilities that are adequate or reasonable.

OLG Guidelines for Payment of Councillor Expenses and Provision of Facilities.

This Policy is consistent with the template as provided by the OLG titled Councillor Expenses and Facilities Policy as per Circular 17-17.

Related Council policies

Model Code of Conduct

This Policy is consistent with the Model Code of Conduct for Local Councils in NSW as provided by the OLG and as adopted by Council.

ICAC

Councillors should also be aware of and take account of the Independent Commission Against Corruption (ICAC) publication "No Excuse for Misuse – Preventing the Misuse of Council Resources (Guidelines 2), November 2002. This publication is available on the ICAC website at: www.icac.nsw.gov.au

Appendix II: Definitions

The following definitions apply throughout this Policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by council to support councillors undertaking official business
Act	Means the <i>Local Government Act 1993 (NSW)</i>
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this Policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the mayor
General Manager	Means the general manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this Policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for council or result in a direct benefit for council and/or for the local government area, and includes: <ul style="list-style-type: none"> • meetings of council and committees of the whole • meetings of committees facilitated by council • civic receptions hosted or sponsored by council • meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	Means the <i>Local Government (General) Regulation 2021 (NSW)</i>
year	Means the financial year, that is the 12-month period commencing on 1 July each year

Review

This Policy will be reviewed every three (3) years or as required in the event of legislative changes. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

Policy Amendments

Version	Date Approved	Description of Changes
v8		

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