

Councillors' Expenses and Allowances

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

Document Code: **CP-CBS-SG-001**
Version: **8.1**
Approved Date: **21 May 2019**
Next Review Date: **21 May 2023**

1 PURPOSE

The purpose of this policy is to provide a clear policy framework around councillors' entitlement to expenses, allowances, benefits and gifts in accordance with the legislative requirement for a policy under Schedule 5 of the *Local Government Act 1993*.

Schedule 5 – Office of Councillors

1 Expenses

(1) A council, on or before 1 January 2006, is to –

- (a) Adopt a policy in respect of payment of expenses incurred by councillors in carrying out the duties of office; and*
- (b) Make a copy of the policy available for public inspection.*

2 OBJECTIVE

In addition to prescribed expenses and allowances under the Act, this policy determines the additional expenses and allowances which the Council deems appropriate for the support of Councillors in fulfilling their duties of office.

Schedule 5 – Office of Councillors

1 Expenses

(2) A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under subclause (1) in relation to –

- (a) any prescribed expenses; and*
- (b) any other expenses the council determines appropriate.*

2 Loan of services, facilities and equipment

A council may decide to provide support services, facilities and equipment on loan to a councillor on any conditions it considers appropriate.

At a minimum, Councillors are entitled to be reimbursed for the following prescribed expenses under the Local Government (General) Regulations 2015:

Regulation 43

A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under Schedule 5 to the Act in relation to –

- (a) telephone rental, telephone calls and use of the internet; and*
- (b) travelling; and*
- (c) care of any person who is dependent on the Councillor and who requires the care while the Councillor is carrying out his or her duties or functions as a Councillor.*

Councillors' Expenses and Allowances

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

Document Code: **CP-CBS-SG-001**
Version: **8.1**
Approved Date: **21 May 2019**
Next Review Date: **21 May 2023**

3 SCOPE

This policy applies to Councillors of Burnie City Council.

Within this policy *the Act* means the *Local Government Act 1993*, and *the Regulations* means the *Local Government (General) Regulations 2015*. The *prescribed form* means the Councillor Expenses Claim Form FO-CBS-SG-009.

All figures stated are GST exclusive.

4 POLICY

Where, in the opinion of the General Manager, a question arises as to whether a claim is eligible under this Policy, or the claim appears unreasonable or does not serve the interests of Council, the General Manager will raise the concern with the Councillor.

It is the responsibility of councillors to ensure that any claims are consistent with this policy and reflective of community expectations.

4.1 PRESCRIBED ALLOWANCES

The Council shall pay allowances for elected members in accordance with Regulation 42 of the *Regulations*.

Allowances will be paid on a monthly in arrears basis.

A Councillor may determine not to receive all or part of a prescribed allowance. Notification of such a decision is to be provided to the General Manager in writing. [Section 340A (3) (4) of the *Act*]

4.2 EXPENSES OF OFFICE

4.2.1. Provision of Facilities – City Offices

The Mayor is to be provided with a dedicated office for the carrying out of their duties as Mayor.

Councillors are permitted to use a separate office and telephone for calls and appointments in discharging the function of a Councillor.

Council will provide Councillors with administrative support in relation to discharging the function of a Councillor.

Each Councillor will be provided with one parking permit for use in discharging the function of a Councillor.

Councillors' Expenses and Allowances

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

Document Code: **CP-CBS-SG-001**
Version: **8.1**
Approved Date: **21 May 2019**
Next Review Date: **21 May 2023**

4.2.2. Home Office Expenses

Council will reimburse Councillors for the cost of stationery and office supplies provided that claims are submitted on the prescribed form together with receipts.

Council will reimburse Councillors for the cost of home office equipment such as a desk, filing cabinet, briefcase etc, provided that claims are submitted on the prescribed form together with receipts. A maximum of \$1,000 in the first year of office and up to \$500 pa thereafter (including re-elected terms) may be claimed for such items. Items purchased under this clause will remain the property of the Councillor at the end of their term of office.

4.2.3. Communications

Councillors are to be provided with a mobile phone for the purpose of discharging the function of a Councillor. Phones provided are to be returned to Council at the conclusion of a Councillor's term of office. Reasonable personal use of the phone is allowable on the phone plan.

Councillors are to be provided with an ipad or laptop from the approved standard equipment list, and a printer for receiving Council papers. Ipads and laptops are to be returned to Council at the conclusion of a Councillor's term of office.

A communications allowance of up to \$250 per month (non-cumulative) can be claimed by each Councillor in respect of all communications expenses incurred, including mobile phone, landline telephone expenses and internet expenses. If the expense is paid directly by Council, any amount over this will be deducted from the next Councillor's allowance.

If travelling overseas, Councillors are requested to put appropriate measures in place to avoid excessive phone costs. Councillors should approach the General Manager for assistance in this matter.

4.3 OUT OF POCKET EXPENSES

4.3.1. Claim for Expenses

Expense claims are to be submitted to the Governance Officer on the prescribed form within the financial year they are incurred. Claims are preferred on a monthly basis.

Out-of-pocket expenses for meals, travel and dependent person care, may be claimed by Councillors for the following activities:

- a) To and from the formal meetings of Council and Council workshops.
- b) To and from any meeting of any Committee the Councillor has been appointed to as a representative of Burnie City Council, or for any other meeting where the Councillor has been delegated or authorised by Council to attend.

Councillors' Expenses and Allowances

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

Document Code: **CP-CBS-SG-001**
Version: **8.1**
Approved Date: **21 May 2019**
Next Review Date: **21 May 2023**

- c) Upon business of the Council, outside the municipal area, in compliance with a resolution of Council.
- d) To and from any conference, seminar or professional development, function or event as approved under section 4.4 of this policy.
- e) To attend inspections or business as arranged by the General Manager.

4.3.2. Meals

For attendance at meetings of Council, Council Workshops or meetings of any committee of Council, which commence after 5.00pm, an evening meal may be provided.

Out-of-pocket meal expenses for an activity specified in section 4.3.1 above will be reimbursed to a Councillor upon presentation of the prescribed form together with receipts.

4.3.3. Vehicles and Travel

Council will provide a dedicated Councillors' Pool Car for use by Councillors in the exercise of their duties and functions as a Councillor. Bookings for the Councillors' Pool Car are to be coordinated through the Personal Assistant to the Mayor and General Manager. For cost efficiency it is preferred that Councillors seek the use of the Councillors' Pool Car for business travel outside the municipality that exceeds 100km return.

In cases where the Councillors' Pool Car is not able to be used, a travel allowance will be payable to a Councillor for an activity specified in section 4.3.1 above.

The travel allowance payable will be at the Australian Tax Office rate for travel allowances.

A Councillor shall not claim travel or other expenses where the expense would otherwise have been incurred as a result of private business.

A Councillor shall not claim travel or other expenses where alternative arrangements have been made for travel, meaning that the Councillor did not incur the cost of that travel.

All policies adopted for use of Council vehicles apply to Councillors when driving Council vehicles. (See related documents at end).

4.3.4. Dependent Person Care Expenses

Council will reimburse a Councillor for necessary, reasonable expenses incurred in relation to the care of any dependent of the Councillor, while undertaking an activity specified in section 4.3.1 above.

Councillors' Expenses and Allowances

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

Document Code: **CP-CBS-SG-001**
Version: **8.1**
Approved Date: **21 May 2019**
Next Review Date: **21 May 2023**

Where a licensed childcare provider is used, reimbursements made will be net of any entitlement to government subsidies.

At the General Manager's discretion, childcare may be paid at an hourly rate of up to \$20/hour when no licensed provider is available (for example evenings).

Dependent person expenses are not eligible for reimbursement if the payment for that care is made to a person who normally or regularly lives with the Councillor or is a member of the Councillor's family.

All claims must detail the date and time care was provided, the business of council that it related to, and attach a receipt or invoice from the provider (whether licensed or unlicensed).

Dependent person care expenses will, unless there are exceptional circumstances, be paid in arrears.

4.4 EXPENSES IN ROLE OF COUNCILLOR

4.4.1 Conferences and Seminars

Councillors are encouraged to attend conferences, seminars and training relevant to Local Government. When held within Tasmania, Councillors are entitled to attend:

- the ALGA National Assembly,
- the LGMA National Congress,
- the LGAT Annual Conference,
- any relevant training session or forum hosted by LGAT in Tasmania.

4.4.2 Professional Development

Under the Councillors' Declaration of Office, Councillors have a commitment to engage in ongoing professional development. In addition to the above local government opportunities, each Councillor may claim up to \$2,000 per year for professional development opportunities in Tasmania which will assist them in developing skills to fulfil their role as a Councillor and community leader.

Councillors must provide a written application to the General Manager that demonstrates how the professional development opportunity will meet this purpose. Applications up to \$2,000 per year per Councillor may be approved by the General Manager in accordance with this policy. Applications over this amount, or requiring travel outside Tasmania will require a resolution of Council. Such requests will be placed in the open session of Council unless there is a valid reason under the Regulations preventing disclosure.

Out-of-pocket expenses associated with the professional development may be claimed in addition to the \$2,000 allowance.

Councillors' Expenses and Allowances

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

Document Code: **CP-CBS-SG-001**
Version: **8.1**
Approved Date: **21 May 2019**
Next Review Date: **21 May 2023**

Councillors are requested to provide an appropriate level of reporting back to Councillors on professional development opportunities undertaken, in order to share knowledge gained and demonstrate the benefits received.

4.4.3. Dinners, Functions and Events

Council may cover the costs of dinners, functions or events to which either:

- the Mayor is invited to represent Council; or
- one or more Councillors are appointed by the Mayor to attend on behalf of Council; or
- all Councillors are invited to attend in an official capacity, subject to the discretion of the Mayor.

4.4.4. Partners' Costs

Where additional costs are incurred for Councillors' partners to attend functions, dinners, events or similar, these costs will be at personal expense of the Councillor or their partner. For practicality in booking arrangements, this may be undertaken by deduction from the Councillor's allowance.

4.5 OTHER MATTERS

4.5.1. Retirement Gifts

Retirement presentations for Councillors should be in the form of a gift up to the value of \$250 for each four years of service up to a maximum of \$1,000.

4.5.2. Insurance

Council will provide the following insurance cover for all Councillors, for liability arising out of or in the course of carrying the function of a Councillor:

- Personal Accident Insurance
- Directors and Officers Insurance
- Fidelity Guarantee Insurance
- Business Travel Insurance
- Comprehensive Motor Vehicle Insurance on Council fleet cars

4.5.3. Privacy and Disclosure

Monthly statements are to be provided to each Councillor detailing the expense claims and allowances paid and/or claimed to date.

The total expenses claimed by each Councillor will be published in Council's Annual Report, in accordance with section 72(1)(cb) of the Act. The total expense figure will include expenses claimed in accordance with this policy, including out-of-pocket meal expenses, vehicle and travelling expenses, childcare expenses, home office expenses, communications expenses,

Councillors' Expenses and Allowances

Approved By: **Council**
 Doc Controller: **Executive Manager**
Corporate Governance
 File: 4/14/2

Document Code: **CP-CBS-SG-001**
 Version: **8.1**
 Approved Date: **21 May 2019**
 Next Review Date: **21 May 2023**

conferences and seminars including out-of-pocket expenses. This policy serves as a public document to provide an open and fair framework of expense entitlements within which Councillors are entitled to claim.

5 LEGISLATION

Local Government Act 1993 S.340A Allowances
 Local Government Act 1993 Schedule 5 – Office of Councillors
 Local Government (General) Regulations 2015 S.42 Allowances for elected members
 Local Government (General) Regulations 2015 S.43 Expenses for councillors

6 RELATED DOCUMENTS

Annual Schedule of Councillors' Allowances from LGAT
 Councillor Expenses Claim Form FO-CBS-SG-009
 Workplace Policy WP-OGM-HR-022 Vehicles – Use in the Workplace
 Council Policy CP-CBS-SG-028 Receipt of Gifts and Benefits
 Council Policy CP-CBS-SG-024 Code of Conduct

Policy Endorsement	
Responsibility:	It is the responsibility of individual Councillors to ensure the integrity of the policy is maintained. It is the responsibility of the General Manager to exercise discretion in respect of matters that require clarification or a decision in respect of this policy. It is the responsibility of Governance Unit to administer and maintain this policy in the Corporate Document Framework.
Minute Reference:	AO134-19
Council Meeting Date:	21 May 2019
Strategic Plan Reference:	Strategy 7.1.1 Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable. Strategy 7.7.3 Provide support to elected members to assist them to fulfil their roles effectively.
Previous Policies Replaced:	This policy replaces the previous policy <i>Aldermen's Expenses and Allowances</i> version 7.0 dated 19 May 2015 (Item AO109-15). <i>Note – Version 8.0 was approved by Council on 21 May 2019. Version 8.1 incorporated an agreed addition by Council within the same meeting to require some level of reporting on professional development (cl 4.4.2).</i>
Date of Commencement:	22 May 2019
Publication of policy:	This policy is distributed to new Councillors on commencement and is available on the Councillors' Portal. Members of the public may inspect this policy at the City Offices or access on Council's website (www.burnie.net)