

## PURPOSE

This policy sets out when Council will reimburse Elected Members for expenses incurred while acting in their roles, and otherwise assist them to carry out the duties of their office.

## SCOPE

This policy applies to Elected Members until their Vacation of Office or the commencement of a Caretaker Term prior to a Local Government election.

## RELATED DOCUMENTS

- Elected Members' Information Communication Technology Usage Policy (September 2020)

## STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993, Schedule 5</i>
Regulations	<i>Local Government (General) Regulations 2015, regulation 43</i>
Australian/International Standards	<i>N/A</i>

## DEFINITIONS

**ATO** means the Australian Tax Office.

**Caretaker Term** means the period from the issue of a notice of election under section 269 of the Act to the issue of a certificate of election under section 304 of the Act.

**Dollar** amounts are expressed exclusive of GST.

**Elected Member/s** includes the Mayor and Deputy Mayor, Aldermen and Councillors except where stated otherwise.

**LGAT** means the Local Government Association of Tasmania.

**Term of Office** means the period from the election of an Elected Member to the start of the caretaker period before the next whole council election.

**Training or conference attendance** means for the purpose of this Policy attendance at training courses or conferences with a nexus to the role of an Elected Member that are not a mandatory requirement of that role.

**Vacation of Office** means (as set out in Schedule 5 Local Government Act 1993) the office of a councillor becomes vacant if the councillor –

- (a) dies; or
- (b) resigns; or
- (c) is absent without leave from 3 consecutive ordinary meetings of the council; or
- (d) is removed or dismissed from office under this Act; or
- (e) becomes a paid employee of the council; or
  - (ea) is, on the day on which he or she begins to hold that office, a member of any Parliament in Australia, and is such a member for 30 days continuously during that term of office of the councillor; or
  - (eb) becomes, after the day on which he or she begins to hold that office, a member of any Parliament in Australia; or
- (f) is no longer eligible to nominate as a candidate under section 270 of the Local Government Act 1993.

## **POLICY STATEMENT**

### **1. Travel expenses**

The Mayor will have unrestricted use of a vehicle supplied by the Council that is commensurate with the position.

Council will reimburse an Elected Member (including an Elected Member acting as the Mayor's Delegate) for vehicle travelling expenses up to a maximum of 80km for each trip:

- while attending Council meetings, committee meetings, or any other meeting or function that is arranged by, or is attended as a representative of Council
- while responding to a citizen's request or problem
- in response to a Council staff member's request to meet
- in relation to verifying any details relating to an item on the agenda of a Council or committee meeting that the Elected Member is required to attend
- when visiting the council offices for the purpose of carrying out their duties as an Elected Member.

Re-imbursement under this clause will be limited to \$2,200 (excluding GST if the claim includes a tax invoice where Council can claim back the GST) per financial year.

Council will reimburse an Elected Member for vehicle travelling expenses for trips greater than 80km if the Alderman is representing Council as the Mayor's delegate or if the purpose of the travel aligns with Section 7 of this Policy "Elected Member Training or Conference Attendance".

Travelling expenses for the use of a private vehicle will be reimbursed at Australian Taxation Office per kilometre rates as annually reviewed.

All claims for reimbursement of vehicle travelling expenses must be made on the approved form and must contain sufficient details of each trip to justify reimbursement under this policy. Minimum details required are:

- date of travel
- origin and destination

- purpose (which must be a purpose consistent with this policy)

If the claim relates to the use of a private vehicle, the distance travelled must also be provided.

Receipts must accompany any claim for vehicle travelling expenses where public transport (buses, taxis etc) transport is used and must also be recorded in the details of the claim.

Hire of a motor vehicle should be considered where the cost of hiring a vehicle may be less than the reimbursement per kilometre of private travel.

Council will not reimburse an Elected Member for petrol, oil or any other vehicle related expense, except when the expenditure has been incurred while hiring a vehicle.

Council will not reimburse an Elected Member for travelling in relation to unsolicited visits to citizens that have been undertaken for the self-promotion of the Elected Member (canvassing, door knocking etc).

Council will not reimburse any claims that are more than 3 months old.

## **2. Dependent Person Care**

Council will reimburse an Elected Member for care expenses in the relation to the care of a person who is dependent on the Elected Member, or where the Elected Member requires a carer to enable them to carry out the duties of their office. The reimbursement relates to the cost of hiring a carer to enable the Elected Member to undertake duties necessary to their role.

Receipts for payments made to the carer must accompany claims for reimbursement of carer expenses, together with details of the date(s) and start and end times that the care took place.

Reimbursement will not be provided where the carer is a member of the Elected Member's immediate family.

## **3. Communications and data expenses**

Council will reimburse Elected Members for communications and data expenses, as set out in this section.

Elected Members, other than the Mayor, will be given a Communications Allowance of \$2,000 (excluding GST if the claim includes a tax invoice where Council can claim back the GST) per financial year, as a contribution to the following:

- mobile and landline-based telephone calls
- mobile data
- home broadband
- the purchase of computing or mobile communications devices and accessories

Council will reimburse the Mayor for reasonable communication expenses incurred in the course of carrying out the duties of the Mayor's office.

Elected Members may claim communications expenses in any of the following ways:

- as a reimbursement, on the provision of appropriate evidence
- as a monthly allowance (for an agreed amount), to be paid as a contribution towards the cost of communications and data plans incurred by the Elected Member.

Claims for reimbursement of telephone and mobile phone expenses must be made on the appropriate claim form and be supported by sufficient source documentation to justify reimbursement, together with a declaration stating that the amount claimed has been expended in the performance of their duties as an Elected Member.

Where an Elected Member seeks reimbursement for the costs of a phone or data plan (or a combined plan) or opts to claim payment of a monthly telecommunications allowance instead of retrospective reimbursement, the amount claimed is to be based on the estimated percentage of use of each plan that was incurred in the performance of their duties as an Elected Member.

Claims for reimbursement should be submitted each month using the form supplied by Council.

Council will not reimburse any claims that:

- are more than 3 months old
- are for telephone calls made or data used for self-promotion or other private purposes.

#### **4. Mobile device purchases**

Elected Members, other than the Mayor, may fund the purchase of mobile computing or communication devices (such as tablets, laptops or mobile phones) required to perform their duties from their Communications Allowance. If required, Council can arrange the purchase or, alternatively, will reimburse Elected Members on the presentation of evidence.

The Mayor will be provided with a laptop and a mobile phone by Council as commensurate with the Office of Mayor.

Council will arrange for Council's email and calendar to be installed on the device and synchronised with Council's email system. However, the Elected Member must allow Council to install Mobile Device Management (MDM) software on any device on which Council data or information is stored. If the device is lost or stolen, Council will remotely clear all data off the device. Elected Members must advise Council's ICT ServiceDesk as soon as possible if the device is lost or stolen.

Council will provide basic training and support for use in relation to accessing Council data and email. Council's ICT Team will not provide support for any hardware or applications on a device, other than those required to access Council data or information.

All equipment purchased through the Communications Allowance remains the property of the Elected Member. Any equipment provided to the Mayor will remain the property of the Mayor.

Consumable items such as stationery, printer cartridges etc may be obtained by contacting Council's ICT section who can assist through an online order facility from Council's current provider using Council's account details. Any purchases will be charged to the Elected Member's telecommunications allowance account. Alternatively, reimbursement for purchases can be claimed from the Elected Member's telecommunications allowance allocation.

Elected Members will be required to adhere to the Elected Member's Information Communications Technology Usage Policy.

Council will not allow or be responsible for any global roaming on any mobile device.

This policy will be reviewed and amended as required to ensure Council adopts those technology trends necessary for its efficient operation.

## **5. Local Functions**

Council will reimburse Elected Members for costs incurred attending local functions as a Council representative.

All claims for reimbursement for local functions should be made on the appropriate Council form and be supported by sufficient source documentation to justify reimbursement under this policy. The documentation is to include receipts or invoices verifying the expenditure.

Council will not reimburse:

- any claims that are more than 3 months old
- for expenditure incurred while at a local function for any additional costs for accompanying persons, except costs that are necessary to provide an Elected Member with a disability equal access to the function.

## **6. Postage expenses and administration support**

Council will reimburse Elected Members for postage expenses incurred in replying to issues raised by individual citizens, provided appropriate evidence is provided.

Council will provide Elected Members, other than the Mayor, with limited administration support to assist with their duties as Council's representative on working groups, steering committees, reference groups, special committees, or external committees. Council will provide the Mayor with administration and executive support necessary for the Mayor to perform the duties of the Mayor's office.

Council will not provide administration support, address lists, postage or reimbursement of postage expenses for unsolicited correspondence to citizens.

Requests for administration support which, in the opinion of the General Manager are excessive, may be refused.

Council will provide Elected Members with up to 500 business cards per financial year of the same quality and design provided to Council's management team. Council will not charge Elected Members for providing business cards.

Council will not reimburse any postage claims that are more than 3 months old.

## **7. Elected Member Training or Conference Attendance**

Elected Members are entitled to reimbursement of costs for registration and attendance at training, conferences or seminars, that support the duties of their office, in accordance with the following:

## **Entitlement**

Council will reimburse Elected Members for training, conference and seminar fees, travel, accommodation and other expenses associated with attendance at a training course, conference or seminar in accordance with the provisions of this policy. Training, conference and seminar fees will be reimbursed from the “Entitlement” value in this policy. Travel, accommodation and meals will be reimbursed separately and do not apply to the “Entitlement” section of this policy.

Council will not reimburse an Elected Member for expenses incurred while at a training course, conference, or seminar for any additional costs for accompanying persons, except costs that are necessary to provide an Elected Member with a disability equal access to the function, or the cost of one accompanying person’s attendance at an official conference dinner.

Elected Members will have access to a maximum reimbursement amount for registration at training, conferences or seminars of \$10,000 (excluding GST) per term of office.

Within two months of undertaking training or conference / seminar attendance, the Elected Member is required to prepare and deliver a report to the Elected Members detailing the content, learnings, and value to Council.

There is an expectation that the Mayor will attend regular LGAT conferences intrastate and peak body conferences interstate. Should the term Entitlement of \$10,000 have been expended, the Mayor will be eligible for an additional sum of up to \$5,000 over the term of office to enable attendance at these events.

Reimbursement of travel, accommodation and meals will be as per ATO rates as amended annually.

Council will not reimburse any claims that are more than 3 months old.

Council will not reimburse or sponsor an Elected Member for their participation in courses that will result in the award of a tertiary qualification.

## **Induction Training**

It is the joint responsibility of the Mayor and General Manager to arrange for newly Elected Members to be provided with familiarisation and induction training as may be necessary in each individual case. A separate budget will be allocated for this purpose every four years in line with election cycles.

## **LGAT training**

LGAT offers conferences and training sessions for Elected Members. Details of these will be provided to Elected Members on a regular basis.

## **Preference for locally delivered training**

In providing training opportunities for Elected Members, LGAT and other Tasmanian based training agencies should be accessed in the first instance. If a particular training and development need cannot be met through these means, efforts should be made to provide training in-house. Only if this is not possible should other local or interstate options be explored and taken up.

## Company Directors Course

Council also recognises that sound governance and an appropriate level of training ought to be available to assist the performance of Elected Members. Council will reimburse Elected Members to undertake the AICD Company Directors course, or similar, at the AICD membership rate, upon evidence of full attendance at the course. The reimbursement of the course cost will not include the private annual membership fee which Elected Members may claim as a tax offset.

## 8. Memberships

Council will not reimburse an Elected Member for membership of any club, association or professional body.

## 9. Policy exceptions

If, in the opinion of the General Manager, an Elected Member's query does not meet the requirements of this Policy, the General Manager will refer the matter to a Council meeting for a decision.

### BACKGROUND

Elected Members naturally incur expenses as a result of carrying out the duties and functions of their office.

Schedule 5 of the *Local Government Act 1993* and s.43 *Local Government (General) Regulations 2015* provide that Council must adopt a policy in respect of payment of expenses incurred by Elected Members in carrying out their duties of office. Elected members may, in accordance with the legislation and policy, be entitled to be reimbursed for certain prescribes reasonable expenses while carrying out those duties and functions. Council may provide other support services, facilities and equipment to Elected Members as it considers appropriate.

As part of its duty to practice responsible and accountable government and to ensure that public funds are not misused, Council wishes to ensure that there are further detailed guidelines setting out the expenses reimbursement and support that can be provided to Elected Members. A copy of the policy must be available for public inspection.

### DOCUMENT CONTROL

Version:	3.0	Adopted	29 May 2023	Commencement Date	30 May 2023
Minutes Reference	Council Meeting, item 12			Review Period	4 Years from adoption
Previous Versions:	1.0, adopted 29 August 2016 (item 12) 2.0, adopted 26 October 2020 (Item 16)				
Responsible Directorate	Stakeholder Engagement	Controller:	Executive Manager Stakeholder Engagement		
ECM Document No.:	Policies by Directorate				