



Adopted by Council 28 November 2016

**Policy for the Payment of Expenses and the
Provision of Facilities for the Mayor and Councillors**

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1. INTRODUCTION

1.1. Purpose of the Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by councillors. The policy also ensures that the facilities provided to assist councillors to carry out their civic duties are reasonable.

The expenses policy will apply to the Mayor, Councillors and their partners.

Only those entitlements specifically described in this Policy shall be provided by Council.

1.2. Key Principles

This Policy also aims to uphold and demonstrate the following key principles:

- i. **Conduct.** Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under *the Local Government Act 1993* ("the Act") or any other Act.
- ii. **Participation, equity and access.** The provisions of the Policy shall also be at an appropriate level to encourage members of the community, particularly under-represented groups such as those in primary caregiver roles, to seek election to Council by ensuring that they would not be financially or otherwise disadvantaged in undertaking the civic functions of a Councillor.

The Policy shall also take into account and make reasonable provision for the special needs of Councillors to allow access to the appropriate parts of Council premises, and facilities, and maximise participation in the civic functions and business of Council.

- iii. **Accountability and transparency.** The details and range of benefits provided to the Councillors are to be clearly stated and be fully transparent and acceptable to the local community.
- iv. **Reasonable expenses.** Councillors shall only be reimbursed for expenses reasonably incurred in the performance of their role as a Councillor.

1.3. Reporting and legislative requirements

Section 428 of the *Local Government Act 1993* and section 217 of the *Local Government (General) Regulation 2005*, requires councils to include in their annual report:

- i. The Policy on the Payment of Expenses and the Provision of Facilities for the Mayor and Councillors.
- ii. The total amount of money expended during the year on providing facilities and paying expenses for the Mayor and Councillors.

The following detailed expenses will be reported:

- a) *The cost of telephone calls including mobiles, home located landlines, facsimile and internet services.*
- b) *Spouse / partner / accompanying person expenses*
- c) *Conference and seminar expenses*
- d) *Training and skill development expenses*
- e) *Interstate travel expenses*
- f) *Overseas travel expenses*
- g) *Care and other related expenses*
- h) *Any legal expenses incurred by an individual councillor under part 2.11 of this policy.*

With regard to the provision of facilities, Council will also report on:

- a) *The cost of the provision, including rental, of dedicated office equipment allocated to councillors on a personal basis such as laptop computers, mobile phones, telephones and facsimile machines and internet installed in the councillors' homes.*
- b) *Additional information as required by the Local Government (General) Regulation 2005.*

1.4. Definitions

Councillor: means a person elected or appointed to civic office, and includes a Mayor.

Expense: Payments made by the council to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Expenses include those defined in this policy and may be either reimbursed to a Councillor or paid directly by Council for something that is deemed to be a necessary expense to enable them to perform their civic functions. Expenses are separate and additional to annual fees.

Facilities: Equipment and services that are provided by Councils to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.

Functions of civic office/civic functions: Functions that Councillors are required to undertake to fulfil their legislated role and responsibilities for the Council that should result in a direct benefit for the Council and/or for the local government area.

Relative: in relation to a person, means any of the following:

- i. The parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse;
- ii. The spouse or de facto partner of the person or of a person referred to in paragraph (i).

2. PAYMENT OF EXPENSES PROVISIONS

2.1. General provisions

This policy **excludes** the annual fees payable to the Mayor and Councillors under Sections 248 – 251 inclusive of the *Local Government Act 1993*.

2.2. Monetary limits

Monetary limits prescribed in this Policy set out the maximum amount payable in respect of any facility or expense. Any additional cost incurred by a Councillor in excess of any limit set shall be considered a personal expense that is the responsibility of the Councillor. All monetary amounts stated are exclusive of GST. Unless otherwise stated, any annual limits will be adjusted on a pro-rata basis where only part of a year of term applies. All monetary limits are defined within this policy as appropriate, otherwise they will be determined on a case by case basis by the General Manager or their delegate. Any significant claims will be reported by the General Manager to Council.

2.3. Payment of General Expenses

An annual allowance is paid to each Councillor by Council. The allowance is the amount fixed by Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

The payment of allowances and reimbursement of expenses under this Policy shall only be in respect of costs directly associated with discharging the functions of civic office, i.e. civic functions that Councillors are required to undertake to fulfil their legislated role and responsibilities for the Council that should result in a direct benefit for the Council.

Reasonable out-of-pocket expenses incurred by Councillors, whilst on official business, will be met by Council. Council will **not** pay a general expense allowance to councillors.

Monetary limits and standards: Out-of-pocket expenses will be reimbursed to a maximum of \$100.00 per day, providing receipts are supplied. Expenses of a personal nature are excluded. No expenses will be paid in relation to a Councillor's attendance at political fund raising functions.

Monetary limits and standards in relation to motor vehicles: The actual rate of calculation of the amount payable for travel in a Councillor's own vehicle shall be the actual maximum rate payable as prescribed in the *Local Government (State) Award 2014*.

All expenses and costs must be in accordance with the provisions of this policy. No reimbursements will be made without the appropriate claim form and receipts to verify the expenditure.

Claims must be made within three (3) months of being incurred. The Claim Form attached to this policy must be utilised when making expense claims.

All claims must be approved by the General Manager or their delegate.

2.4. 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. By way of example, attendance at official Council functions that are of a formal and ceremonial nature when accompanying Councillors within metropolitan Sydney, including, but not

limited to, Australia Day award ceremonies, citizenship ceremonies, civic receptions and charitable functions for charities formally supported by the council.

The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above is confined specifically to the ticket, meal and/or the direct cost of attending the function. 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".

2.5 Local travel arrangements and expenses

Councillors may travel by taxi and use a Councillor-issued CabCharge card to pay for their trip. Reimbursement for such taxi use is subject to a claim form being lodged not later than one month after the expense was incurred.

Other claims for travelling expenses shall be submitted no later than three (3) months after the expenses were incurred, and shall be submitted to the General Manager or their delegate, for submission to Council for approval. Claims will be made on the Claim form attached to this policy.

2.6 Interstate travel

Interstate travel will need to be approved by Council. Applications for approval to travel interstate should include full details of the travel, including itinerary, costs and the reasons for travel. Other sections of this policy apply in regards to specific costs incurred and monetary limits and standards.

2.7 International travel

International travel must be approved by Council. Applications for approval to travel overseas should include full details of the travel, including itinerary, costs and the reasons for travel.

Monetary limits and standards: International travel will be at economy airfare rates unless the person travelling is unwell or injured or has a physical disability in which case an upgrade may be applicable. Such an upgrade should be reported to Council for approval together with any cost implications. Upgraded seating may be approved by Council when the duration of the journey exceeds eight (8) hours without a stopover, subject to budget approval.

Council will pay travel costs for Councillors travelling overseas on Council business under the conditions prescribed in this policy. Should a Councillor wish to personally meet the cost of the difference for an upgraded ticket, this will be permitted subject to details of the upgrade being reported to Council, such report to specify the cost of an economy ticket paid for by Council and the amount of the difference paid by the Councillor for the upgraded ticket.

No private benefit for individual Councillors will be available or obtained from travel bonuses or any other such loyalty schemes in respect of overseas travel paid for in full or part by Council.

2.8 Telephone and data expenses whilst travelling

Where Councillors are travelling interstate or overseas, Council will meet the cost of telephone calls from the delegate to his/her family, and to Council for Council related business. Other telephone and data expenses are to be paid for by the delegate.

Councillors undertaking private travel interstate or overseas, will be responsible for any private telephone calls or private data expenses when using Council issued/related technology.

2.9 Care and other related expenses

Where a Councillor has responsibilities for the care and support of a relative, Council shall reimburse the actual cost incurred by the Councillor to engage professional care for the relative whenever necessary in order for the Councillor to discharge the functions of civic office.

Carer expenses may consist of:

- (a) Occasional child care centre fees;
- (b) Hourly fees;
- (c) Agency booking fees (if claimed); and
- (d) Reasonable travelling expenses (if claimed by the carer).

Council will also meet expenses associated with the special needs of Councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities. This includes reimbursement of special assistance or carer support.

For reimbursement under 2.9, fees are payable per hour (or part of an hour) subject to any minimum period which is part of the care provider's usual terms, to a maximum hourly rate approved by the General Manager or delegate. Travelling expenses cover the transport costs of the carer to and from the Councillor's residence or of the person to be cared for to and from the place of care. Claims must be accompanied by a receipt from the care provider showing the date and time care was provided and details of the reason care was needed on each occasion, or alternatively the submission of a Statutory Declaration with these details.

Claims must be lodged within three (3) months of incurring the expense and be accompanied by a receipt from the care provider showing the date and time care was provided and details of the reason care was needed on each occasion. All expenses shall be submitted to the General Manager or their delegate for approval.

Reimbursement does not apply where the care is provided by immediate family members including family, spouse or partner.

Monetary limits and standards: The total amount paid per Councillor under this provision shall not exceed \$3,300 (incl GST) per annum.

2.10 Insurance expenses and obligations

Council shall pay the deductible in respect of any insurance policy applicable to a Councillor while discharging the functions of civic office. These insurance policies may include, but is not limited to the following:

- i. Public Liability insurance (for matters arising out of a Councillor's performance of their civic duties and/or exercise of their Council functions)
- ii. Professional Indemnity insurance (for matters arising out of a Councillor's performance of their civic duties and/or exercise of their functions)
- iii. Personal Accident insurance (while on Council business)
- iv. Travel insurance (for approved interstate and overseas travel on Council business)

For the avoidance of doubt, and notwithstanding anything contained in section 2.11 of this Policy, Council shall pay under this section 2.10 any excess that is satisfied by means of payment of legal expenses incurred in defending a Councillor, where such expenses are otherwise indemnified by Council's insurers following payment of such excess.

2.11 Legal expenses and obligations

Councillors may be subject to legal action in the course of their duties and whilst acting in good faith.

2.11.1 Council may consider meeting legal expenses that arise from:

- a) A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers); or
- b) 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; or
- c) An inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including:
 - i. Local Government Pecuniary Interest and Disciplinary Tribunal
 - ii. Independent Commission Against Corruption
 - ii. Office of the Ombudsman
 - iii. Office of Local Government, Department of Premier and Cabinet
 - iv. NSW Police Force
 - v. Director of Public Prosecutions
 - vi. Council's Conduct Review Committee/ Reviewer

2.11.2 Council may consider reimbursing legal expenses of Councillors:

- a) Where legal or investigative proceedings are commenced against a Councillor during the term of their office;
- b) The legal or investigative proceedings have been commenced in respect of actions or matters carried out during the term of the Councillor's office;
- c) Where the investigative or review body makes a final determination that is not substantially unfavourable to the councillor;

- d) Only at the completion of any proceedings by way of appeal against the determination of the court or tribunal or other agency at first instance;
- e) Only at the completion if any claim for costs by or on behalf of the Councillor in respect of the proceedings at first instance and on appeal; and
- f) In respect of expenses reasonably and necessarily incurred for the proper defence of the proceedings by the Councillor.

Council will not meet the costs of an action in defamation taken by a Councillor as plaintiff in any circumstances and will not meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Council will not meet the legal costs of legal proceedings initiated by a councillor under any circumstance.

2.11.3 A claim must be made in writing and supported by:

- a) Memoranda of solicitor's and counsel's costs and disbursements; and
- b) Receipts in respect of all other expenses, and
- c) Where otherwise available, a bill of costs prepared on behalf of the Councillor for the purpose of claiming the costs of the proceedings pursuant to an order of the court or tribunal or other agency.

A claim must not include any amount which the Councillor may recover or has recovered pursuant to an order for costs in favour of the Councillor.

A claim must deduct any amount received by or on behalf of the Councillor, by way of donation, gratuity or other financial assistance, from any source for the purpose of the conduct of the proceedings by the Councillor.

2.11.4 On receipt of a claim which satisfies the above requirements the Council may:

- a) Consider the claim, and
- b) Resolve to:
 - (i) Pay the claim either in whole or part, or
 - (ii) Reject the claim.

2.11.5 In determining whether to pay a claim either in whole or part or to reject a claim the Council must take into account:

- a) The nature of the proceedings commenced against the Councillor;
- b) Any findings made by the court, tribunal or other agency in respect of the Councillor, the Councillor's conduct and the matter generally;
- c) The manner in which the proceedings were conducted generally;
- d) The amount claimed, and
- e) Any other matter which, in the opinion of the Council, is relevant.

2.11.6 The provisions of this section shall not apply in respect of any enquiry, investigation or hearing initiated at the request of, or to any legal proceedings taken by, the Council itself.

3 PAYMENT OF EXPENSES TO COUNCILLORS FOR CONFERNCES/SEMINARS

3.1 Attendance at seminars and conferences

Council encourages Councillors to undertake relevant training and skills development to ensure they carry out their functions as effectively as possible. Council provides an annual budget for Councillors' attendance at conferences as part of the professional development needs of Councillors. Attendance at conferences also enables Councillors to participate actively in relevant networks and thus promote debate or articulate directions relevant to Willoughby City Council and its community.

Approval to attend courses should be authorised by Council where possible. Where this is not practical, approval should be obtained from the General Manager or their delegate prior to registering for the training course. Attendance at conferences is subject to the budget limits adopted each year.

3.1.1 Annual Program of Conferences

The following conferences shall generally be included into Council's annual program of conferences. All Councillors are eligible to attend these conferences. Councillors need to indicate their interest to attend such conferences, and their attendance is subject to Council selecting by resolution at an open Council meeting, which Councillors will attend.

No written report is required from any Councillor after attending any of these conferences.

Council's annual program of conferences may include the following:

- a) Local Government NSW (LGNSW) and Australian Local Government Association (ALGA);
- b) Special "one-off" conferences called or sponsored by, or for the LGNSW and/or ALGA, on important issues;
- c) Annual conferences of the major Professions in Local Government;
- d) Conferences, seminars or training courses which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council's functions; and
- e) Any meetings or conferences of organisations or bodies on which a Councillor of the Council may be elected, or appointed to be, a delegate or member of the Council or the LGNSW.

3.1.2 Other Conferences

Councillors may apply to attend other conferences not listed in section 3.1.1 above, upon written application to the General Manager or their delegate, and determination by resolution at an open Council meeting.

A Council report will be prepared upon receipt of the Councillor's written submission which will include: a full program of the conference; detail on the overall cost of attendance; the status of the conference budget at the time of the report; and how the Councillor anticipates the conference topics and deliberations are:

- i. Relevant to the Willoughby City Strategy, including reference to the specific goals in the Strategy;

- ii. Relevant to one or more of the goals in the Council's charter, as described in section 8 of the Local Government Act; and
- iii. Related to the Councillor's role as a member of the governing body of the Council and their civic duties.

Council will make a determination whether to approve the application, based upon the Councillor's written application and whether funds are available in the budget allocation.

Within four (4) weeks of returning from an "other conference", Councillors will provide a written report to the General Manager or their delegate for circulation to other Councillors detailing the main points of interest or relevance to Council business or the local community if no conference summary is provided by the conference organiser. Reports from Councillor's conference attendance will be included in the Councillors Information Booklet and retained in Council's recording keeping system.

3.1.3 Conference Costs

Council will meet the following expenses incurred by Councillors attending conferences/seminars/training courses provided Council has resolved that the Councillor attend the conference/seminar/training course:

3.1.3.1 Registration fees

Council will meet the registration fees for delegates attending conferences/seminars/ training courses.

3.1.3.2 Accommodation

Council will meet reasonable costs associated with accommodation and meals, including the night before and/or after the conference where this is necessary.

Monetary limits and standards: Council will provide accommodation for delegates at the standard rate of a double room (2 adults). Delegates will be accommodated in the hotel where the conference/ seminar/training course is being held, or at the nearest hotel to the conference/seminar/training course of a similar standard, or as authorised by the host organiser where the conference is not located within the Sydney Metropolitan Area.

3.1.3.3 Transportation

Delegates attending conferences/seminars/training courses will be transported via economy class air ticket, or Council will reimburse other travelling expenses if using other modes of transport.

Monetary limits and standards: Council will reimburse Councillors' travelling expenses incurred using his/her own vehicle up to the maximum value of an equivalent full economy class air ticket including transfers, provided a claim is submitted in accordance with this policy.

For travel within a Council-owned vehicle, the actual costs incurred by the delegate will be reimbursed e.g. fuel, tolls.

A Councillor who travels on Council business shall:

- a) Travel with all due expedition and any time incurred in anything other than Council business shall not be included in expenses paid by

- Council.
- b) Travel by the shortest practical route.
 - c) Be responsible for all traffic or parking fines incurred while travelling in their private motor vehicle or in Council vehicles on Council business.
 - d) Council will meet the cost of transferring delegates from their place of abode to the airport and return from the airport to their place of abode, but total costs are not to exceed the cost of an equivalent standard taxi fare.
 - e) Council will meet the cost of transferring delegates from the airport to the hotel and return at the conclusion of the conference/seminar/training course, but total costs are not to exceed the cost of an equivalent standard taxi fare.
 - f) Should a delegate be accommodated in a hotel not being the site of the conference/seminar/training course, and the delegate is travelling in a non-Council-owned vehicle, Council will meet the cost of the delegate travelling from the hotel to the site of the conference/seminar/training course and return each day of the conference/seminar/training course, but total costs are not to exceed the cost of an equivalent standard taxi fare.
 - g) Where as a result of attending a conference/seminar/training course a Councillor visits another council in the course of his/her elected member duties or to further his/her knowledge of Local Government, and the Councillor is travelling in a non-Council-owned vehicle, Council will meet the cost of transfer of the delegate from his/her hotel to the council visited and return, but total costs are not to exceed the cost of an equivalent standard taxi fare.
 - h) All other transfers are to be met by the delegate.

3.1.3.4 Meals

Council will meet the cost of breakfast, lunch and dinner for delegates where any of these meals are not provided as part of the conference/seminar/training course. Council will also meet the cost of reasonable non-alcoholic drinks accompanying the meal.

3.1.3.5 Incidental expenses incurred during the period of the conference /seminar /training course

- a) *Telephone and data expenses:* Council will meet the cost of telephone calls and data expenses from the delegate to his/her family and to Council for Council related business. Other telephone and data expenses of a private nature are to be paid for by the delegate.
- b) *Laundry:* Council will not meet the cost of laundry or dry cleaning services. Such services are to be met by the delegate.
- c) *Tipping:* Council will not meet the cost of any tips provided by the delegate.
- d) *Bar Fridge:* Council will not meet the cost of any expenses incurred from the use of the bar fridge provided in the hotel room.
- e) *Bar Service:* Council will not meet the cost of any expenses incurred at the bar located within the hotel other than where special guests have been invited for drinks at the request of the Mayor or leader of Council's delegation.

3.1.3.6 Payment and reimbursement of expenses by delegates

- a) Council will, where possible, pay expenses directly to the hotel, either by account or through a Corporate Credit Card if possible.
- b) Councillors should be aware that it may be necessary for them to pay unexpected expenses themselves. In order to obtain reimbursement for such expenses, a claim for reimbursement must be submitted to the General Manager or their delegate on the form attached to this policy.
- c) Once expenses of attending a conference/seminar/training course have been finalised, accounts will be forwarded to delegates for any expenses payable by them.
- d) Such accounts are to be repaid in full within the Council's normal terms i.e. 30 days.
- e) Any arrangements to finalise an account by periodic payment must only be approved by Council.

3.1.3.7 Arrangements

Council will make all necessary arrangements for conference bookings and associated costs for and on behalf of delegates and partners in accordance with this policy, if requested. Council may also make all necessary arrangements for conference bookings and associated costs for and on behalf of delegates and partners in circumstances where cheaper rates can be obtained directly by Council.

Where Council has approved attendance by a Councillor at a training course or a conference and it is postponed or cancelled, the approval is extended to the same course at a different location or time for period of 12 months from the date of the initial approval, provided no additional cost is incurred and there is an available budget to cover the expenses. This extension is only available within the term of the Council

4 PAYMENT OF (ADDITIONAL) EXPENSES TO THE MAYOR

4.1. Mayoral allowance

An additional annual fee is paid to the Mayor by Council. The fee is the amount fixed by Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

In accordance with section 249 of the Act, should Council determine that an annual fee is to be paid to the Deputy Mayor, the Deputy Mayor's annual fee shall be deducted from the Mayor's annual fee.

This Policy is intended to cover most situations where the Mayor reasonably incurs additional expenses in discharging the functions of Mayoral office. The annual fee paid to the Mayor is generally not intended to offset those costs.

4.2. Car and travel expenses

Council will reimburse the Mayor for expenses incurred when using his/her private vehicle on Council duties in lieu of providing a Council-owned car and will be calculated in accordance with the provisions prescribed in this policy.

Council will also provide the Mayor with a "Cabcharge" facility to be used when his/her vehicle is unavailable.

On important civic or ceremonial occasions, Council will permit the Mayor to hire a special vehicle to travel to and from the function. Approval for the use of such a vehicle will be authorised by the General Manager or their delegate, prior to the booking of the hire.

Claims for travel expenses by the Mayor shall be submitted at the end of each month and will not be accepted beyond 30 days, unless otherwise approved by the General Manager or their delegate.

5 PROVISION OF FACILITIES AND EQUIPMENT TO COUNCILLORS

Council provides facilities, equipment and services to support Councillors in undertaking their role as elected members. These facilities are provided on the basis that they will be used primarily for their Councillor duties.

Infrequent use of the equipment and facilities for private purposes is permitted by Councillors. Councillors should bear in mind that the equipment is owned by the Council and is provided to them to enable them to carry out their Councillor functions.

Councillors are responsible for the appropriate use and care of the equipment and facilities provided to them, and will be responsible for any costs associated with the misuse of any item or facility provided for their use.

Under no circumstances should Council facilities, equipment or services be used to produce private election material or for any other political purposes.

Each Councillor will be provided with the following facilities and equipment upon election to office:

5.1. Office equipment

- i. One filing cabinet for Council Business Papers and other Council correspondence.
- ii. Various stationery for their elected member/civic office duties.

5.2. IT and communication equipment

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.

Councillors will be provided with three (3) options in the provision of IT and communication equipment and services. No additional equipment beyond these options is provided for under this policy.

Option One

- i. A smartphone (max cost \$800) with data costs of up to \$30 (phone plan)/ month (3GB).
- ii. A tablet device (max cost (\$1000) with built in internet access with data costs of up to \$35 (data plan)/ month (4GB) in lieu of a desktop or laptop computer.
- iii. An appropriate printer (max cost \$200).
- iv. Council will cover Councillors' costs up to \$40 per month (maximum).
- v. Councillors will be required to cover any further costs incurred such as call costs or data charges for the smartphone or tablet device, in addition to the data that is provided.
- vi. The Councillor may include a fax machine, the cost of which will be paid for from item (iv) above. A land or phone line will not be provided for by the Council.

Monetary limits and standards: amortised value of Option One is \$1,760 per year over a four year term. All reimbursements are payable on presentation of invoices and using the Claim Form attached to this policy.

Option Two

- i. A smartphone (max cost \$800) with data costs of up to \$30 (phone plan / month (3GB).
- ii. PC or laptop (max cost (\$1000) (ADSL and land/phone line not provided)
- iii. An appropriate printer (max cost \$200).
- iv. Council will cover Councillor's costs up to \$75 per month (maximum).
- v. Councillors will be required to cover any further costs incurred such as call costs or data charges for the smartphone in addition to the data that is provided.
- vi. The Councillor may include a fax machine, the cost of which will be paid for by item (iv) above. A land or phone line will not be provided for by the Council.

Monetary limits and standards: amortised value of Option Two is \$1,760 per year over a four year term. All reimbursements are payable on presentation of invoices and using the Claim Form attached to this policy.

Option Three

- i. Councillors may supply their own mobile phone, computer, printer and related equipment, and be entitled to receive a payment of \$1,760 per annum to cover all call and data costs and the amortised value of the equipment.
- ii. The councillor will be responsible for the maintenance and servicing of their own equipment. Access will be made available to Council email.

Monetary limits and standards: value of Option Three is \$1,760 per year over a four year term. All reimbursements are payable using the Claim Form attached to this policy.

Councillors should be aware that Option Three does not remove the Councillors' responsibilities for compliance with Council's record keeping policies and procedures, and the *State Records Act 1998* provisions for all Council related correspondence.

5.3. Other facilities and equipment

Councillors will be provided with the following:

Non-disposable

- i. A room suitably furnished for shared use by all Councillors including telephone, Policy for the Payment of Expenses and the Provision of Facilities for the Mayor and Councillors 16

- computer and printer and a fridge with non-alcoholic refreshments.
- ii. Three (3) car parking spaces underneath the Victor Street building, except on Council meeting nights when further car parking spaces will be available.
- iii. A suitable name badge.

Disposable

- i. Each Councillor will be supplied with 250 business cards and thereafter appropriate replacements for his/her role as an elected member of Willoughby City Council.
- ii. Corporate presentation gifts for use in connection with civic duties, e.g. tie, scarf, spoon etc.
- iii. Christmas cards for forwarding in their role as an elected member of Willoughby City Council. Council to meet the cost of postage for cards sent to local government colleagues and acquaintances including those arising from Council's Friendly City relationships. *Monetary limits and standards:* a maximum of 100 cards will be provided.
- iv. Council will provide tea, coffee and non-alcoholic refreshments to Councillors when carrying out their civic duties in the Council Chambers during office hours.

5.4. Meals associated with Meetings/Briefing Sessions

At meetings and briefing sessions, Councillors will be provided with a suitable meal including non-alcoholic refreshments. The standard of the meal provided will be determined by the Mayor in consultation with the General Manager or their delegate.

5.5. Access to Council offices

Councillors will be provided with an electronic access card that enables entry to Council's offices to gain access to the Councillors' Room.

The above card remains the property of Council and must be returned to Council upon the person ceasing to hold office.

5.6. Postage and letterhead

Council will post all correspondence on behalf of the Mayor, Deputy Mayor and Councillors relative to their elected member role. Council will also provide the appropriate letterhead for use by Councillors in replying to correspondence from constituents.

Monetary limits and standards: a maximum of one (1) ream of letterhead per year will be provided to each Councillor. Accordingly a maximum of 500 standard letters will be posted on behalf of each Councillor/year. Any mail requiring non-standard postage for example, Express Post envelopes, will be approved at the discretion of the General Manager or their delegate.

5.7 Car parking

- i. Councillors may use the designated "Councillor" car parking spaces under the Administration Building.
- ii. The use by Mayor, Deputy Mayor and Councillors of other Council regulated car parks is guided by the same conditions as for other motorists.

6. PROVISION OF FACILITIES AND EQUIPMENT TO THE MAYOR

6.1 Mayor's facilities

Returnable

- i. An office suitably furnished.
- ii. An allotted parking space in the Council Administrative Building.
- iii. Mayoral robes for official/civic/ceremonial use.
- iv. Mayoral Chain of Office for official/civic/ceremonial use.
- v. Mobile telephone (or fixed line telephone) for which Council will pay rent and call charges.
- vi. A suitable name badge.
- vii. Monthly reimbursement for the cost of private vehicle travel for Council business mileage.
- viii. Provision of a charge card for the purpose of using taxis and hire cars as required.
- ix. Council will provide tea, coffee and refreshments to the Mayor when fulfilling his/her Mayoral duties as required.

The above facilities remain the property of Council and must be returned to Council upon the Mayor ceasing to hold office.

Disposable

- i. The Mayor will be supplied initially with 250 business cards and thereafter appropriate replacements for his/her role as Mayor of the City of Willoughby.
- ii. Corporate presentation gifts e.g. Council ties, scarves, spoons etc. for own use and presentations as appropriate.
- iii. Christmas cards for forwarding in his/her role as an elected member of Willoughby City Council and associated postage.

6.2 Executive support

- i. The Mayor will be provided with a suitably qualified and experienced Secretary.
- ii. Provision of transportation for the Mayor and partner to official/civic/ceremonial duties as required and detailed throughout this policy.

6.3 Letterhead

Council will provide standard Mayoral letterhead for use by the Mayor for official correspondence.

7. PROVISION OF FACILITIES AND EQUIPMENT TO THE DEPUTY MAYOR

7.1 Deputy Mayor's facilities

The Deputy Mayor will be provided with the same returnable and disposable facilities as those provided to Councillors.

In addition, when the Deputy Mayor is acting in the position of Mayor due to the absence of the Mayor, the Deputy Mayor will have use of the following facilities

provided for the Mayor:

Returnable

- i. Mayoral office.
- ii. Mayoral robes for official/civic/ceremonial use.
- iii. A suitable name badge.
- iv. Council will provide tea, coffee and refreshments to the Deputy Mayor when fulfilling his/her Acting Mayoral duties as required.

7.2 Executive support

The Deputy Mayor will be provided the same executive support as Councillors, however in the absence of the Mayor, the Deputy Mayor will have use of the following:

- i. A suitably qualified and experienced Secretary.
- ii. Provision of transportation for the Deputy Mayor for their official/civic/ceremonial duties as Acting Mayor as required and as detailed throughout this policy.

8 OTHER MATTERS

8.1 Acquisition and returning of facilities and equipment by Councillors

A Councillor ceasing to hold office is required to return all Council issued facilities and equipment to Council within seven (7) calendar days of ceasing to hold office. Alternatively, a Councillor may wish to purchase the equipment at its fair market value as recorded in the Council's Books of Accounts. Councillors must notify the General Manager within three (3) business days of ceasing to hold office of their intention to do so. The purchase value will be determined and approved by the General Manager or their delegate.

8.2 Use of Council facilities and equipment during re-election campaign

The interests of a Councillor in their re-election is considered to be a personal interest. Councillors may not claim reimbursement of travel expenses incurred on election matters.

Council letterhead, council crests and other information that could give the impression it is official Council material must not be used for these purposes.

8.3 Private benefit

Councillors shall not obtain private benefit from the provision of facilities and equipment (e.g. for private use of a council vehicle or telephone), nor through travel bonuses such as „frequent flyer“ schemes or any other such loyalty programs while on Council business.

Any gifts or benefits offered to Councillors should be reported in accordance with the Code of Conduct and Council policy provisions.

It is acknowledged that private incidental and infrequent use of Council owned equipment and facilities may occur from time to time. Such incidental and infrequent private use is not subject to a compensatory payment to Council.

However, where more substantial private use has found to have occurred by a

Councillor, that Councillor must reimburse Council for the actual cost to Council of the private use in question. The amount of private use and associated value of such use will be determined by the General Manager or their delegate, and notified by them in writing to the individual Councillor.

8.4 Gifts given by Councillors

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.

8.5 Disputes

Should any Councillor consider that a dispute exists at any time regarding this policy, the parties to the dispute shall provide a written report on the nature of the dispute, and the General Manager, or their delegate, shall submit such report to the next meeting of the Council to have the dispute determined by a resolution of the Council having regard to this policy, the Act and any other relevant law. The decision of the Council shall be binding on all of the parties.

9 AUTHORISATION, CONSULTATION AND REVIEW

This Policy is made pursuant to Sections 252-254 of the *Local Government Act 1993*. The Policy is based on Office of Local Government's *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW*, first issued in 2009.

The Policy is to be adopted by Council within the first 12 months of each term of a council and Council may from time to time amend this policy. Prior to adoption, public notice must be given and public submissions invited for 28 days. Council must then consider all submissions received and make any appropriate changes to the Policy.

The General Manager is responsible or accountable for the administration of the policy.

10 ATTACHMENTS

Claim form for reimbursement of expenses by Councillors – see page 22.

11 REFERENCES

Willoughby City Council Code of Conduct
Willoughby City Council Code of Conduct Procedures for the Administration for the Model Code of Conduct for Local Councils in NSW
Willoughby City Council Code of Meeting Practice
Willoughby City Council Complaints Handling Policy & Procedure
Office of Local Government - Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW – October 2009

12 EFFECTIVE DATE AND POLICY VERSIONS

Adopted February 2007
Amended February 2008
Amended February 2009
Amended November 2009
Amended June 2010
Amended Nov 2011
Amended July 2012
Amended October 2012
Amended 14 October 2013
Amended 25 August 2014
Amended 22 September 2014
Amended 23 November 2015
Amended 28 November 2016



**CLAIM FORM FOR REIMBURSEMENT OF EXPENSES
BY COUNCILLORS**

I hereby submit my claim for reimbursement of expenses in accordance with the provisions of Section 252 of the *Local Government Act 1993* and Council's Policy for the Payment of Expenses and the Provision of Facilities for the Mayor and Councillors.

Name of claimant: Councillor _____

Signature: _____

Date: _____

Claim for reimbursement of expenses:

Date	Nature of Business	Nature of Claim	Amount claimed

Claim for reimbursement of travel expenses:

Date	Nature of business (include where the travel was to/from & the purpose of the travel)	Method of travel	Distance in Km	Rate/Km	Amount claimed

Total amount claimed: \$ _____

Please note: Receipts or invoices must be attached to this claim form in order for reimbursement to be processed.

Approved by: (name) _____

Approved by: (signature) _____

Date: _____