



CITY OF
MONASH

**POLICY FOR REIMBURSEMENT OF EXPENSES TO
COUNCILLORS AND MEMBERS OF DELEGATED
COMMITTEES
&
RESOURCES & FACILITIES FOR COUNCILLORS**

ADOPTED BY COUNCIL: 28 JULY 2020

POLICY FOR REIMBURSEMENT OF EXPENSES TO COUNCILLORS AND MEMBERS OF DELEGATED COMMITTEES AND RESOURCES & FACILITIES FOR COUNCILLORS

1. INTRODUCTION

Section 40 of the *Local Government Act 2020* ('the Act') states that:

- (1)A Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses, which the Council is satisfied—
- (a) are bona fide expenses; and
 - (b) have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
 - (c) are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

This must be put into effect via a Council policy.

Section 42 of the Act requires Council to:

1. make available to the Mayor and the Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.
2. consider the support that may be required by a Mayor, Deputy Mayor or Councillor because of a disability.
3. have particular regard to the support that may be required by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*.

2. DEFINITIONS

Carer A carer is defined under section 4 of the *Carers Recognition Act 2012*

Delegated committee Delegated committee has the same meaning as defined in section 63 of the *Local Government Act 2020*

3. PURPOSE

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

- entitlements
- processes for reimbursement

- reporting requirements.

The policy is intended to ensure that councillors and members of delegated committees are supported to perform their duties without disadvantage.

4. POLICY

This policy:

- (a) specifies procedures to be followed in applying for reimbursement and in reimbursing expenses;
- (b) provides for the reimbursement of child care costs where the provision of child care is reasonably required for a Councillor or member of a delegated committee to perform their role;
- (c) has particular regard to expenses incurred by a Councillor or member of a delegated committee who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*.
- (d) identifies the Council resources and facilities made available to the Mayor and Councillors.

5. REIMBURSEMENT OF EXPENSES

5.1 Travel

Travel expenses to and from Council/delegated committee meetings and Council-related events will be reimbursed.

5.2 Other expenses

It is acknowledged that the scope of all expenses, which could be deemed 'bona fide out-of-pocket expenses incurred while performing duties as a Councillor or member of a delegated committee' cannot be fully defined.

The Chief Operating Officer (after consultation with the Chief Executive Officer, if necessary) can approve individual claims for non-defined expenses in accordance with the following:

- such expense is not to exceed \$500 per claim; and
- satisfactory proof of expenses is provided.

In the case of an expense above \$500, or where a claim has not been approved by the Administration, a Councillor can request that the claim be considered by the Council at the next Council meeting, via a Notice of Motion from the Councillor.

5.2 Child care expenses

Council will reimburse the cost of child care expenses incurred by Councillors and delegated committee members for their immediate family necessarily incurred whilst performing the duties of Councillor or delegated committee member.

5.3 Carer's recognition

Council will provide reimbursement of costs where the provision of childcare is reasonably required for a councillor or member of a delegated committee to perform their role (s 41(2)(c)).

This applies to the care of a dependent, while the councillor or delegated committee member is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable.

Council will provide reimbursement of costs where the provision of carer services is reasonably required when a councillor or delegated committee member who is a carer (see **Definitions**) incurs reasonable expenses in the performance of their duties.

Payments for carer and childcare services will not be made to a person who resides with the councillor or delegated committee member; has any financial or pecuniary interest with the councillor or delegated committee member; or has a relationship with the councillor, delegated committee member or their partner.

5.4 Conferences, seminars and training

Council will meet the costs of registration, meals, travel and accommodation associated with attendance at Council-approved conferences, seminars and training. Bookings are to be made through Council's Corporate Administration Department staff.

In the case of air travel, travel will be by economy airfare unless the Council resolves that other form of travel is appropriate.

6. PROVISION OF RESOURCES & FACILITIES FOR COUNCILLORS

6.1 Resources and facilities

The following resources will be provided to the Mayor and Councillors:

- ❑ administrative support for Council-related purposes;
- ❑ office space;
- ❑ use of a Council-maintained vehicle for the Mayor (including for private use);
- ❑ stationery for Council-related purposes (including paper, letterhead, envelopes, business cards, writing implements and pads, memo books, USB sticks, and other related items). Where appropriate, costs for stationery items will be reimbursed;
- ❑ cab charge vouchers and ride share services vouchers for Council-related purposes; and

- ❑ Ad hoc use of a pool car for Council-related purposes.

The Council will ensure that it provides appropriate assistance, equipment or facilities to a Councillor with a disability, to enable the Councillor to perform their role as a Councillor.

6.2 Communication equipment

To facilitate communication between Councillors, the administration and the public, Councillors will be provided, upon request, with all or some of the following equipment:

- ❑ mobile telephone together with an in car kit fitted to a vehicle of choice and/or portable “Bluetooth” device;
- ❑ internet access (including router for wireless connection);
- ❑ computer – desktop or laptop with associated hardware and software (including a printer);
- ❑ tablet device;
- ❑ e-mail address;
- ❑ Councillor profile page on Council’s website;
- ❑ any other similar equipment considered reasonable to the role of Mayor or Councillor.

The Council will pay all connection fees, data/access charges and rental charges associated with this equipment. In the case of call costs, Council will pay for Council related call charges.

Accounts for phone calls and data/access charges will be in the Councillor's name (or their nominee's name) and accounts will not be received at Council.

Mobile phones, computers, e-mail and other communication equipment provided to Councillors may be used for both private and Council use.

In the case of telephone expenses, Councillors issued with mobile phones will be required to pay the pre-determined monthly access fee to enable private use. This fee will not be reimbursed.

6.3 Postage

It is expected that Councillors will meet the cost of postage initially and Council will reimburse postage expenses that are for Council business.

Postage expenses for election - related material will not be reimbursed.

7. PROCESS FOR MAKING CLAIMS

Councillors and members of delegated committees are to provide the Chief Operating Officer with proof of payment for any bona fide out-of-pocket expenses being claimed, together with original accounts or receipts.

All expenses will be paid in arrears and all claims must be made on the appropriate claim form, provided by Corporate Administration.

Where possible, Councillors and members of delegated committees should submit any claims for reimbursement within 12 months of incurring the expenses.

Each Councillor and member of a delegated committee is responsible for ensuring that what they claim is justifiable.

Once ceasing to be a Councillor or member of a delegated committee, claims must be submitted by a person within 3 months of the date on which the person ceased to be a Councillor or member of a delegated committee.

8. REPORTING

The amounts of all expenses reimbursed by Council to each Councillor or member of a delegated committee are to be publicly available.

Details of all reimbursements will be reported to the Audit and Risk Committee on an annual basis.

The report will include:

- expenses incurred by councillors during the year.
- reimbursement claims made by Councillors during the year.
- reimbursements made by Councillors during the year.

9. RELATED POLICES AND LEGISLATION

Council policies:

- Governance Rules
- Public transparency policy
- Governance framework
- Information privacy policy

Legislation:

- *Carers Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Gender Equity Bill 2020*