



PAYMENT OF
EXPENSES &
PROVISION OF
FACILITIES TO THE
MAYOR &
COUNCILLORS
POLICY
POLICY 5.57

TABLE OF CONTENTS

Part 1 - INTRODUCTION	3
1 Purpose of Policy	3
2 Objectives and coverage of the Policy	3
3 Reporting Requirements	3
4 Relevant Legislation and Policies.....	4
5 Approval arrangements	4
Part 2 - PAYMENT OF EXPENSES	5
GENERAL PROVISIONS	5
6.3 Payment of expenses generally	5
6.4 Allowances and expenses	5
CONFERENCES AND SEMINARS, ETC	5
7 Attendance	5
8 Costs	6
9 Accommodation.....	6
10 Travel	6
11 Advance payments.....	6
12 Spouse and Partner Expenses.....	6
13 Incidental expenses.....	7
SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS.....	8
14 Attendance at seminars and conferences	8
15 Local travel arrangements and expenses	8
16 Interstate travel.....	8
17 Overseas travel	8
18 Training and educational expenses.....	8
19 Telephone costs and related expenses.....	9
20 Child care and care of elderly, disabled and/or sick immediate family members.....	9
21 Legal expenses and obligations	9
22 Insurance expenses and obligations	10
ADDITIONAL MAYORAL EXPENSES	10
Part 3 –PROVISION OF FACILITIES.....	11
GENERAL PROVISIONS.....	11
PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS.....	11
24.1 Equipment	11
24.2 Facilities.....	11
PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR	11
Part 4 – OTHER MATTERS	13
26 Personal Benefit	13
27 Acquisition and returning of facilities and equipment by Councillors....	13
28 General Dispute Resolution	13
ANNEXURE A – Travel &/or Expenses Claim	Error! Bookmark not defined.
ANNEXURE B – Monetary Limits to Expenses.....	16
ANNEXURE C – Available Facilities	17

PAYMENT OF EXPENSES & PROVISION OF FACILITIES

DIVISION: GOVERNANCE

PILLAR: GOVERNANCE

FILE / BINDER:

Part 1 - INTRODUCTION

This document is to be referred to as the "Payment of Expenses and Provision of Facilities to the Mayor and Councillors" Policy.

The Policy will commence from 12 February 2007.

1 Purpose of Policy

- 1.1 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.
- 1.2 The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

2 Objectives and coverage of the Policy

- 2.1 The objectives of the Policy are to:
 - Ensure there is consistency in the application of reimbursement of expenses and provision of facilities to Councillors in an equitable and non-discriminatory manner.
 - Assist Councillors to represent the interests of residents and ratepayers of Camden and to facilitate communication between the community and Council.
 - Provide a level of support which will serve to encourage residents to seek election to civic office.
- 2.2 The Policy applies equally to the Mayor and all Councillors.

3 Reporting Requirements

- 3.1 The Local Government Act requires Council to adopt and publicly advertise in local papers the Expenses and Provision of Facilities Policy each year and to then submit a copy of the Policy to the Division of Local Government by 30 November. (Section 252 and Section 253)
- 3.2 The Act also requires Council to include details of monies expended on Mayoral and Councillor fees and details of this Policy in the Annual Report. (Section 428(2)(f)).

3.3 The Local Government (General) Regulation also requires Council to report annually on details of any overseas visits undertaken during the year by Councillors, staff or other persons representing Council (including visits sponsored by other organisations). (Clause 217).

3.4 Any reference in this Policy to “the Act” refers to the Local Government Act, 1993 as amended.

4 Relevant Legislation and Policies

- Local Government Act, 1993.
- Division of Local Government Guidelines for payment of expenses and provision of facilities.
- Code of Conduct.
- Division of Local Government Circulars to Councils –2005/08 and 2002/38.
- ICAC publications – “No Excuse for Misuse” and “Preventing the Misuse of Council Resources.”

5 Approval arrangements

5.1 Various approval arrangements are indicated throughout the Policy and vary from full Council meeting approval to Mayor and General Manager.

Part 2 - PAYMENT OF EXPENSES

GENERAL PROVISIONS

- 6.1 The payment of expenses to Councillors is outside the provisions of the annual fee determination made by the Local Government Remuneration Tribunal which are paid to Councillors.
- 6.2 This Policy is applicable to any Council Administrator, should such Administrator act in that capacity from time to time.

6.3 Payment of expenses generally

- 6.3.1 Any expenses claimed must be related to representing Council at official or ceremonial functions, meetings, conferences/seminars as approved by Council in carrying out the civic duties of the Councillor.
- 6.3.2 Claims for reimbursement of these expenses will only be made on production of receipts for such amounts where indicated in this Policy and on completion of the appropriate "Councillor Travel and/or Expense Claim" form, itemising the expenses. Reimbursement of general expenses will not be allowed.
- 6.3.3 Payment of expenses will not be made to support a Councillor's attendance at political fund raising functions.

6.4 Allowances and expenses

- 6.4.1 All claims for reimbursement must be made to the General Manager, within one month of the date of the receipt and on the appropriate "Councillor Travel and/or Expense Claim" for Reimbursement form (Appendix A), together with production of relevant receipts.
- 6.4.2 Following receipt, the claim will be reconciled with the receipts and reimbursed as appropriate, following authorisation from the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager.

CONFERENCES AND SEMINARS, ETC

7 Attendance

- 7.1 Any Councillor may attend a conference, approved by Council, either as a formal representative of Council or as part of learning and skill development to assist Councillors to discharge the functions of civic office. Requests for attendance at such events, interstate or overseas, must be approved by Council prior to attendance. The report to Council should outline the benefits of attendance by the Councillor.
- 7.2 The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager may approve attendance by Councillors at conferences, seminars, meetings or similar functions within the State (ACT is taken to be

included as part of NSW due to the proximity and ease of travel) without the need for prior reference to Council.

- 7.3 Councillors nominated to attend any conference who withdraw from attendance at the conference without reasonable cause will be liable for any costs incurred by Council. The Mayor (or Deputy Mayor in the case of a withdrawal by the Mayor) and General Manager will assess and determine the appropriateness of such withdrawal and liability for costs. (Council Meeting 25/11/08, ORD301/08)

8 Costs

- 8.1 Council will pay all normal registration costs, including registration, official luncheons, dinners, tours.

9 Accommodation

- 9.1 Council will pay accommodation in relation to the conference/seminar.
- 9.2 Accommodation will be approved by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager at the "standard" room rate after taking into account the type and location/venue of conference/seminar.
- 9.3 A Councillor wishing a higher level of accommodation will be responsible for the gap cost between the "standard" room rate and the higher level.

10 Travel

- 10.1 Council will pay travel expenses associated with attendance at conferences/seminars and the like. The most economic method of transport will be undertaken. This Policy provides for the standard of air ticket to be purchased as economy class.
- 10.2 Private vehicles may be used subject to approval by the Mayor (or Deputy Mayor in the case of a request by the Mayor) and General Manager and reimbursement is in accordance with this Policy and calculated at the rate specified in the Local Government State Award, as varied from time to time.

11 Advance payments

- 11.1 Councillors may request payment in advance in anticipation of expenses being incurred for such matters as attending conferences, seminars and/or training.
- 11.2 On return Councillors must produce all receipts for the expenditure of those funds, with a full reconciliation to be completed and be authorised by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 11.3 Councillors are to produce the receipts and complete the reconciliation within one month of the expenditure being incurred.

12 Spouse and Partner Expenses

- 12.1 Where a Councillor is accompanied to a conference/seminar by a spouse/partner costs incurred for the attendance of the spouse/partner shall be the responsibility of the Councillor. These costs relate to travel, partner's programme and out of pocket expenses.
- 12.2 There may be limited instances where certain costs incurred by a Councillor on behalf of their spouse/partner are properly those of the Councillor expended in the performance of civic duties. Accordingly, Council will reimburse reasonable expenses in attending these functions. Such functions could include those which a Councillors spouse/partner would be reasonably expected to attend such as Council civic and ceremonial receptions, Australia Day ceremonies or on occasions Citizenship ceremonies.
- 12.3 Any further expenses incurred in relation to spouses/partners will not be reimbursed by Council.
- 12.4 Outside of these provisions, the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager may approve payment for the attendance of a spouse/partner as part of a Council group booking to a local Charity event or similar function as may occur from time to time.
- 12.5 Where a Councillor is accompanied by spouse/partner to the Local Government Association Conference, Council will meet the cost of registration and the official dinner for the spouse/partner. Travel expenses and any additional accommodation expenses will be the personal responsibility of the Councillor.

13 Incidental expenses

- 13.1 Out of pocket expenses or incidental expenses associated with attending conferences, seminars or training will be reimbursed on presentation of receipts and completion of a claim form as provided above.
- 13.2 Examples of incidental expenses include telephone or facsimile calls, laundry, taxi fares, parking fees or meals, where not part of the conference or function. These are over and above, the cost of registration, accommodation and travel to the event. Councillors may claim such expenses by completing the "Councillor Travel and/or Expense Claim" Form (Appendix A) and attaching the relevant receipts. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of incidental expenses.

SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

14 Attendance at seminars and conferences

- 14.1 Council will provide normal conference/seminar registration fees, transport, accommodation, official lunches and dinners relevant to the conference/seminar and reasonable out of pocket expenses.
- 14.2 Out of pocket/incidental expenses claims will be capped at \$60 per day (inclusive of GST). Any claims above \$60 must be approved by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager. The claims must be made within one month of the date of the receipt.
- 14.3 If approved, after returning, Councillors or an accompanying member of staff, must provide a detailed written report on the beneficial aspects of the conference or seminar.

15 Local travel arrangements and expenses

- 15.1 Councillors will be reimbursed for travel expenses incurred relating to Council business and/or representing Council. Examples are attending conferences, seminars, MACROC meetings, etc. and may include the use of private motor vehicle, public transport, taxi, parking fees and road tolls.
- 15.2 If a Councillor's private vehicle is used for transport, the amount reimbursed will be calculated at the rate specified in the Local Government State Award, as varied from time to time.
- 15.3 Under this Policy, Councillors are personally responsible for all traffic or parking fines incurred while traveling in private or Council vehicles on Council business.

16 Interstate travel

- 16.1 Council approval is required prior to any interstate travel being undertaken by Councillors. The report to Council should include all details of the travel, including itinerary, costs and expected benefits. If required to travel by air, economy air fares only will be provided. If approved, Council will pay costs as per "Attendance at Seminars and Conferences" and incidental expenses.

17 Overseas travel

- 17.1 Council approval is required prior to any overseas travel being undertaken by Councillors. Council needs to scrutinise the value and need for such travel. If approved, economy air fares only are to be provided.
- 17.2 After returning from any overseas travel, Councillors or an accompanying member of staff must provide a detailed written report to Council on the aspects of the trip.

18 Training and educational expenses

- 18.1 Council provides an amount in the annual Budget for “Councillor Training and Education” expenses to support and encourage active learning and skill development and for attendance at Conferences and seminars relating to Council activities. Expenses for this item is limited to the annual Budget allocation in any one year and is separate to this Policy. Payment of additional expenses/costs in relation to such training will be as per this Policy.

19 Telephone costs and related expenses

- 19.1 Council will provide a Mobile phone for use in order to carry out the Councillor’s civic functions and responsibilities as provided in this Policy under “Provision of Equipment” below.
- 19.2 Call charges for Mobile phones associated with *private business* must be met by the Councillor. Council will reimburse an amount up to \$285 per month (inclusive of GST) for *Council related business*.
- 19.3 Councillors must complete a “Councillor Travel and/or Expense Claim” form for each billing period in relation to call charges associated with official calls. All claims for reimbursement for telephone costs must be made within one month of the date of the providers’ invoice. Any amounts exceeding the limit must be approved for payment by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 19.4 If an individual landline is installed to the Councillor’s premises, Council will reimburse an amount up to \$115 per month (inclusive of GST) to cover rental as well as call charges *for Council related business*. Call charges associated with *private business* must be met by the Councillor.

20 Child care and care of elderly, disabled and/or sick immediate family members

- 20.1 Councillors will be reimbursed fees for the reasonable cost of care arrangements including child care expenses and the care of immediate family members who are elderly, disabled and/or sick in order to allow Councillors to attend Council and other official meetings/functions or to attend to their responsibilities and duties as a Councillor. Carer costs will be paid to cover the period 30 minutes prior to the scheduled commencement time of the meeting/function and one hour after the conclusion of the meeting/function.
- 20.2 The rate of reimbursement for care will be to a maximum of \$15 per hour or as varied by Council from time to time, payable on the provision of receipts or a declaration by the Councillor for such payments (Reimbursement Form-Appendix A), within 3 months of the period being claimed. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of care and other related expenses.

21 Legal expenses and obligations

- 21.1 Council may, by way of resolution specifying the amount involved, indemnify or reimburse the reasonable legal expenses:

- (a) of a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act, 1993 or any other Act for and on behalf of Council; or
 - (b) of 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 Local Government Act, 1993; or
 - (c) of a Councillor for proceedings before the Local Government Pecuniary Interest Tribunal, the Independent Commission Against Corruption, Office of Ombudsman, Division of Local Government, Department of Premier and Cabinet, NSW Police Force, Director of Public Prosecutions or Council's Conduct Review Committee/Reviewer, provided, the subject of the proceedings arises from the performance in good faith by the Councillor of a function under the Local Government Act, 1993; and
- 21.2 If points 21.1(a), (b) and (c) have been satisfied, reimburse the reasonable legal expenses;
- (a) only if the enquiry, investigation, hearing or proceedings taken against a Councillor results in a finding substantially favorable to the Councillor.
- 21.3 In addition, the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.

22 Insurance expenses and obligations

- 22.1 Council complies with the requirements of the Local Government Act, 1993 (Section 382) and Councillors are covered by current insurance policies for various amounts in respect of:
- Public Liability – for matters arising out of Councillors performance of civic duties or exercise of functions as Councillors but are subject to any limitations or conditions set out in the policy;
 - Professional Indemnity – for matters arising out of Councillors performance of civic duties or exercise of functions provided the performance or exercise of the relevant civic duty or function is in the opinion of Council, bona fide and/or proper.
 - Personal accident – Coverage where personal injury occurs whilst on Council business Australia wide.
- 22.2 Travel Insurance may be paid, if considered appropriate, for any approved overseas travel on Council business.

ADDITIONAL MAYORAL EXPENSES

Nil.

Part 3 –PROVISION OF FACILITIES

GENERAL PROVISIONS

23.1 Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking the role of elected members.

PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

24.1 Equipment

24.1.1 Council will provide the following equipment to Councillors, if requested, subject to the reimbursement of expenses limitations mentioned elsewhere in this Policy:

- Mobile telephone (standard as provided to staff) or Blackberry mobile phone with internet and email capability.
- Computer equipment (standard as provided to staff) or laptop and printer/fax multi function machine, together with printer cartridges and replacements.

24.2 Facilities

24.2.1 The following facilities are provided

- A Councillors' Room is provided in the Council Offices to assist Councillors in dealing with resident and ratepayer matters and Council business generally.
- Councillors' letterhead;
- Sustenance only is provided to Councillors at Council/Committee Meetings. Meals are provided at civic functions and the like for Councillors and/or partners.

PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR

25.1 The role of the Mayor is:

- To exercise, in the case of necessity, the policy making functions of the governing body of the Council between meetings;
- To exercise such other functions of the Council as the Council determines;
- To preside at meetings of the Council; and
- To carry out the civic and ceremonial functions of the mayoral office.

25.2 In order to reflect the additional time and commitment required to carry out the responsibilities of the Mayor, in addition to the support provided to Councillors, the follow is provided to the Mayor:

- Mayoral Office provided to assist in carrying out the Mayoral functions;
- Secretarial support is provided by the General Manager's secretary;

- Mayoral carparking space in the Council carpark adjacent to the Council Offices;
- A dedicated Mayoral vehicle is not provided for private or Council use, however the Mayor may request the use of a Council pool vehicle or, if a Council pool vehicle is unavailable, a hire vehicle, similar to the current Council fleet vehicles, for official Council business, if a vehicle is required.

Part 4 – OTHER MATTERS

26 Personal Benefit

- 26.1 Councillors should not obtain private benefit from the reimbursement of expenses, provision of equipment and facilities, nor from travel bonuses or any other loyalty schemes. It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment to Council.

27 Acquisition and returning of facilities and equipment by Councillors

- 27.1 All equipment provided to Councillors contained in this Policy, remain the property of Camden Council.
- 27.2 Such equipment will be returned on completion of the term of office, however Councillors not seeking re-election or not returned may request the purchase of such property. The General Manager will consider each request and determine an appropriate fair market price.

28 General Dispute Resolution

- 28.1 Should a dispute arise as to payment of a claim for reimbursement of expenses or provision of facilities, the matter should be submitted in writing by the Councillor to the General Manager, who will determine the matter in conjunction with the Mayor in accordance with the terms of this policy.

* * *

RELEVANT LEGISLATION:

Division of Local Government Circulars to Councils – 2005/08, 2008/24, 2008/37, 2008/38 and 2009/36;
Division of Local Government Guidelines for payment of expenses and provision of facilities - October 2009;
Section 252 - Local Government Act, 1993.

RELATED POLICIES:

Policy 5.3 - Code of Conduct.

DELEGATIONS:

No

SUSTAINABILITY ELEMENT:

No

STAFF TRAINING REQUIRED?

No

Reviewed Cnl Mtg – 11/9/2007
Reviewed Cnl Mtg - 25/11/2008 ORD302/09
Reviewed Cnl Mtg – 27/10/2009 ORD252/09
Reviewed Cnl Mtg – 23/11/2010 ORD262/10

**NEXT REVIEW DATE: November,
2012**

PREVIOUS POLICY

ADOPTED: 12 February 2007 (initial
adoption date)

MINUTE: ORD25/07



COUNCILLOR TRAVEL &/OR EXPENSE CLAIM
 SECTION 252 LOCAL GOVERNMENT ACT 1993
 COUNCIL POLICY 5.57

COUNCILLOR:	
MONTH:	

TRAVEL EXPENSES				
MEETING DETAILS	DATE	KMS	RATE *	VALUE
			SUB TOTAL:	\$

* Kilometre rate (cents per kilometre) dependant on vehicle capacity and current Local Government (State) Award.

OTHER EXPENSES	
DETAILS	VALUE
	SUB TOTAL: \$

If additional space is required, please include attachment.

TOTAL VALUE FOR REIMBURSEMENT: \$

CERTIFICATION

I hereby certify that this claim is in accordance with Section 252 of the Local Government Act and Council's Policy "Payment of Expenses & Provision of Facilities".

SIGNATURE OF CLAIMANT:	
DATE:	

Payment of this claim will be made by Electronic Funds Transfer (EFT), through Councils normal Creditor payment facility. Claimants should ensure that correct banking details are held by Council.

_____ Mayor / Deputy Mayor (in the case of a claim by the Mayor)	_____ General Manager	_____ Authorised Officer (if within limits provided by the Payment of Expenses & Provision of Facilities Policy)
---	--------------------------	---

ANNEXURE B – Monetary Limits to Expenses

EXPENSES	MAYOR & COUNCILLORS INDICATIVE EXPENSE LIMITS	CLAUSE OF POLICY
In House Training	N/A – Budget allocation	18.1
Conferences & Seminars	\$60 per day for incidental expenses	14.2
Local Travel	Private vehicle use - rates set out in Local Government State Award	15.2
Interstate Travel	N/A – Council resolution required to approve travel and expense limits	16.1
Overseas Travel	N/A – Council resolution required to approve travel and expense limits	17.1
Mobile phone call costs	\$285 per month	19.2
Telephone line rental and call costs	\$115 per month	19.4
Carer / Childcare	Up to \$15 per hour	20.2

ANNEXURE C – Available Facilities

EXPENSE	MAYOR	COUNCILLORS
Computer Equipment	Available	Available
Laptop Computer	Available	Available
Multifunction Printer/Fax Facility	Available	Available
Council Pool Vehicle Use	Available	Not available
Car Parking Space	Available	Not available
Furnished Mayoral Office	Available	Not available
Secretarial & Administrative support	Available	Not available
Stationary, office supplies, postage, business cards & other similar consumables	Available	Available
Corporate clothing	n/a	n/a
Meals/refreshments related to Council Meetings, office functions and committee meetings	Available	Available
Ceremonial garb	Available	Not available
Councillors Room	Available	Available
Mobile Phone / Blackberry	Available	Available
Telephone line rental	Available	Available
Disabled Access	Available	Available