

Councillor Expenses Reimbursement - Statutory Policy

Effective Date	<i>3 June 2008</i>
Policy Owner	<i>Customer Support and Governance</i>
Link to Corporate Plan	<i>Strategic Priority - Sustainable Organisation</i>
Review Date	<i>April 2028</i>
Related Legislation	<i>Local Government Act 2009 Local Government Regulation 2012</i>
Related Documents	<i>Acceptable Request Guidelines - Council Policy Entertainment and Hospitality - Statutory Policy Councillor Vehicle Lease Agreement – Private Use of Vehicle</i>

Policy Version	Approval Date	Adopted/Approved
1	<i>3 June 2008</i>	<i>Ordinary Meeting of Council</i>
2	<i>15 October 2008</i>	<i>Ordinary Meeting of Council</i>
3	<i>1 April 2009</i>	<i>Ordinary Meeting of Council</i>
4	<i>14 December 2011</i>	<i>Ordinary Meeting of Council</i>
5	<i>18 December 2013</i>	<i>Ordinary Meeting of Council</i>
6	<i>6 May 2015</i>	<i>Ordinary Meeting of Council</i>
7	<i>14 December 2016</i>	<i>Ordinary Meeting of Council</i>
8	<i>12 December 2018</i>	<i>Ordinary Meeting of Council</i>
9	<i>21 April 2021</i>	<i>Ordinary Meeting of Council</i>
10	<i>19 September 2024</i>	<i>Ordinary Meeting of Council</i>

*This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. **A hard copy of this electronic document is uncontrolled.***

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1. PURPOSE

The purpose of this policy is to provide for the:

- (1) payment of reasonable expenses incurred or to be incurred by Councillors for discharging their duties and responsibilities as Councillors; and
- (2) provision of facilities to Councillors for that purpose.¹

2. SCOPE

This policy applies to all Councillors of Western Downs Regional Council.

This policy does not provide for Councillor remuneration. Councillor remuneration is determined annually by the Local Government Remuneration Commission.

3. POLICY

3.1 Statement of Principles

This policy ensures that Council's reimbursement of expenses incurred by Councillors and provision of facilities provided to Councillors is consistent with the local government principles² as defined in the *Local Government Act 2009*.

Councillors are entitled to be reimbursed for reasonable expenses incurred in undertaking Council business and be provided with facilities to assist them in carrying out their duties and responsibilities as Councillors.

Councillors use of facilities and reimbursement of expenses must:

- (a) be **reasonable and in the public interest**, enabling representation whilst avoiding waste;
- (b) be **publicly defensible**, in line with general community expectations; and
- (c) be **accountable and transparent**, approved by Council resolution or administrative process, and disclosed in Council's Annual Report.

3.2 Council Business

Council will reimburse reasonable expenses incurred, or to be incurred, by a Councillor representing Council on Council business and provide facilities necessary for the discharge of a Councillor's responsibilities and duties of office.

Council business is official business conducted on behalf of and/or approved by Council where a Councillor is required to undertake tasks to satisfy legislative requirements³ or achieve business objectives for Council. Council business should result in a benefit being achieved either for Council, the Western Downs area or the community.

Council business includes functions that are a statutory requirement of the Councillors role and include attending an event or function to perform official duties or where a formal invitation has been received inviting the Councillor in their official capacity, such as:-

- a. preparing for, attending and participating in Council meetings, committee meetings, Councillor information sessions and approved workshops, strategic briefings, deputations and other meetings relating to Council business; or
- b. seminars and conferences where Councillors are required to either deliver a paper and/or attend as a delegate of Council in accordance with a resolution of Council or by Mayoral approval; or
- c. approved training and professional development opportunities; or
- d. attending civic functions or civic events to perform official duties or as an official Council representative.

It is recognised that there is a community expectation and a legislative requirement for the Mayor to represent the local government at ceremonial or civic functions.⁴

¹ *Local Government Regulation 2012*, section 249(2)

² *Local Government Act 2009*, section 4

³ *Local Government Act 2009*, section 12

⁴ *Local Government Act 2009* - section 12(4)(h)



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3.3 Expenses

Expenses will be paid to a Councillor in accordance with the relevant administrative processes as approved by the Chief Executive Officer, subject to the limits as outlined in this policy and within budget. Wherever possible most expenses will be booked and paid for by Council in advance. A Councillor making a claim for legitimate reasonable expenses incurred for Council business must submit the appropriate form detailing the relevant expense within three months (or later date at the discretion of the Chief Executive Officer) of the expense being incurred or invoiced.

Expense Categories	Details
<p><i>Professional Development and Study Assistance</i></p>	<p>Council will reimburse expenses incurred for Council-approved professional development. Council will endeavour to provide Councillors with the opportunity to attend conferences, seminars, courses and workshops on an equitable basis and within the available budget.</p> <p>Any additional professional development or training programs identified by the individual Councillor will require approval from the Council or Chief Executive Officer.</p>
<p><i>Travel Expenses</i></p>	<p>All Councillor approved travel will be booked and paid for by Council.</p> <p>Councillors are required to travel the most direct route, using the most economical and efficient mode of transport.</p> <p>Any fines incurred while travelling in Council owned vehicles will be the responsibility of the Councillor incurring the fine.</p> <p>Any travel transfer and parking expenses will be reimbursed at the actual amount expended by the Councillor.</p>
<p><i>Accommodation</i></p>	<p>All Councillor accommodation will be booked and paid for by Council where possible. Accommodation will be selected that provides Council with the best price value and is convenient to the conference/meeting. The minimum standard for Councillor accommodation will be a three-star rating.</p> <p>Where accommodation is recommended by conference/event organisers, Council will take advantage of the package deal provided by conference organisers.</p> <p>Council may approve alternative accommodation arrangements taking into account the total cost, location, value for money, convenience and traveller safety.</p> <p>Accommodation expenses may be incurred:</p> <ul style="list-style-type: none"> (a) where the duration exceeds six hours and the travel time to the Councillor's principal place of residence is in excess of two hours (if the duration of the business is known to exceed six hours and the business commences prior to 10am, the Councillor can incur accommodation expenses for the night prior to the business. In such circumstances, they cannot claim accommodation expenses for the night proceeding the business); or (b) where the Councillor is required to attend over consecutive days; or (c) where business commences prior to 7.00 a.m. or does not conclude before 6.30 p.m.



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Expense Categories	Details
Meals	<p>Council will reimburse reasonable costs of meals for a Councillor when:</p> <ul style="list-style-type: none"> (a) the Councillor incurs the cost personally; and (b) the meal was not provided within the registration costs of the approved activity/event; and (c) a copy of a tax invoice is provided. <p>Council reimbursement for meal expenses shall be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch, dinner as provided in the <i>Australian Taxation Office Guidelines for Reasonable Travel Allowances</i> set for each financial tax year.</p>

3.4 Provision of Facilities

All facilities provided to Councillors remain the property of Council and must be returned to Council when a Councillor ceases to be a Councillor.

Councillors will be provided facilities as detailed in the table below. These have been provided on the principles that:

- (a) no private benefit is to be gained from the facilities provided; and
- (b) Councillors are expected to comply with the same conditions of use, guidelines, and processes that apply to employees.

The Chief Executive Officer can, in exceptional circumstances (for example, if a Councillor does not have internet access at their principal place of residence and the mobile service does not allow for efficient use of the devices provided to the Councillor to undertake their duties from their principal place of residence, the Chief Executive Officer can approve the cost of providing an internet access), approve a claim for an expense not expressly included in the below table.

Facilities Categories	Details
Administrative Tools	<p>Council will provide Councillors with technology/stationery as required to enable Councillors to carry out their role effectively.</p> <p>A suitable space will be provided at each Customer Service Centre for Councillors to utilise when working in the area. Meeting rooms will be required to be booked in advance with Executive Services support staff.</p>
Mobile Telephone	<p>Council will provide a mobile telephone to Councillors with the full cost of mobile expenses paid by Council.</p> <p>Where Councillors elect to use their own mobile device for official purposes this will be at the Councillors expense. Privately supplied devices must comply with Councils information technology security requirements including the installation of any software deemed necessary for the protection of Councils data and network.</p>
Maintenance costs of Council owned equipment	<p>Council will be responsible for the cost of ongoing maintenance, and reasonable wear and tear, of Council owned equipment that is supplied to Councillors.</p>
Corporate Uniform and Personal Protective Equipment	<p>Council will provide Councillors with appropriate personal protective equipment and a \$350 per annum corporate uniform allowance.</p>



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Facilities Categories	Details
Vehicles	<p>Due to the vast area which Western Downs Regional Council covers (38,039 square kilometres) Councillors will be provided with a fully maintained Council vehicle for official purposes.</p> <p>Council authorises the private use of Council vehicles if a Councillor has entered into a motor vehicle lease agreement with Council, which defines the terms of the lease agreement, including applicable lease payments.</p>
Fuel Costs	<p>In accordance with the <i>Use of Council Motor Vehicle - Terms of Reference</i>, conditions for <i>Category 2 - Restricted Private Use</i>.</p>
Insurance Cover and Legal Representation/Costs	<p>Councillors will be covered under Council insurance policies whilst discharging their official duties as a Councillor. Specifically, insurance cover is provided for public liability, professional indemnity, Councillors' liability and workers' compensation.</p> <p>Access to legal representation is available via Council's insurance policies for any inquiry, investigation, hearing or legal proceeding into the alleged misconduct or corrupt conduct of a Councillor, or arising out of or in connection with, the performance of the Councillors functions.</p> <p>Council will pay the excess (deductible) on all insurance claims made in accordance with any policy of insurance.</p> <p>Where a finding of misconduct or corrupt conduct is made against a Councillor, the Councillor will be liable for all Council costs up to the limit of each excess (deductible) payable on all insurance claims made in accordance with any policy of insurance.</p> <p>Councillors choosing to engage their own legal representative or seek alternative assistance outside of the facilities available via Council's insurance cover will be wholly responsible for their costs.</p> <p>Council will not meet Councillor costs for matters involving a conduct breach and may make an order for the reimbursement of Council's costs for all or some of the costs arising from the conduct breach in accordance with s.150AH of the <i>Local Government Act 2009</i>.</p>

3.5 Reporting

The *Local Government Regulation 2012* legislates that Council must adopt a policy providing for payment of reasonable expenses incurred, or to be incurred, by Councillors for discharging their duties and responsibilities as Councillors and provision of facilities to the Councillors for that purpose.

The *Local Government Regulation 2012* legislates that Council must in its Annual Report detail the expenses incurred by, and the facilities provided to each Councillor during the year under the local government's expenses reimbursement policy and include a copy of the local government's expenses reimbursement policy.

