

PURPOSE

- To fulfil the statutory requirements of sections 74 and 75 of the *Local Government Act 1989* [“the Act”] relating to mayoral and councillor entitlements.
- To establish the support available to councillors and members of special committees including allowances, reimbursement of expenses, and the provision of facilities.
- To provide accountability and transparency with mayoral and councillor entitlements.

SCOPE

This policy applies to all Wodonga City Councillors.

The facilities and services outlined in this policy are not available for use by members of a councillor’s family, unless the use is directly related to attendance at a civic function or another aspect of the councillor’s civic duties. If a councillor requests that services and / or facilities be extended to include family members, the incremental increase for the family member/s shall be paid by the councillor.

Sections 3, 4 and 5 of the policy also apply to members of special committees of the council, as applicable.

DEFINITIONS

Council means Wodonga City Council, being a body corporate constituted as a municipal council under the Act.

Councillors means the persons holding the office of a member of the council.

POLICY

Council will provide the following support to councillors in the discharge of their duties.

1. Allowances

- 1.1 Allowances will be paid each month, and never more than monthly in advance upon a councillor taking the oath of office, unless the Mayor or a councillor elects not to receive an allowance.
- 1.2 Subject to a review and determination of the allowances in accordance with sections 74 (1) and 74 (4) of the Act, the allowances will be set at the maximum level for a category two council.
- 1.3 Allowances are taxable, although the tax is not taken out by the council.
- 1.4 In accordance with the provisions contained in Australian Tax Office Interpretive Decision 2007/205, council may enter into a voluntary arrangement with a councillor under which the councillor agrees to forego all or part of their councillor allowance, including mayoral allowance if applicable, in exchange for the council making contributions to a complying superannuation fund nominated by the councillor and agreed to by the Chief Executive Officer on their behalf.

2. Motor vehicles

- 2.1 If required by the incumbent, the Mayor will be provided with a fully maintained motor vehicle for official council purposes and for limited private use.
- 2.2 Private use is defined as travel within Victoria or within 200 kilometres of Wodonga. The Mayor will reimburse the council for private use of the vehicle outside of the above parameters in accordance with the per kilometre rate in the *Victorian Local Government Authorities Award 2001*.

- 2.3 If the Mayor's vehicle is used for business purposes, other than council business, the Mayor, or his / her employer, will reimburse council for this travel in accordance with the per kilometre rate in the *Victorian Local Government Authorities Award 2001*.
 - 2.4 The Mayor's partner, provided he or she is a licensed driver, may drive the mayoral vehicle at those times when the Mayor is in the vehicle.
 - 2.5 If the mayoral vehicle is required in the case of an emergency or one off usage by the partner or children of the Mayor, when the Mayor is not in the vehicle, this use should be notified to the CEO at the earliest opportunity.
 - 2.6 In accordance with the council's Plant and Fleet directive the Mayor will be responsible for the cleanliness of the mayoral vehicle.
 - 2.7 In addition a council pool vehicle will be available to assist councillors with their civic duties.
 - 2.8 In accordance with the council's Plant and Fleet directive, where the Mayor or a councillor is on a long trip or feels for whatever reason that they may be impaired by fatigue, and if there are other licensed drivers in the car, they are encouraged to share the driving load.
3. Travelling expenses
 - 3.1 Council will meet the reasonable travel costs associated with councillors travelling for official council purposes, as approved by the Chief Executive Officer ("the CEO"), and within the limits of the budget approved by the council.
 - 3.2 The mode of transport is to be determined by the CEO based on the most cost and time effective form of transport and adhering to OH&S principles.

- 3.3 Where use of a council or hire vehicle is impractical, councillors may use their own vehicle and be reimbursed in accordance with the cents per kilometre method specified for the type of vehicle by the Australian Taxation Office.
- 3.4 It is expected that all travel will be by the most direct route, and vehicles are shared where more than one councillor attends the same function.
- 3.5 Overseas travel for councillors must be approved by resolution of full council.
- 3.6 Councillors will be given the option to travel in business class for all international flights of more than six hours duration.
- 3.7 Any expenses from breach of road, traffic, parking or other regulations or laws, will be the responsibility of the councillor concerned and will not be reimbursed by the council.

4. Accommodation and sustenance

Other expenses incurred by Councillors incidental to fulfilling their council duties such as:

- Accommodation
- Meals and refreshments
- Car parking fees and cab charges
- Registration fees

shall be paid by the council or reimbursed upon lodgement of all receipts or proofs of expenditure.

5. Child or Special Care

- 5.1 The council will reimburse the cost of carer expenses necessarily incurred by councillors for their immediate family, of children up to and including the age of 16 years or, in special circumstances adults, while a councillor is required for any of the following:

- a. To attend Council and Special Council meetings;
- b. To attend briefing sessions and civic or ceremonial functions convened by the Council or the Mayor;
- c. To attend meetings or workshops scheduled by Council or the Mayor;
- d. To attend meetings or to participate in delegations or deputations to which the councillor has been appointed as a representative by the council or the Mayor.
- e. To attend meetings of community groups, organisations and statutory bodies to which the councillor has been appointed the council delegate or is authorised by the council.

5.2 Reimbursement is however, subject to the following conditions:

- a. The maximum hourly rate a councillor will be reimbursed for child care expenses is \$22 per hour or such other amount approved by the CEO. The maximum hourly rate a councillor will be reimbursed for adult care expenses is \$26 per hour or such other amount approved by the CEO.
- b. Reimbursement will be on the basis of tax invoices and receipts submitted or in the case of informal arrangements a statement of hours, cost, dates, times and purpose for which the child care was provided. The councillor shall include a supporting statement showing why the care was needed on each occasion.
- c. Carer costs are not eligible for reimbursement if paid for caring by a person who is immediate family (e.g. partner, mother/father, sister/brother or sister in law/brother in law) or normally or regularly lives with the

councillor, except where a live-in (professional) helper such as a nanny is required to work extra time at extra expense because of the councillor's duties.

- d. Reimbursement for the care of adults may be provided as above where the councillor is the carer for an adult and the CEO has determined that special circumstances exist.

5.3 Claims for reimbursement should be submitted on a monthly basis consistent with the council's payment cycle.

6. Legal costs

6.1 If a councillor requires legal advice in connection with his or her functions as a councillor:

- a. he or she may submit a Notice of Motion requesting that the council facilitate and fund such legal advice; or
- b. the CEO may facilitate such legal advice and confirm that the council will pay for it, if it is:
 - appropriate to do so taking into the consideration the criteria in clause 6.2; and
 - the councillor requirement for legal advice cannot be deferred until the lodgement or consideration of a Notice of Motion.

6.2 Council will evaluate any requirement by a councillor for legal advice against the following criteria:

- a. the extent to which the subject-matter of the advice required relates to the councillor's functions as a councillor;
- b. the extent to which the subject-matter of the advice required relates to a matter before the council or the councillor's representative role as a councillor;
- c. the extent to which the subject-matter of the advice required will or is likely to be of interest to all councillors;
- d. the public interest; and
- e. any other relevant considerations.

6.3 In the event that legal advice relates to a writ, action or pending action against a councillor or councillors, the councillor or councillors must supply a copy of the writ or action or provide the information which may lead to an action, to the CEO, who will advise the council's insurers as soon as possible, in accordance with the council's insurance policy conditions.

7. Other Support for Councillors

Council will provide the following support facilities for councillors. The facilities are provided for use by the councillor in conduct of his / her duties of office. All equipment provided shall remain the property of the council, and shall be returned within two weeks of retirement or termination of office.

7.1 Mayor's Office

A separate office is provided for the Mayor for use to carry out his / her duties.

7.2 Councillors' Work Area

The councillors' office provides office furniture, telephone, and access to the council computer network.

7.3 Stationery

The council shall, upon request, provide councillors with standard stationery held or obtained generally for the organisation's requirements. The stationery may include, but not necessarily be limited to: paper, business cards, writing implements, diaries, writing pads, envelopes and the like.

Council stationery is not to be converted or modified in any way and must only be used for carrying out the functions of the civic office (not to be used for election, business, or personal purposes).

Councillors will be entitled to post, through the council mailing system and utilising the council supplied stationery, any items which relate to the council business (this does not include election related material).

7.4 Photocopying

A photocopier is available for photocopying directly related to council business.

7.5 Secretarial Support

Secretarial support will be made available to councillors for work directly related to the duties of the office.

7.6 Name Badges

Each councillor will be provided with a name badge for use while on council business. Badges will be replaced as required.

7.7 Meal Refreshments

Where meetings or functions are held at times which extend through normal meal times, the council will provide suitable meals / refreshments served on the premises.

7.8 Cabcharge

Each councillor will be provided with a “Cab-Charge” credit card (if requested) for use in the payment of taxi services for council purposes.

7.9 Building Access and Parking

Each councillor will receive a key to provide access to the council offices, including access to office and lounge areas, and the council bar.

Each councillor is entitled to use a parking space in the northern car park, next to the ramp entrance.

7.10 Information Technology

a. Councillors will be provided with appropriate IT equipment for their term in office.

The level of equipment will be standardised for all councillors for support and network compatibility at a level equivalent to that provided to the CEO.

The primary function of this equipment is for council purposes and not for business / personal use.

Council has an Information Technology directive and guidelines which will be handed to each councillor at the time that the equipment is made available.

b. Laptop / iPad

Council will make available suitable broadband technology to enable email, calendaring and access to relevant council documentation. Either a laptop or iPad will be provided.

This equipment consists of:

- Laptop with docking station or iPad (3G)
- Low format black and white printer (including consumables)
- Wireless keyboard and mouse if applicable
- Dropbox technology if using iPad / iPhone for access to documentation

c. Personal Digital Assistant

Councillors will be provided with an iPhone or similar for use as a mobile phone and for electronic processing of mail when off site. It is the council's expectation that the iPhone be used for all council business calls, rather than a landline.

Council will meet the purchase, initial set up, maintenance costs, connection fees, rental charges and all council business call charges for the iPhone. All accounts for such equipment will be in the name of the council.

Personal calls are to be kept to a minimum, and in general, be only used for urgent or emergency situations. Should the councillor consider they have used the mobile for 'excessive' personal use, or whilst on holidays, then they should notify the CEO who will

arrange for a usage report to be generated. The councillor may then itemise those calls and pay for them personally.

Similarly, the use of downloaded polyphonic ring tones, screen-savers, Java applets, PCT pictures, Pocket News, phone covers, SMS competitions, MMS, and games will be at the cost to the councillor unless specifically work related.

8. Limitations

- 8.1 In accordance with the council's Election Period Caretaker policy, councillors must ensure that benefits contained within this policy are not used as part of any election campaign.
- 8.2 If a councillor does not claim a particular expense or use a particular facility, this cannot be offset against a claim for an additional amount of some other expense or facility.
- 8.3 In instances where a councillor attends a meeting of a community group, organisation or statutory body to which the councillor has been appointed the council delegate or is authorised by the council, the contribution or reimbursement by the council shall be diminished by the amount those bodies pay the councillor.

ATTACHMENTS

Nil.

RELATED POLICIES

Nil.

RELATED LEGISLATION

Local Government Act 1989

The Victorian Charter of Human Rights and Responsibilities Act 2006.

REFERENCES

Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources, April 2008.

Information Guide: Mayor and Councillor Entitlements – reimbursement of expenses and provision of resources and facilities support for Victorian Mayors and Councillors, Department of Planning and Community Development, November 2008.

REVIEW

Council may review this policy at any time but unless otherwise requested at least every four years from date of adoption. Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy eg: typographical errors, a change to the name of a related policy, or a change to the name of legislation.

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