

Document Type:	Council Policy	TRIM reference:	DOC/20/24505
Document Status:	Approved by Council		
Policy Owner (position):	Principal Governance Officer		
Internal endorsement required:	Not Applicable		
Final Approval by:	Council		
Date approved:	1/09/2020		
Evidence of approval:	Select approver of type a position title – Refer to Notes in TRIM		
Version Number:	1	Frequency of Review:	1 years
Review Date:	31/08/2021		
Date rescinded:	Click here to enter a date. OR <input checked="" type="checkbox"/> Not applicable		
Related legislation:	<ul style="list-style-type: none"> • Local Government Act 2020 • Charter of Human Rights and Responsibilities Act 2006 • Privacy and Data Protection Act 2014 • Carers Recognition Act 2012 • Freedom of Information Act 1982 • Equal Opportunity Act 2010 • Gender Equity Bill 2020 		
Related strategic documents, policies, or procedures:	<ul style="list-style-type: none"> • Governance Rules 2020 • Public Transparency Policy • Information Privacy Policy • Mount Alexander Shire Council Enterprise Agreement No. 7 2016-2020 • Motor Vehicle Policy • Form - Councillor Expense Reimbursement Claim – Current – DOC/12/93540 		

Date	Version Number	Details of Version	Modified by
24/06/2020	1	New Document	Systems Officer Continuous Improvement

1. 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.

2. Scope

This policy applies to:

- Councillors of Mount Alexander Shire Council
- Members of delegated committees of Mount Alexander Shire Council.¹

Councillor duties are those performed by a Councillor as a necessary part of their role, in achieving the objectives of Council.

These duties may include (but are not limited to):

- Attendance at meetings of Council and its committees.
- Attendance at Briefing Sessions, workshops, civic events or functions convened by Council.
- Attendance at conferences, workshops and training programs related to the role of Councillor, Mayor or Deputy Mayor.
- Attendance at meetings, events or functions representing Council.
- Duties in relation to constituents concerning Council business.

From time to time, Council resolves to appoint Councillors to represent it on a number of specific organisations with the delegated authority of Council on appropriate matters. This policy applies where Councillors have been appointed to represent the Council.

Members of delegated committees exercise powers of Councillors, under delegation. This policy also applies to those members in the course of undertaking their role as delegated committee members.

3. Policy

Councillors and members of delegated committees are entitled, under section 40 of the Local Government Act 2020 (the Act), to reimbursement of expenses reasonably incurred in the performance of their duties.

This policy ensures that the reimbursement of these expenses is in accordance with the Act and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the Council.

¹ Under Section 53(2) of the Act, the Audit and Risk Committee is not a delegated committee.

Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that are:

- Bona fide expenses.
- Have been reasonably incurred in the performance of the role of Councillor.
- Are reasonably necessary for the Councillor and member of a delegated committee to perform this role.

Councillors will be reimbursed for reasonable out-of-pocket expenses incurred during the performance of their civic duties. This includes duties relating to the membership of committees. Proof of expenditure, including receipts, must be provided within six months of expenditure and completed documents must be forwarded to the Chief Executive Officer via the Governance Unit.

3.1. Mayor and Councillor Allowances

The Mayor and Councillors receive an allowance for performing their civic functions, in accordance with a determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019. Previously a range was set by the Minister for Local Government for each category of Council, with Mount Alexander Shire Council sitting in Category 1.

At the Ordinary Meeting of Council on 20 June 2017, Council resolved to set the allowances for the period 1 July 2017 to 30 June 2021 at the maximum level for a Category 1 Council. Council will increase the allowances in accordance with any adjustment factor gazetted by the Minister for Local Government each year as required under the Act.

Details of allowances and expenses incurred by Councillors are published in Council's Annual Report each year.

3.2. Attendance at conferences and functions

Council will pay directly or reimburse Councillors the cost of attending conferences, seminars, training and professional development where attendance has been approved in advance by Council or the Chief Executive Officer. Costs include:

- Registration fees.
- Accommodation costs and expenses.
- Reasonable costs and expenses for meals and refreshments.

Before entering into any commitment for such attendance, Councillors must discuss the purpose of attending the event or function with the Mayor to determine the benefit to Council and the personal development of the Councillor.

If a Councillor is paid a fee for speaking at a conference or event as a part of their official function, the fee should be paid into Council's general revenue.

3.3. Travelling expenses and costs

Council will pay directly or reimburse Councillors travelling expenses and costs for return travel within Victoria undertaken whilst discharging the duties of a Councillor.

Subject to approval in advance by Council or the Chief Executive Officer, Council will pay directly or reimburse Councillors travelling expenses and costs for interstate travel undertaken whilst discharging the duties of a Councillor. For interstate travel a maximum of two Councillors will be approved for attendance at the same event.

Subject to approval by resolution of Council in an open forum, Council will pay directly or reimburse Councillors travelling expenses and costs for return overseas travel originating within Victoria undertaken whilst discharging the duties of a Councillor. Councillors are required to prepare a report for Council by the second Council Meeting after their return outlining the purpose of the event, the learning outcomes and the benefits, as well as any other issues relevant to Mount Alexander Shire Council.

The Governance Unit will arrange all Council related travel, including attendance fees and accommodation.

Council will make available to Councillors a corporate Myki card when travelling via public transport to and from their Councillor related duties. When Councillors use their personal Myki card, Council will reimburse the associated cost of travel in line with appropriate receipt documentation.

Where requested a Council pool vehicle may be provided, subject to availability, for Councillors to perform their duties. Use of a Council vehicle must be in accordance with relevant Council policies. Fleet vehicle bookings can be made via the Governance Unit.

Councillors may also seek reimbursement for the use of their own vehicle if a pool vehicle is not available or if it was inconvenient to seek the use of a pool vehicle because of short notice. Councillors will be reimbursed the kilometre rate reflected in the current Enterprise Agreement of Mount Alexander Shire Council (at the time of approving this policy, the current agreement was Mount Alexander Shire Council Enterprise Agreement No. 7 2016-2020).

3.4. Carer and dependent-related expenses

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) of the Act).

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 (s 41(2)(d) of the Act).

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.

Council will pay directly or reimburse Councillors the cost of childcare / family care expenses for immediate family members, necessarily incurred by Councillors whilst discharging their duties as a Councillor. Family care relates to care provided to any immediate family member who is either a child or a person who is unwell, elderly, or who has disability support needs.

To be eligible:

- The child or person must reside at the Councillor's residence and the Councillor is the primary carer, or;
- Where the Councillor is in receipt of a Commonwealth Carers Allowance, or;
- Where the Councillor's partner is the primary carer and they are accompanying the Councillor to an official function.

Informal care will be reimbursed at a rate determined by the CEO, following consideration of what would be a reasonable market rate.

In the case of care provided through an approved program or by a registered provider, the amount on an official tax invoice for the service will be paid by Council.

3.5. Other expenditure not specified

Subject to a resolution of Council, a Councillor may be reimbursed for expenses incurred in circumstances not provided for elsewhere in the policy.

4. Procedure

4.1. Making a claim for reimbursement

- All claims must be made on the approved expense reimbursement form which is available from the Governance Unit²
- Original receipts must be attached for all claims (credit card receipts will not be accepted)
- Where the provider of the goods or service is registered for GST a tax invoice must be obtained and provided (without this the GST component of the cost cannot be reimbursed)
- Claims may be lodged at any time directly with the Finance Unit and are processed weekly.
- Reimbursements will be provided by electronic funds transfer in alignment with receipt of a claim and account processing.

5. Monitoring, Evaluation and review

Under Section 40(2) of the Act, a Council must provide details of all reimbursements to Councillors and members of delegated committees to the Audit and Risk Committee. This report will be incorporated into the committee's annual work plan.

Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation.

A period review of the policy will be undertaken to ensure any changes required to strengthen or update the policy are made in a timely manner.

² TRIM DOC/12/93540

6. Definitions and Abbreviations of Terms Used

Term	Definition
Carer	A carer is defined under Section 4 of the Carers Recognition Act 2012.
Delegated committee	Delegated committees are defined under section 63 of the Local Government Act 2020.
Duties as a Councillor	Duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.
Expenses	Expenses initially incurred by a Councillor for which a claim is subsequently made for reimbursement; and Expenses incurred by Council for or on behalf of a Councillor.
Out-of-pocket expenses	Minor expenses incurred while performing the duties of Councillor.
Professional Development	The process of improving and increasing the capabilities, knowledge and skills of Councillors through access to education and training opportunities through outside organisations or in the workplace.
The Act	Local Government Act 2020.

7. Human Rights Statement

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006).