

MAYOR AND COUNCILLORS' EXPENSES AND FACILITIES POLICY

POLICY ADMINISTRATION

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References & Legislation	<ul style="list-style-type: none"> • <i>Local Government Act 1993</i> • <i>Local Government (General) Regulation 2021</i> • Office of Local Government Model Councillor Expenses and Facilities Policy • Office of Local Government Model Code of Conduct for Local Councils in NSW • Local Government Guidelines for the Payment of Expenses and the Provisions of Facilities to Mayors and Councillors in NSW, 2009 • Office of Local Government Circular 09-36 Release of Revised Councillor Expenses and Facilities Guidelines • Office of Local Government Circular 11-27 Findings from Review of Councillor Expenses and Facilities Policies • Office of Local Government Circular 17-17 Councillor Expenses and Facilities Policy - Better Practice Template • <i>Local Government (State) Award 2020</i> • <i>Crimes (Domestic and Personal Violence) Act 2007</i> • <i>NSW State Records Act 1998</i> • <i>NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</i>
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Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.

Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.
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POLICY SUMMARY

This Policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.

The Policy has been prepared in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2021* (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The Policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	\$1,000.00 per councillor \$2,000.00 for the Mayor	Per financial year
Interstate, overseas and long-distance intrastate travel expenses	\$1,000.00 per councillor	Per financial year
Accommodation and meals	As per the NSW <i>Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</i> , adjusted annually	Per meal/night
Professional development	\$3,000.00 per councillor	Per financial year
Conferences and seminars	\$1,500.00 per councillor	Per financial year
ICT expenses	\$4,000.00 per councillor	Per financial term
Carer expenses	\$2,000.00 per councillor	Per financial year
Communication expenses	\$500.00 per councillor	Per month
Business cards	500 business cards per councillor an additional 250 business cards for the mayor each year	Per financial year
Christmas or festive cards	e-Card: 1 design per councillor Printed card: 200 maximum per councillor	Per financial year
Councillor letterhead	1 design per councillor	Per term
Access to facilities in a councillor common room	Provided to all councillors	Not relevant
Council vehicle and fuel card	Provided to the mayor	Not relevant
Reserved parking space at Council offices	Provided to the mayor	Not relevant
Furnished office	Provided to the mayor	Not relevant

Additional costs incurred by a councillor in excess of these limits are considered a personal expense that is the responsibility of the councillor.

Councillors must provide claims for reimbursement within three (3) months of an expense being incurred. Claims made after this time will not be approved.

Reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

PART A - INTRODUCTION

1. INTRODUCTION

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Georges River Council.
- 1.2. The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3. The purpose of this Policy is to clearly state the facilities and support that are available to councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this Policy.
- 1.5. Expenses and facilities provided by this Policy are in addition to fees paid to councillors. The minimum and maximum fees a council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the NSW *Local Government Act 1993* and reviewed annually. Council must adopt its annual fees within this set range.

2. POLICY OBJECTIVES

- 2.1. The objectives of this Policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties;
 - enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties;
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors;
 - ensure facilities and expenses provided to councillors meet community expectations;
 - support a diversity of representation; and
 - fulfil the council's statutory responsibilities.

3. PRINCIPLES

- 3.1. Council commits to the following principles:
 - **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions;
 - **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor;
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a councillor;

- **Equity:** there must be equitable access to expenses and facilities for all councillors;
- **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations; and
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

4. PRIVATE OR POLITICAL BENEFIT

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.
- 4.2. Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to council.
- 4.4. Councillors should avoid obtaining any greater private benefit from council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material;
 - use of council resources and equipment for campaigning;
 - use of official council letterhead, publications, websites or services for political benefit; and
 - fundraising activities of political parties or individuals, including political fundraising events.

PART B - EXPENSES

5. GENERAL EXPENSES

- 5.1. All expenses provided under this Policy will be for a purpose specific to the functions of holding civic office.
- 5.2. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.
- 5.3. For the purposes of this Policy, annual expenses are calculated over a financial year (1 July to 30 June).
- 5.4. Any expense or facility that are paid on a per financial year basis under this Policy, are paid on a pro-rata basis for any periods not equivalent to a full financial year.

6. SPECIFIC EXPENSES

General travel arrangements and expenses

- 6.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each councillor may be reimbursed up to a total of \$1,000 per year, and the mayor may be reimbursed up to a total of \$2,000 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - for public transport fares;
 - for the use of a private vehicle or hire car;
 - for parking costs for council and other meetings;
 - for tolls;
 - by Cabcharge card or equivalent; and
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the *Local Government (State) Award 2020*.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a logbook recording the date, distance and purpose of travel being claimed. Copies of the relevant logbook contents must be provided with the claim.

Interstate, overseas and long-distance intrastate travel expenses

- 6.5. In accordance with Section 4 of this Policy, council will scrutinise the value and need for councillors to undertake overseas travel. Councils should avoid interstate, overseas and long-distance intrastate trips unless direct and tangible benefits can be established for the council and the local community.

- 6.6. Travel in relation to Sister City visits must be consistent with the relevant clauses in the Georges River Council Sister City Policy and will be reimbursed in association with that Policy and will not be reimbursed in association with this Policy.
- 6.7. Total interstate, overseas and long-distance intrastate travel expenses for each councillor will be capped at a maximum of \$1,000 per year for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars. This includes reimbursement:
- for public transport fares;
 - for airfares;
 - for the use of a private vehicle or hire car;
 - for parking costs for Council and other meetings;
 - for tolls;
 - by Cabcharge card or equivalent; and
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.8. Councillors seeking approval for any interstate, long-distance intrastate or overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.
- 6.9. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties;
 - who is to take part in the travel;
 - duration and itinerary of travel; and
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.10. Any council approved interstate, long-distance intrastate or overseas journeys by air, the class of air travel is to be economy class.
- 6.11. Bookings for approved air travel are to be made through the General Manager's office.
- 6.12. For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by council

- 6.13. Council will not pay any traffic fines, parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 6.14. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside of Metropolitan Sydney.
- 6.15. The costs associated with accommodation and meals while councillors are travelling for the purpose of attending prior approved professional development or conference/seminar will be allocated from the annual Policy allowances for professional development or conferences/seminars.
- 6.16. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the *NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.
- 6.17. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.16.
- 6.18. Councillors may be reimbursed for alcoholic beverages, in accordance with Council's Drug and Alcohol Policy.

Refreshments for meetings of council

- 6.19. A hot meal will be provided to councillors prior to a council meeting for councillors attending in-person.
- 6.20. Light refreshments (hot or cold) will be provided to councillors prior to committee meetings and councillor briefings for councillors attending in-person.
- 6.21. Cold drinks and tea and coffee will be provided to councillors for their consumption prior to, during and after meetings of council.
- 6.22. Alcohol will not be provided.

Professional development

- 6.23. Each councillor may be reimbursed up to a total of \$3,000 per councillor per year for professional development programs, training and education courses. This includes reimbursement:
- for enrolment fees;
 - for registration fees;
 - related accommodation and meal expenses;
 - membership of professional bodies; and
 - subscriptions.
- 6.24. In the first year of a new council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.

- 6.25. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.26. Subscriptions will only be covered where the subscribed material/service/publication is relevant to the exercise of the councillor's civic duties.
- 6.27. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development;
 - relevance to council priorities and business; and
 - relevance to the exercise of the councillor's civic duties.
- 6.28. In assessing a councillor's request for a professional development activity, the General Manager must consider the cost of the professional development in relation to the councillor's remaining budget.

Conferences and seminars

- 6.29. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.30. Each councillor may be reimbursed up to a total of \$1,500 per councillor per year to facilitate councillor attendance at conferences and seminars. This includes reimbursement:
- for registration fees;
 - related accommodation and meal expenses.
- 6.31. Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a councillor's request, the General Manager must consider factors including the:
- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties;
 - cost of the conference or seminar in relation to the total remaining budget.

ICT expenses (devices - electronic equipment)

- 6.32. Councillors will be required to provide their own device for Council related business ('BYO device').
- 6.33. Council will reimburse councillors for expenses associated with the purchase of an appropriate device, up to a limit of \$4,000 per term for each councillor. This includes reimbursement;
- for a laptop;
 - for a personal computer (PC);
 - for an iPad or tablet device;

- for a smart phone;
- for a printer;
- for accessories (keyboard, mouse, headset, screen protector, protective case etc) for any of the above listed devices;

6.34. Reimbursement of ICT devices under this Policy will only be made for devices used by councillors to undertake their civic duties.

6.35. Any device purchased by a councillor should be cognisant of the recommended minimum hardware and software specifications set out below.

Recommended Minimum Hardware Specifications:

Device Type:	1. Windows Laptop or PC	2. Apple Laptop or PC	3. Tablets
Operating System	Windows 10 or Higher	OSX 10.7 or higher	iOS 10 or higher (or equivalent)
Wireless	5GHz radio supporting 802.11n standard		
Minimum Screen Size	11"	11"	10.2"
Minimum Storage Capacity	120GB hard drive	120GB hard drive	128GB
Minimum RAM/Memory	4GB	4GB	1GB
Minimum Battery Life	6 hours	6 hours	6 hours
Recommended Accessories	Protective case/cover/ bag, Headphones, USB Backup drive	Protective case/cover/ bag, Headphones, USB Backup drive	Protective case/cover/ bag, Headphones, USB Backup drive

The device selected must also meet all of the following requirements:

Wireless Compatibility	Device must have 5GHz 802.11n support This may be advertised as "Dual Band Wireless", "802.11abgn", "802.11agn", "802.11ac" or "Gigabit Wireless".
Battery Life	Advertised battery life of at least six hours

Recommended Software Specifications:

Operating System	As per the Hardware Specification, above
Software	<ul style="list-style-type: none">• Web browser: Edge Version 91.0.864.54 or newer, Google Chrome, Mozilla Firefox, Safari 6 or newer.• Word Processor, Spreadsheet & Presentation Package: Examples include Microsoft Office, Apple iWorks, OpenOffice, Office365, or Google Apps.• PDF Reader: Adobe Acrobat Reader or compatible.• Java (latest versions).
Backup	Cloud or USB hard drive-based backup solution.
Security Software	<p>Whilst there are free Anti-Virus software packages, it is recommended that a commercial product is selected for use on the device.</p> <p>Anti-Virus software should be fully up-to-date with the latest virus definition information and protection.</p>

6.36. Councillors using a device to access Council systems must abide by the relevant Council Policies.

6.37. All information created, sent and received in an official capacity as a councillor (or mayor) is a Council record and must be managed in accordance with the requirements of the *State Records Act 1998* and Council's approved records management policies and practices (Georges River Council Code of Conduct, Clause 8.24).

6.38. All information stored in either soft or hard copy on Council supplied resources (including email accounts) is deemed to be related to the business of Council and will be treated as Council records, regardless of whether the original intention was to create the information for personal purposes. Personal email should not be used for official Council communication (Georges River Council Code of Conduct, Clause 8.25).

6.39. You must not destroy, alter or dispose of Council information or records, unless authorised to do so. If you need to alter or dispose of Council information or records, you must do so in consultation with Council's Records Manager and comply with the requirements of the *State Records Act 1998* (Georges River Council Code of Conduct, Clause 8.26).

Communications expenses (data, internet, telephone, postage)

6.40. Council will reimburse councillors for monthly communications expenses, up to a limit of \$500 per month for each councillor. This includes reimbursement of:

- mobile phone expenses (for one mobile phone service) (including monthly plan and call costs);
- home internet expenses;
- printer consumables;

- printing paper;
- postage expenses;
- miscellaneous stationery;
- software expenses (including anti-virus/malware subscriptions, Office365 subscriptions, or similar).

6.41. Reimbursements will be made only for communications and services used for councillors to undertake their civic duties, such as:

- receiving and reading council business papers;
- relevant phone calls and correspondence;
- diary and appointment management.

Special requirements and carer expenses

6.42. Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing-impaired councillors and those with other disabilities.

6.43. Transportation provisions outlined in this Policy will also assist councillors who may be unable to drive a vehicle.

6.44. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.

6.45. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$2,000 per annum per councillor for attendance at official business, plus reasonable travel from the principal place of residence. Councillors must provide copies of paid tax invoices with each claim.

6.46. Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

6.47. In the event of caring for an adult person, councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Security to prevent against harm

6.48. Council shall meet the reasonable expenses of a councillor, in proceedings intended to prevent physical or mental harm to a councillor, arising from the conduct of a third party against the councillor, in relation to the councillor performing their functions under the *NSW Local Government Act 1993* in good faith.

6.49. Such expenses may extend to the costs of providing services and equipment, to protect the security of councillors.

Superannuation

- 6.50. As of 1 July 2022, the superannuation guarantee rate will be 10.5%. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12%.
- 6.51. The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to councillors.
- 6.52. To receive a superannuation contribution payment, each councillor must first nominate a superannuation account for the payment before the end of the month to which the payment relates. The superannuation account nominated by councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth Superannuation Guarantee (Administration) Act applies.
- 6.53. Councils must not make a superannuation contribution payment for a councillor if the councillor fails to nominate an eligible superannuation account for the payment before the end of the month to which the payment relates.

7. INSURANCES

- 7.1. In accordance with Section 382 of the *NSW Local Government Act 1993*, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on Council business.

8. LEGAL ASSISTANCE

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a councillor defending an action arising from the performance in good faith of a function under the *NSW Local Government Act 1993* provided that the outcome of the legal proceedings is favourable to the councillor;
 - 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 *NSW Local Government Act 1993* and the outcome of the legal proceedings is favourable to the councillor;
 - a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the *NSW Local Government Act 1993*;

- and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.
 - Appropriate investigative or review bodies include, but are not limited to:
 - NSW Civil and Administrative Tribunal (NCAT)
 - Independent Commission Against Corruption (ICAC)
 - Office of the NSW Ombudsman
 - Office of Local Government (OLG)
 - Department of Premier and Cabinet NSW (DPC)
 - NSW Police Force
 - The Office of the Director of Public Prosecutions (ODPP)
 - Council’s Conduct Review Committee

8.2. In the case of a code of conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.

8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the *NSW Local Government Act 1993* are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.

8.4. Council will not meet the legal costs:

- of legal proceedings initiated by a councillor under any circumstances, other than where a councillor seeks orders under the *Crimes (Domestic and Personal Violence) Act 2007*, arising from the performance in good faith of a councillor’s functions under the *NSW Local Government Act 1993*;
- of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation;
- for legal proceedings that do not involve a councillor performing their role as a councillor.

8.5. Reimbursement of expenses for reasonable legal expenses must have council approval by way of a resolution at a council meeting prior to costs being incurred.

PART C - FACILITIES

9. GENERAL FACILITIES FOR ALL COUNCILLORS

Facilities

- 9.1. Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- a councillor common room appropriately furnished to include photocopier, printer, desks, computer terminals, lockers and appropriate snacks and non-alcoholic refreshments;
 - access to shared car parking spaces while attending council offices on official business;
 - personal protective equipment for use during site visits;
 - a name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor.
- 9.2. Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through a specified officer in the mayor's office or other specified staff member.
- 9.3. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Councillor Portal

- 9.4. Council will provide all councillors access to the 'Councillor Portal', a mobile platform designed to manage and distribute important and relevant content such as business papers, policies and procedures, presentations, meetings schedules, updates and notifications.
- 9.5. The Councillor Portal is a secure, simple easy to use website (or app) than can be accessed from any device.

Professional Photo

- 9.6. Council will arrange a professional photo session at the commencement of each new council term for the purpose of an individual headshot of each councillor and a group photo with all councillors.
- 9.7. Copyright and exclusive use of the professional photos remains with council for duration of the council term, although the use of photographs by Councillors may be approved by the General Manager in consultation with the Mayor.

Stationery

- 9.8. Council will provide the following stationery to councillors each year:
- Councillor letterhead
 - 1 design per councillor per year, to be used only for correspondence associated with civic duties
 - Business cards

- 500 business cards per councillor per year
- an additional 250 business cards for the mayor each year
- Christmas or festive cards
 - e-Cards: 1 design per councillor per year
 - printed cards: 200 card maximum per councillor per year for councillors.

Administrative support

9.9. Council may provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by staff in the mayor's office or by a member of council's administrative staff as arranged by the General Manager or their delegate.

9.10. As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

9.11. With consideration to environmental factors, printed business papers will not be provided to councillors.

IMT support

9.12. Council will provide technology support for all councillors to assist them with their civic duties only.

9.13. Any request for technology assistance must be made as a Councillor HelpDesk Request.

Access to information

9.14. Councillors can obtain copies of council information, free of charge, if the information is required to enable a councillor to undertake their role as defined under Section 232 of the *Local Government Act 1993* and in accordance with the *Privacy and Personal Information Protection Act 1998*.

10. ADDITIONAL FACILITIES FOR THE MAYOR

10.1. The mayor shall be provided with additional facilities to recognise the special role, responsibilities and duties of the position, both in the council and in the community.

10.2. Facilities, equipment and services provided under this clause remain the property of the council.

Mayoral Council Vehicle

10.3. Council will provide to the mayor a maintained vehicle to a similar standard of other council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the mayor's office. Use of the Mayoral Council Vehicle for other purposes does not constitute a breach of the NSW *Local Government Act 1993*.

10.4. The mayor must keep a logbook setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The logbook must be submitted to Council on a monthly basis.

- 10.5. The mayoral allowance will be reduced to cover the cost of any private travel recorded in the logbook, calculated on a per kilometre basis by the rate set by the *Local Government (State) Award 2020*.
- 10.6. A parking space at Council's Civic Centre will be reserved for the Mayoral Vehicle for use on official business, professional development and attendance at the mayor's office.
- 10.7. For reasons of practicality, security and ease of accessibility, the mayor may keep the Mayoral Council Vehicle under his/her custody.
- 10.8. The following restrictions will apply to the use of the Mayoral Council Vehicle:
- The Mayoral Council Vehicle may not be used by the mayor for recreation or vacation use; and
 - Only in exception or emergency circumstances may the mayor authorise a person other than a Council employee to drive the Mayoral Council Vehicle.
- 10.9. If the Mayor elects not to take up the provision of a Mayoral Council Vehicle and wishes to use their own vehicle for official council business, the mayor is entitled to be reimbursed in the same manner as other councillors (refer Clause 6.3 and 6.4).

Mayoral office

- 10.10. Council will provide the mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone, meeting space, private bathroom, kitchen facilities, appropriate refreshments (excluding alcohol).
- 10.11. In performing his/her civic duties, the mayor will be assisted by council staff providing administrative and secretarial support, as determined by the General Manager or their delegate.
- 10.12. As per Section 4 of this Policy, staff in the mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Other mayoral facilities

- 10.13. Mayoral Chains of Office will be provided to the mayor to wear (at their discretion) at official, civic and ceremonial services.

PART D - PROCESSES

11. APPROVAL, PAYMENT AND REIMBURSEMENT ARRANGEMENTS

- 11.1. Expenses should only be incurred by councillors in accordance with the provisions of this Policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred, where practicable or as required under this Policy.
- 11.3. Up to the maximum limits specified in this Policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business;
 - carer costs;
 - ICT expenditure;
 - communications expenses.
- 11.4. Final approval for payments made under this Policy will be granted by the General Manager or their delegate.

Reimbursement

- 11.5. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Office of the General Manager via the Councillor – Claim for Reimbursement Form.

Notification

- 11.6. If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.
- 11.7. If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to council

- 11.8. If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this Policy:
- Council will invoice the councillor for the expense
 - the councillor will reimburse Council for that expense within 14 days of the invoice date.
- 11.9. If the councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the councillor's allowance.

Timeframe for reimbursement

11.10. Unless otherwise specified in this Policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time will not be approved.

11.11. Former councillors are required to submit their expense claims within three months of ceasing to hold office (whether by resigning, retiring, suspension, etc).

12. PRO-RATA REIMBURSEMENTS

12.1. For the purposes of this Policy, annual expenses are calculated over a financial year (1 July to 30 June).

12.2. Any expense or facility that are paid on a per financial year basis under this Policy, are paid on a pro-rata basis for any periods not equivalent to a full financial year.

13. DISPUTES

13.1. If a councillor disputes a determination under this Policy, the councillor should discuss the matter with the General Manager.

13.2. If the councillor and the General Manager cannot resolve the dispute, the General Manager is to refer the matter to Council's Audit, Risk and Improvement Committee (ARIC) for determination.

14. PUBLICATION

14.1. This Policy will be published on Council's website.

15. REPORTING

15.1. Council will report on the provision of expenses and facilities to councillors as required in the NSW *Local Government Act 1993* and Regulations.

15.2. Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

16. AUDITING (OVERSIGHT BY ARIC)

16.1. The operation of this Policy, including claims made under the Policy, will be renewed for compliance by Councils Audit Risk and Improvement Committee.

17. BREACHES

17.1. Suspected breaches of this Policy are to be reported to the General Manager.

17.2. Alleged breaches of this Policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

18. RETURN OR RETENTION OF FACILITIES

18.1. All unexpended facilities and all equipment supplied under this Policy are to be relinquished immediately upon a councillor or mayor ceasing to hold office or at the cessation of their civic duties.

18.2. Should a councillor wish to keep any equipment allocated by Council, then the councillor shall make application to the General Manager to purchase any such equipment. The General Manager will determine the written down value for the item or equipment.

18.3. The prices for all equipment purchased by councillors under Clause will be recorded in Council's annual report.

PART E - DEFINITIONS

The following definitions apply throughout this policy.

Term	Meaning
Appropriate refreshments	Means food and beverages (excluding alcohol) provided by council to support councillors undertaking official business
Act	Means the NSW <i>Local Government Act 1993</i>
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this Policy
Code of Conduct	Means the Code of Conduct adopted by Council
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the mayor
Financial year	Means the 12 month period commencing on 1 July to 30 June each year to coincide with Council's budget cycles
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this Policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text of this Policy and summarised in table within the 'Policy Summary' section
NSW	New South Wales
official business	<p>Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes:</p> <ul style="list-style-type: none"> • meetings of council and committees of the whole • meetings of committees facilitated by council • civic receptions hosted or sponsored by council • meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council

professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	Means the NSW <i>Local Government (General) Regulation 2021</i>
Term	Term of office as defined and set by the Office of Local Government

RESPONSIBILITIES

Position	Responsibility
General Manager's Office	Review the Policy as required, including within the first year of a new term of Council (in accordance with Section 252(1) of the NSW <i>Local Government Act 1993</i>)
Chief Audit Executive	Review Policy for reforms to the <i>Local Government Act 1993</i>
Manager, Office of the General Manager	Overall responsibility for Policy delivery and oversight of policy approval
Executive Services Officer	Administration of the Policy

VERSION CONTROL AND CHANGE HISTORY

Version	Amendment Details	Policy Owner	Period Active
1.0	Adopted 19 May 2016	Governance Manager	19/05/2016 - 1/05/2017
2.0	Updated for current expectations, improved facilities management and reforms to the Local Government Act 1993, in particular the Local Government Amendment (Governance and Planning) Act 16-30	Internal Auditor	1/05/2017 - 6/08/2017
3.0	New Mayor and Councillor Expenses and Facilities Policy as adopted by Council. Council Resolution CCL157-17	Executive Manager, Office of the General Manager	7/08/2017 - 28/05/2018
4.0	Updated policy as adopted by Council. Council Resolution CCL025-18	Executive Manager, Office of the General Manager	28/05/2018 – 22/11/2021
5.0	Updated policy as adopted by Council. Council Resolution CCL098-21	Manager, Office of the General Manager	22/11/2021 – 28/11/2022
6.0	Updated policy as adopted by Council. Council Resolution CCL112-22	Manager, Office of the General Manager	28/11/2022 - ongoing