



## COUNCIL POLICY

### Mackay Regional Council Reimbursement of Expenses and Provision of Facilities for Councillors

POLICY NO	002
DEPARTMENT	Office of the CEO

#### 1.0 Scope

This policy applies to the Mayor, Deputy Mayor and Councillors of Mackay Regional Council.

#### 2.0 Purpose

This policy will ensure accountability and transparency in the reimbursement of expenses incurred by the Mayor, Deputy Mayor and Councillors.

This policy will also ensure that elected members are provided with reasonable facilities to assist them in carrying out their civic duties.

#### 3.0 Reference

- Local Government Act 2009
- Local Government (Operations) Regulation 2010

#### 4.0 Definitions

To assist in interpretation the following definitions shall apply:

**Council Business** shall mean official business conducted on behalf of Council, where a Councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business continuity for the council, for example official Council meetings, Councillor forums and workshops, Committees/Boards as Council's official representative, scheduled meetings relating to portfolios or Council appointments.

Council Business should result in a benefit being achieved either for the local government and/or the local government area, for example Council may decide that Council business includes civic ceremony duties such as opening a school fete. Participating in a community group event or being a representative on a Board not associated with Council is not regarded as Council business.

**Councillors** shall mean the Mayor, Deputy Mayor and Councillors.

**Expense** shall mean payments made by Council to reimburse Councillors for their reasonable expenses incurred or to be incurred when discharging their duties as Councillors. These payments are not regarded as remuneration. The

expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge when on Council business.

**Facility** shall mean the 'tools of trade' provided by Council, required to enable Councillors to perform their duties with relative ease and at a standard appropriate to fulfill their professional role for the community.

## **5.0 Background**

The Local Government (Operations) Regulation 2010 legislates that Council must maintain a policy providing for payment of reasonable expense 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.

## **6.0 Policy Statement**

### **6.1 Professional Development**

Council will reimburse expenses incurred for:

- Mandatory professional development; and/or
- Discretionary professional development deemed essential for the Councillor's role.

Any professional development, regardless of category and requiring overseas travel, requires formal Council resolution.

#### **6.1.1 *Mandatory Professional Development***

Mackay Regional Council will reimburse or cover expenses incurred by for the following activities:

- The Mayor's attendance as the primary delegate at the LGAQ, ULGA, ALGA and any other relevant conferences/seminars/workshops;
- Councillors can attend workshops, courses, seminars and conferences that are related to the role of a Councillor. Approval to attend is made by Council resolution and therefore Councillors should advise the Chief Executive Officer of their desire to attend an event. The Chief Executive Officer will provide a report to Council seeking approval for attendance by a Councillor.

#### **6.1.2 *Discretionary Professional Development***

Each Councillor can attend, at their own discretion, workshops, courses, seminars and conferences that improve their skills relevant to the role of Councillor. This training is initially limited to \$5,000 per Councillor in each quadrennial term of office, but will be reviewed annually when setting the budget. There is no requirement for a Council resolution to approve these attendances. However, the Councillor must submit a request to the Chief Executive Officer prior to attending and provide all relevant documentation within 14 days of attending the event to ensure reimbursement of expenses.

## 6.2 Travel as Required to Represent Council

Council will reimburse local, interstate and in some cases, overseas travel expenses (eg flights, motor vehicle, accommodation, meals and associated registration fees) deemed necessary to achieve the business of Council where:

- A Councillor is an official representative of Council; and
- The activity/event and travel has been endorsed by resolution of Council.

Approval for such travel is to be approved either by resolution of Council or by the Mayor and/or the Chief Executive Officer.

Council will pay for reasonable expenses incurred for overnight accommodation when a Councillor is required to stay outside the Mackay Regional Council area.

Wherever possible all travel by Councillors, approved by Council, will be booked and paid for by Council in advance.

## 6.3 Private Vehicle Usage

Use of a Councillor's private vehicle for official Council business will be reimbursed by Council. This includes travel to and from Councillor's principal place of residence to attend:

- a) Official Council business
- b) Official Council meetings, functions, community events and public meetings in the role of Councillor.
- c) To investigate issues/complaints regarding Council services raised by residents/rate payers/visitors to the region.

Councillors making a claim for reimbursement of using their private vehicle for Council business shall submit the appropriate form detailing the relevant travel based on log book details.

The amount reimbursed will be based on the published Australian Tax Office business use of motor vehicle cents per kilometre method, and kilometre rate applicable at the time of travel.

Councillors will be provided with an appropriate log book to assist in this process.

## 6.4 Meals

### 6.4.1 *Reimbursement of Actual Costs*

Council will reimburse the reasonable cost of meals (generally in line with the meal allowance limits mentioned below) where a Councillor:

- incurs the cost personally; and
- is not provided with a meal within the registration costs of the approved activity/event; and
- produces a valid tax invoice.

### 6.4.2 *Meal Allowance*

If a Councillor elects not to produce tax invoices and seek reimbursement for meals while attending official Council business, he/she may claim the following meal allowances where the meal was not provided within the registration costs of the approved activity/event

Breakfast	\$23.00	Applies if the Councillor is required to depart their home prior to 6:00am
Lunch	\$25.00	
Dinner	\$43.00	Applies if the Councillor returns to their home after 9:00pm

**NOTE:**

Expenses relating to the consumption of alcohol will not be reimbursed.

Should the Councillor choose not to attend a provided dinner/meal, then the full cost of the alternative meal shall be met by the Councillor.

Only one method of reimbursement will be permitted.

Meal limits are in accordance with Taxation Determination TD 2009/15 and will escalate in line with future Taxation Determinations as issued by the ATO from time-to-time.

**6.5 Incidental Daily Allowance**

An allowance of \$16.50 will be paid to Councillors to cover incidental costs incurred while travelling and staying away from home overnight.

Councillors claiming this allowance should do so on the appropriate form within 14 days of the conclusion of the event.

This limit is in accordance with Taxation Determination TD 2009/15 and will escalate in line with future Taxation Determinations as issued by the ATO from time-to-time.

**6.6 Hospitality**

Councillors may have occasion to incur hospitality expenses while conducting Council business, apart from civic receptions organised by Council. The Mayor may particularly require additional reimbursement when entertaining dignitaries outside of official events.

To allow for this expense, the following amounts can be claimed:

Councillors and Deputy Mayor	up to \$500 per annum
Mayor	up to \$6,000 per annum (based on the category assigned to Council by the Local Government Remuneration Tribunal).

These limits will be increased annually on 1 July each year adjusted by the movement in the Brisbane Consumer Price Index (CPI) at 30 March each year.

#### 6.7 Accommodation

Councillors may need to stay away from home overnight while attending to Council business. When attending conferences, Councillors should take advantage of the package provided by conference organisers (if offered and applicable) and therefore stay in the recommended accommodation unless prior approval has been granted by the Chief Executive Officer.

All accommodation associated with Council business will be booked and paid for by Council. Suitable accommodation will be sought within a reasonable distance to the venue in which the Councillor is to attend. Should more than one Councillor attend the same event, Council will book and pay for a separate accommodation room for each attending Councillor.

#### 6.8 Provision of Facilities

Council will provide facilities for the use of Councillors in the conduct of their respective roles with council.

All facilities provided remain the property of council and must be returned to Council when a Councillor's term expires. The facilities provided by Council to Councillors are to be used only for Council business unless prior approval has been granted by resolution of council.

#### 6.9 Administrative Tools and Access to Council Office Amenities

Councillors will be provided with the following:

- Suitable office space at the Administration Centre, Gordon Street Mackay and Council meeting rooms for daily usage;
- Secretarial support for Mayor and Councillors located at the Administration Centre, Gordon Street Mackay;
- Desktop and/or laptop computer;
- Use of council landline telephone and internet access;
- Fax and/or scanner;
- Printer, photocopier, paper shredder, filing cabinet;
- Stationery;
- Hands free mobile telecommunications device for Councillors' private vehicle;
- Any other administrative necessities, which Council resolves, are necessary to meet the business of Council.

#### 6.10 Home Office

Council recognises that, by using contemporary communication technology such as internet and electronic distribution of agendas and minutes and the distance some Councillors will have to travel if this technology was not used, there is a necessity to provide home office facilities to Councillors.

Accordingly, Council will supply and pay for an internet connection (broadband or dial up), phone line for internet connection, fax/printer/modem and scanner suitable for connection to council supplied laptop computer for each Councillor's residence.

#### 6.11 Maintenance Costs of Council Owned Equipment

Council is responsible for the ongoing maintenance and reasonable wear and tear costs of Council owned equipment that is supplied to Councillors for official business use. This includes the replacement of any facilities, which fall under Council's Asset Replacement Program.

#### 6.12 Uniforms and Safety Equipment

Council will provide to a Councillor:

- Uniform allowance as per staff policy;
- Necessary safety equipment for use on official business (eg safety helmet, boots, safety glasses).

#### 6.13 Vehicles

##### 6.13.1 *Use of Council Provided Vehicles on Council Business*

Councillors will have access to a suitable Council vehicle for official business. A Councillor wishing to use a Council vehicle for Council business must submit a request to the Chief Executive Officer at least two (2) days prior to use, except in exceptional circumstances as determined between the Councillor, Mayor and Chief Executive Officer.

##### 6.13.2 *Private Use of Council Vehicles*

The Mayor will be provided with a fully maintained Land Cruiser Sahara (or vehicle of equivalent value) including all running costs provided for unlimited and unrestricted use by the Mayor for Council business and private purposes in recognition of the duties required to be performed by the Mayor and the irregular hours required to attend Council, community and civic responsibilities

##### 6.13.3 *Fuel Costs*

All fuel used in a Council owned vehicle on official Council business will be provided or paid for by Council.

#### 6.14 Car Parking Amenities

Council will provide Councillors with car parking spaces at all council premises as provided for council staff.

Councillors will be reimbursed for parking costs paid by Councillors while attending to official council business (eg. secured vehicle parking at an airport).

#### 6.15 Telecommunication Needs – Mobile Phones

Either of the following options for mobile phones shall be available to Councillors:

(i) *Mobile phone provided by Council*

Where a Councillor is provided with a mobile phone by Council, all costs attributed to Council business use shall be paid by Council (including total plan costs). Unless otherwise determined, the private use component will be deemed to be \$120 per annum and this will be deducted automatically, in equal portions, from the Councillors monthly salary.

(ii) *Mobile phone provided by Councillor*

Where a Councillor utilises his/her personal mobile phone for business use, Council shall reimburse the Councillor up to 90% of the total phone account each month to cover costs attributed to Council business. This includes plan costs and actual calls made.

The respective Councillor is to provide the CEO with a copy of their monthly account for reimbursement.

NOTE:

1. Councillors may request that Council take over their phone number (and plan if so required) for the term of office. Likewise Councillors may request to keep the number as an individual at the end of their term of office.
2. The Mayor and CEO shall in the event of a dispute be the final arbiters as to what costs are Council business and may withdraw specific limits to benefits under this clause.

6.16 Insurance Cover

Councillors will be covered under relevant Council insurance policies while discharging civic duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillors liability and personal accident.

Council will pay the excess for injury claims made by a Councillor resulting from the conduct of official council business and on any claim made under insurance cover.

Council will cover costs incurred through injury, investigation, hearings or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillors performance of his/her civic functions. When it has been found that the Councillor breached the provisions of the Local Government Act 2009, the Councillor will reimburse Council with all associated costs incurred by council.

6.17 API Card

While Council is providing membership Councillors may elect to become API members if they so wish.

6.18 Limit

Council may by resolution reduce or limit benefits receivable under this policy.

## **7.0 Review of Policy**

This policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed within six months of each quadrennial election.