

	<b>COUNCIL POLICY</b>	
	<b>Councillors - Reimbursement of Expenses and Provision of Facilities</b>	
	POLICY NO	002
	DEPARTMENT	Office of the Mayor and CEO
	PROGRAM	Office of the Mayor and CEO
ENDORSED BY COUNCIL	22 July 2020	Resolution: ORD-2020-178

## 1.0 Scope

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

## 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 Regulation 2012 (sections 186, 249, & 250)*
- Mackay Regional Council Policy – Legal Assistance for Councillors and Employees – Policy No 096

## 4.0 Definitions

To assist in interpretation the following definitions shall apply:

**Council** shall mean the Mayor and Councillors of Mackay Regional Council.

**Council Business** shall for reimbursement purposes under this Policy 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 Council appointments (including community meetings, deputations, and community consultation), attendance at community events (including luncheons and dinners) where formally invited in Councillor capacity.

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 without formal invitation as a Councillor 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, or paid directly by Council, for their reasonable expenses incurred or to be incurred when discharging their duties as Councillors. These payments are not regarded as remuneration.

**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 fulfil their professional role for the community.

**MRC** shall mean Mackay Regional Council.

## 5.0 Background

Section 250 of the *Local Government Regulation 2012* legislates that MRC must maintain 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.

## 6.0 Policy Statement

### 6.1 Conferences/Travel

This section will include –

- Conferences/Seminars/Workshops
- Discretionary Professional Development Conferences
- Travel as required to represent Council
- Common provisions for Conferences/Travel

#### 6.1.1 *Conferences/Seminars/Workshops*

MRC will reimburse or cover expenses incurred for the following activities:

- The Mayor's attendance as the primary delegate at the LGAQ, 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.
- The associated level of approval is as below:

- All international travel requires a formal Council resolution
- Conferences – All conference attendance requires Council resolution regardless of location;
- Local workshops/courses/seminars – where these are held either in the Mackay Local Government area or within a neighbouring Council meaning no or limited overnight travel, approval will be given by either the Mayor or CEO;
- Remote workshops/courses/seminars – where these are held requiring air travel and/or overnight accommodation, a Council resolution is required.

#### 6.1.2 *Discretionary Professional Development*

Each Councillor can attend, workshops, courses, seminars and conferences that improve their skills relevant to the role of Councillor. This training is limited to \$5,000 per Councillor in each quadrennial term of office.

There is no requirement for a Council resolution to approve these attendances. However, the Councillor must submit a request to the Mayor for approval prior to attending and subject to approval provide all relevant documentation within 14 days of attending the event to ensure reimbursement of expenses.

#### 6.1.3 *Travel as Required to Represent Council*

MRC will accept reasonable local, interstate and in some cases, overseas travel expenses (e.g. flights, motor vehicle, accommodation, meals and associated registration fees) deemed necessary to achieve to achieve the business of Council where:

- a) A Councillor is an official representative of Council; and
  - b) The activity/event has been endorsed by resolution of Council or approved Council project (i.e. Operational Plan).
- The associated level of approval is as below:
    - All international travel requires a formal Council resolution
    - Subject to the criteria of 6.1.3 a) & b) as above, the Mayor or the CEO will approve travel to ensure alignment.
    - Any travel not linked to 6.1.3 a) & b) as above will require formal Council direction.

#### 6.1.4 *Common Provisions for Conferences/Travel*

a) Report

Where travel is outside the Mackay region at a cost to ratepayers, a report will be brought to a council meeting within 60 days of return summarising the event, outcomes and learnings.

b) Arrangements

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

c) Travel costs

Councillors will be reimbursed for parking costs paid by Councillors while attending to official Council business (e.g. secured vehicle parking at an airport); or

Councillors will be entitled to claim the costs of return taxi fares to and from the airport;

Councillors will be entitled to claim reasonable travel costs whilst outside Mackay (i.e. Taxi/train fares), with judgement to be used on most economical and efficient method;

Air travel tickets and costs will be purchased in advance by MRC utilising the most economical and efficient times and providers.

d) Accommodation

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

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 in advance by MRC.

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, MRC will book and pay for a separate accommodation room for each attending Councillor.

e) Meals

Councillors will have the option between:

- (i) Reimbursement of Actual Costs: or
- (ii) Meal Allowance

Noting the below -

- Only one method of reimbursement will be permitted per trip;
- 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.

A) **Reimbursement of Actual Costs**

MRC 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.

B) **Meal Allowance**

If a Councillor, for some legitimate reason, is unable to produce a tax invoice and seeks reimbursement for meals while attending official Council business, he/she may claim up to a maximum of the following meal allowance amounts. Noting this can only occur when the meal was not provided within the registration costs of the approved activity/event.

Breakfast	\$26.00	(Applies if the Councillor is required to depart their home prior to 6:00am)
Lunch	\$30.00	

Dinner	\$50.00	(Applies if the Councillor returns to their home after 9.00pm)
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Meal limits are in accordance with Taxation Determination and will escalate in line with future Taxation Determinations as issued by the Australian Tax Office from time-to-time.

## 6.2 Vehicles

### 6.2.1 *Mayoral Vehicle*

The Mayor will be provided with a fully maintained suitable MRC vehicle below the threshold for luxury car tax (ex GST and on road costs) determined by the Australian Tax Office including fuel and all running costs 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.

### 6.2.2 *Councillors Vehicles*

Councillors have the option of either being provided with access to a suitable MRC fleet vehicle as required, or being reimbursed for use of their private vehicle:

- Use of MRC Provided Vehicles on Council Business;
- Councillors will have access to a suitable MRC vehicle for official MRC business. A Councillor wishing to use an MRC vehicle for MRC 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;
- All fuel used in an MRC owned vehicle on official Council business will be provided or paid for by MRC.

### 6.2.3 *Private Vehicle Usage*

Use of a Councillor's private vehicle for official Council business will be reimbursed by MRC for:

- 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 MRC services raised by residents/rate payers/visitors to the region.

Councillors making a claim for reimbursement for use of 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.

Reimbursement under this part is limited to a maximum of \$12,000/annum per Councillor, whilst still subject to individual claim and log book records.

This annual limit will be monitored regarding travel required to be undertaken with a review of the policy to be made if considered necessary.

### 6.3 Provision of Facilities, Services & Equipment

MRC will provide facilities, services and equipment for the use of Councillors in the conduct of their respective roles with MRC.

All facilities and equipment provided remain the property of MRC, will be maintained and as appropriate replaced by MRC, and must be returned to MRC when a Councillor's term expires.

The facilities and equipment provided by MRC to Councillors are to be used only for Council business unless prior approval has been granted by resolution of Council.

#### 6.3.1 *Administrative Tools and Access to Council Office Amenities*

Councillors will be provided with access to the following:

- Suitable office space at the Administration Centre, Gordon Street Mackay and Council meeting rooms for daily usage;
- Councillors will be provided with car parking spaces at the main Administration Building;
- Laptop computer, docking station, monitor and keyboard (including home office items such as docking station, monitor, keyboard etc);
- Use of Council landline telephone and internet access;
- Fax and/or scanner;
- Printer, photocopier;

- Paper shredder, filing cabinet;
- Stationery;
- Any other administrative necessities, which Council resolves, are necessary to meet the business of Council.

### 6.3.2 *Insurance Cover*

Councillors will be covered under relevant MRC insurance policies while discharging civic duties. Specifically, insurance cover will be provided for:

- a) public liability;
- b) professional indemnity,
- c) personal accident and/or workers compensation;
- d) international and domestic travel.

MRC 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.

MRC 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.

### 6.3.3 *Council Memberships*

While MRC is providing membership to staff as part of corporate arrangements, Councillors may elect to become members if they so wish at their own cost in line with the associated staff membership arrangements (including such membership as API Lifestyle Benefits, and Fitness Passport).

### 6.3.4 *Support Resources*

Extra to general Council Management and staff support, the following Council staffing and other resources will also be provided in direct support of Councillors and their functions:

- Executive Assistant – Provision for the Mayor of a Council staffed Executive Assistant position within the Office of the Mayor & CEO;



- Executive Support Officer – Provision for Councillors of access to the services of a Council staff Executive Support Officer position within the Office of the Mayor & CEO;
- Communication Specialist – Provision of strategic communications advice to Office of Mayor and CEO.

#### 6.3.5 *Legal Assistance*

The Council recognises that Councillors, as a result of their roles, functions and duties at Council may at times require legal representation. Where there is a relevant nexus between their role at Council and a legal proceeding against them, in some instances it may be appropriate to provide financial assistance to meet the cost in obtaining legal representation.

Council Policy Legal Assistance for Councillors and Employees sets out specifics in this regard.

### 6.4 Other Support

#### 6.4.1 *Telecommunication Needs and Mobile Phones*

To enable Councillors to be able to communicate effectively, Councillors will be provided with:

- An allowance for provision of their own mobile phone and have the costs of a mobile phone package paid by MRC.
- An allowance for provision of their own home internet and phone line connections to be used for MRC purposes including home office connectivity.

#### ***Mobile Phones***

The mobile phone package allowance will be the \$135 per month. The Councillor is to arrange for the Plan in their own name and be paid the allowance monthly.

Any costs over and above those covered by the Plan shall be at the Councillors expense.

MRC will also provide of support service for the mobile phones. Where such service is not provided in-house, the costs for provision of the service will be borne by MRC.

#### ***Home Internet***

MRC will pay the one-off installation costs (if required) and an allowance towards the monthly costs for the line rental and current internet package (set at \$75/mth).

The Councillor is to arrange for the Plan in their own name and be paid the allowance monthly.

Any costs over and above those covered by the package shall be at the Councillors expense.

6.4.2 *Uniforms and Safety Equipment*

MRC will provide to a Councillor:

- Uniform allowance as per staff policy;
- Council blazer, tie or scarf;
- Necessary safety equipment for use on official business (e.g. safety helmet, boots, safety glasses).

6.4.3 *Attendance at Community Events etc*

Where formally invited to community events etc as a Councillor approval for attendance will be confirmed by the Mayor or the Chief Executive Officer.

Acceptance of reasonable associated costs including dinner/luncheon tickets is allowed.

RSVP of attendance and payment of associated costs will be coordinated by MRC.

6.4.4. *Hospitality*

Councillors may have occasion to incur hospitality expenses while conducting Council business, apart from civic receptions organised by MRC. 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

To claim the Mayor or Councillor must provide a written statement of whom they entertained and an indication of the costs. Receipts, if available should be provided but are not mandatory.

## 6.5 Annual Report

As per section 186 of the *Local Government Regulation 2012 (Regulation)*, the expenses incurred by, and the facilities provided to, each Councillor during the financial year under this policy will be published in each Annual Report.

The Regulation does not specify the form for any publishing, with the below to be the base upon which expenses incurred under this policy are displayed –

### *Summary of Policy Provisions*

<u>Section</u>	<u>Heading</u>	<u>Description</u>
<b>6.1.1</b>	Conferences/ Seminars/ Workshops	Acceptance of costs, including travel and accommodation, associated with attending Council approved Conferences, seminars or workshops.
<b>6.1.2</b>	Discretionary Professional Development	Allowance for up to \$5,000 per Councillor per term of Council for a Councillor to undertake personal development courses or similar, including associated travel and accommodation expenses if applicable.
<b>6.1.3</b>	Travel as required to Represent Council.	Acceptance of costs associated with travel on behalf of and representing Council.
<b>6.2</b>	Vehicles	Provision of a Council supplied vehicle, including private use, for the Mayor.  Access for Councillors to Council fleet vehicles, or reimbursement of mileage for private vehicle use, for Council business travel.
<b>6.3.1</b>	Administrative Tools and Access to Council Office Amenities	Provision within Council of office space, carparking, laptops/IT needs, printer/copier etc.
<b>6.3.2</b>	Insurance Cover	Insurance coverage for public liability, professional development, workers compensation etc.
<b>6.3.3</b>	Council Memberships	Ability for Councillors at their own expense to access staff offered benefits memberships such as Fitness Passport.
<b>6.3.4</b>	Support Resources	Dedicated support via executive assistant allocation (one for Mayor and one accessible by Councillors).  Plus, provision of communication specialist services for Mayor.

<u>Section</u>	<u>Heading</u>	<u>Description</u>
<b>6.3.5</b>	Legal Assistance	Acceptance of legal assistance costs as required in support of actions against Councillors in undertaking their role.
<b>6.4.1</b>	Telecommunication Needs and Mobile Phones	Mobile phone allowance of \$135/mth Home internet allowance of \$75/mth
<b>6.4.2</b>	Uniforms and Safety Equipment	Provision of safety equipment as required, and access to uniform in line with staff annual allowance.
<b>6.4.3</b>	Attendance at Community events etc	Acceptance of attendance costs for official invites to attend community events.
<b>6.4.4</b>	Hospitality	Acceptance of hospitality costs in hosting dignitaries etc outside formal Council events: Councillors - \$500/annum Mayor - \$6,000/annum

*Expenses Summary Table Collating Individual Councillor costs*

<u>Section</u>	<u>Heading</u>	<u>Conferences/ Travel</u>	<u>Vehicle Costs</u>	<u>Other Support</u>
<b>6.1.1</b>	Conferences/ Seminars/ Workshops	Including registration, accommodation, travel and other costs.		
<b>6.1.2</b>	Discretionary Professional Development			Including registration, accommodation, travel and other costs.
<b>6.1.3</b>	Travel	Including registration, accommodation, travel and other costs.		
<b>6.2</b>	Vehicles		Include all costs	
<b>6.4.1</b>	Telecommunication Needs and Mobile Phones			Include costs
<b>6.4.2</b>	Uniforms and Safety Equipment			Include costs

<u>Section</u>	<u>Heading</u>	<u>Conferences/ Travel</u>	<u>Vehicle Costs</u>	<u>Other Support</u>
<b>6.4.3</b>	Attendance at Community events etc			Include costs
<b>6.4.4</b>	Hospitality			Include costs

*Provision of Facilities, Services & Equipment not specifically or individually costed –*

- 6.3.1 Administrative Tools and Access to Council Office Amenities
- 6.3.2 Insurance Cover
- 6.3.3 Council Memberships
- 6.3.4 Support Resources
- 6.3.5 Legal Assistance

## **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.

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Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
1	Review of Policy	Amendment to Policy	Council	20.10.10
2	Review of Policy	Amendment to Policy	Council	16.05.12
3	Review of Policy	Amendment to Policy	Council	06.04.16
4	Review of Policy	Amendments to Policy	Council	13.02.19
5	Review of Policy	Amendments to Policy	Council	22.07.20