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COUNCILLOR EXPENSES AND FACILITIES

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| Policy type | Strategic | |
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| Responsible Officer: | Chief Executive Officer | |
| Document Control: | Replaces the Councillor Expenses and Facilities Policy adopted on 15 June 2022. | |
| Delivery Program Link: | CL.2 Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers. | |

1. POLICY STATEMENT

The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Berrigan Shire Council.

The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.

Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.

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.

Expenses and facilities provided by this policy are in addition to fees paid to councillors.

2. PURPOSE

The purpose of this policy is to clearly state the facilities and support available to councillors to assist them in fulfilling their civic duties.



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The aims 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. SCOPE

The policy applies to all councillors and if appropriate any council administrators appointed by the Minister for Local Government.

The policy does not apply to the receipt or expenditure of councillors or mayoral annual fees. 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 Act and reviewed annually. Council annually adopts its annual fees within this set range.

The policy does not apply to Council staff. Council staff are regulated in similar matters by separate policy.

4. OBJECTIVE

This policy is developed to assist the council with the Delivery Program Objective CL.2:

Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.

5. DEFINITIONS

Accompanying person: means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor.

Appropriate refreshments: means food and beverages, **excluding alcohol**, provided by council to support councillors undertaking official business.

Act: means the *Local Government Act 1993* (NSW).



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| Code of Conduct: | means the Code of Conduct adopted by council or the Model Code if none is adopted. |
| 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. |
| Chief Executive Officer: | means the chief executive officer 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 and summarised in Appendix 1. |
| Official business | means functions 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: <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 and• 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. |
| RAMJO | means the Riverina and Murray Joint Organisation. |
| RAMJO region | the local government areas included in the Riverina and Murray Joint Organisation. |
| Regulation | means the <i>Local Government (General) Regulation 2021</i> (NSW). |



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Year means the financial year, that is the 12-month period commencing on 1 July each year.

6. POLICY IMPLEMENTATION

6.1 Principles

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.
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

6.2 Private or political benefit

Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise a council meeting will run later than expected.

Such incidental private use does not require a compensatory payment back to council.

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.

Campaigns for re-election are considered a political benefit. The following are examples of what is considered a political interest during a re-election campaign:

- production of election material,
- use of council resources and equipment for campaigning,



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- use of official council letterhead, publications, websites or services for political benefit and
- fundraising activities of political parties or individuals, including political fundraising events.

6.3 General expenses

All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.

Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6.4 Specific expenses

6.4.1 General travel arrangements and expenses

All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.

The mode and method of transportation to be used shall be agreed with the council, or the mayor and the chief executive officer prior to the travel taking place, and where possible, Councillors should attempt to travel with other representatives from the council to minimise costs.

Each councillor may be reimbursed up to a total of \$2,000 per year, and the mayor may be reimbursed up to a total of \$4,000 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within the RAMJO region. 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.

6.4.2 Motor vehicles

Where possible, a council vehicle will be made available to councillors traveling to events within 200km of the Shire.

Where this is not possible, allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.

If a councillor chooses to use their own vehicle despite a council vehicle being made available, or without the prior agreement of the council, they will be ineligible to claim a reimbursement for travel more than 200km from the Shire.



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Councillors seeking to be reimbursed for use of a private vehicle must provide a claim form recording the date, distance and purpose of travel being claimed.

6.4.3 Interstate and long-distance intrastate travel expenses

Given Berrigan Shire's location, travel to Victoria and the Australian Capital Territory will not be considered interstate travel for the purposes of this policy.

Total interstate, and long-distance intrastate travel expenses for all councillors will be capped at a maximum of \$5,000 per year. This amount will be set aside in council's annual budget.

Councillors seeking approval for any interstate and long-distance intrastate travel must obtain the approval of the council via resolution prior to travel. If this is not possible then the approval should be given jointly by the mayor and the chief executive officer. If the mayor requires approval to travel outside of council meetings it should be given jointly by the deputy mayor and the chief executive officer.

For interstate and long-distance intrastate journeys by air, the class of air travel is to be economy class.

Bookings for approved air travel are to be made through the chief executive officer's office.

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.

6.4.4 Overseas travel

Berrigan Shire Council will not undertake any overseas travel unless a direct and tangible benefit for the council and the local community can be established.

All overseas travel will be approved by a meeting of the full council prior to a councillor undertaking a trip. Travel will be approved on an individual trip basis. Retrospective re-imburement of overseas travel expenses not previously authorised will not be permitted.

Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.

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,



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- a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s and
- strategies to avoid corruption risks as identified by the NSW Independent Commission against Corruption.

After returning from overseas, councillors will provide a detailed report to a meeting of the council on the aspects of the trip relevant to council business and/or the local community.

For international travel, the class of air travel is to be economy.

6.4.5 Travel expenses not paid by the council

Council will not pay any traffic or parking fines for any councillor, whether on Council business or otherwise.

Council will not pay or reimburse any administrative charges for road toll accounts.

6.4.6 Extending travel arrangements

Councillors wishing to extend their stay in a destination they have visited for council purposes, or to travel to an alternative location, will require the prior approval of the council or the mayor and the chief executive officer.

In such instances councillors should recognise the council's responsibility for their travel ends when the business activity ends and not when they return home. Any additional costs incurred after the business activity, including meal costs and accommodation, are not reimbursable expenses.

6.4.7 Accommodation and meals

Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside the RAMJO region.

In circumstances where it would introduce undue risk for a councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the chief executive officer. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the councillor lives more than 50 kilometres from the meeting location.

The daily limits for accommodation and meal expenses are detailed in Appendix A of this policy.

Councillors will not be reimbursed for alcoholic beverages.

6.4.8 Refreshments for Council-related meetings



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Appropriate refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the chief executive officer.

As an indicative guide for the standard of refreshments to be provided at council related meetings, the chief executive officer must be mindful of Appendix A of this policy.

As per council's Drug and Alcohol Free Workplace Policy, the consumption of alcohol will only be permitted at a Council function or meeting where specifically approved by a resolution of council.

Consumption of alcohol by councillors will not be paid for by council unless specifically approved by a resolution of council.

6.4.9 Professional development

Council will set aside \$5,000 per councillor annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies. This will be informed by the Councillor Induction and Professional Development Policy. With the express permission of the councillors involved, the chief executive officer may reallocate unspent professional development allowance between councillors.

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.

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.

Approval for professional development activities is subject to a prior written request to the chief executive officer 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.

In assessing a councillor request for a professional development activity, the chief executive officer must consider the factors set out above, as well as the cost of the professional development in relation to the councillor's remaining budget.

6.4.10 Conferences and seminars



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Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.

Council will set aside a total amount of \$5,000 annually in its budget to facilitate councillor attendance at conferences and seminars. This allocation is for all councillors. The chief executive officer will ensure access to expenses relating to conferences and seminars is distributed equitably.

Approval to attend a conference or seminar is subject to a written request to the chief executive officer. In assessing a councillor request, the chief executive officer 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 and
- cost of the conference or seminar in relation to the total remaining budget.

Travel to a conference or seminar outside the local area must be approved by the council as per section 6.4.3 above. Where approved, council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the chief executive officer.

Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to section 6.4.7 above.

This policy provides approval for attendance and travel for the following conferences:

Local Government New South Wales Annual Conference

- Mayor
- Deputy Mayor
- Chief Executive Officer
- One other Councillor nominated by council.

Australian Local Government Association National General Assembly

- Mayor
- Chief Executive Officer
- One other councillor nominated by council

National Roads Congress

- Director Infrastructure
- One councillor nominated by the council.



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6.4.11 Corporate workshop

The council will hold annually a Corporate Workshop. The purpose of the Corporate Workshop is to provide an opportunity for councillors and management to collaborate on the Council's strategic direction and propose and discuss specific projects and activities.

Where the Council conducts this Corporate Workshop at a location more than 100km from Berrigan Shire, it shall provide accommodation on the evening before and each day of attendance, or as appropriate within these guidelines.

6.4.12 Non-Council functions

Councillors attending dinners and other non-council functions are entitled to the reimbursement of their ticket or meal costs in accordance with this policy under the following circumstances:

- the function is relevant to the council's interests,
- the councillor receives an official invitation to attend a function organised by a community or business group operating within Berrigan Shire, or
- the event will provide councillors with a briefing on issues facing the local community.

The direct cost of attending such functions can be reimbursed as part of the councillor's normal monthly return.

No payment will be reimbursed for any component of a ticket additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, a raffle ticket, or some other private benefit.

When councillors' spouses/partners are invited guests within the local government area or a neighbouring local government area and the mayor or council is invited to host a table at a dinner or similar event, for fundraising, community or charitable purposes, attendance costs for councillors and their spouses/partners will be paid by council. Individual councillor requests for specific events must be approved by the mayor and chief executive officer (or the deputy mayor in the mayor's absence).

6.4.13 Spouse or accompanying person expenses

Generally, spouse and accompanying person expenses at conferences, will not be reimbursed.

However, there may be limited instances where certain costs incurred by the councillor on behalf of their spouse, partner or accompanying person are properly those of the councillor in the performance of his or her functions (hence they are properly incurred by, and reimbursable to the councillor). An example of this is an accompanying person providing carer support to the councillor.



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Where partners accompany councillors to seminars and conferences and the like, the councillor will be personally responsible for all additional costs associated with their partner's attendance, including travel, accommodation, meals, partner's programs etc.

The payment of partner expenses for attending appropriate functions as permitted above will be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by partners are not considered reimbursable expenses.

6.4.14 Information and Communications Technology (ICT) expenses

Council will provide each councillor with facilities to allow them to undertake their civic duties.

Should a councillor not wish to make use of these facilities, the council will reimburse the actual out-of-pocket ITC expense for the councillor up to a cap of \$1,000 per annum per councillor.

The council will not reimburse councillors for the use of their home or business internet connection on council business.

6.4.15 Special requirement and carer expenses

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.

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

In addition to the provisions above, the chief executive officer may authorise the provision of reasonable additional facilities and expenses to allow a Councillor with a disability to perform their civic duties.

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 \$4,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.

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

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

6.4.16 Home office expenses



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Council will provide all required stationery and print any documents required for the performance of a councillor's civic duties. As such the council will not reimburse the costs of a councillor operating a home office.

6.5 Insurances

Councillors will receive the benefit of insurance cover to the limit specified in the council's insurance policies for the following matters arising out of the performance of their civic duties and/or exercise of their council functions.

All insurances are to be subject to any limitations or conditions set out in the council's policy. Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.

Public Liability/Professional Indemnity - Public Liability and professional indemnity insurances apply in relation to claims arising out of the councillor's (alleged) negligent performance of civic duties or exercise of their functions as councillors.

Councillors' and Officers' Liability - This policy covers councillors against claims made against them for any alleged wrongful acts in the course of their duties. Wrongful Act is taken to mean any act, error, misstatement, misleading statement, misleading conduct, omission, neglect or breach of duty made, committed, attempted or allegedly made, committed or attempted by the insured person.

Personal Accident - Councillors are covered, within specified limits, for any personal injury obtained while engaged in or on any activity related to their official council. This cover also extends to journey insurance, covering councillors travelling for council business including interstate or overseas travel.

Motor Vehicle - Berrigan Shire Council has an insurance policy to cover loss or damage to council fleet vehicles. Councillors using these vehicles are covered by the policy. Council's motor vehicle insurance does not cover loss or damage of non-council vehicles used on council business.

6.6 Legal assistance

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 Act provided the outcome of the legal proceedings is favourable to the councillor,
- defending an action in defamation, provided the statements complained of were made in good faith while exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor, and / or
- 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 Act, and the



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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.

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 chief executive officer 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.

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

Council will not meet the legal costs:

- of legal proceedings initiated by a councillor under any circumstances,
- of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation and/or
- for legal proceedings that do not involve a councillor performing their role as a councillor.

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.

6.7 Facilities

6.7.1 General facilities

Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:

- personal protective equipment for use during site visits and
- a name badge which may be worn at official functions, indicating the wearer holds the office of a councillor and/or mayor or deputy mayor.

Councillors may book meeting rooms for official business at the council administration office or the Berrigan Shire Library Service libraries at no charge. Rooms may be booked through the chief executive officer's Executive Assistant.

Councillors will be provided with access to the photocopiers, facsimile machines, telephones and other relevant office equipment located at the council office in Berrigan for the purposes of official council business.

6.7.2 Information and Communication Technology



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The Council will make available for each councillor for use on official council business:

- a mobile telephone of a standard equivalent to those provided to council staff members, and
- a laptop computer,.

The mobile telephone will be provided with a sim card and data plan sufficient to allow each councillor to undertake their civic duties. Other ancillary devices such as cases, keyboards, mice etc. will be provided as required.

Council will provide technical support for councillors using these devices during normal working hours. Such support will be limited to use of the devices for official council business only. Support can be requested via the Director Corporate Services.

Usage of ICT equipment supplied by council is in accordance with council's Information and Communications Technology (ICT) policies, including:

- Communication Devices and the Internet Policy,
- Social Media Policy and
- Access Control Policy.

6.7.3 Stationery

Council will provide the following stationery to councillors each year:

- a diary of a type and standard prescribed by the chief executive officer. The standard will be equivalent to diaries supplied to council staff members and
- business cards.

6.7.4 Administrative support

Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support will be provided by the chief executive officer's Executive Assistant or by another members of council's administrative staff as arranged by the chief executive officer or their delegate.

As per Section 6.2 above, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

6.7.5 Vehicles

Access to a suitable vehicle (if available) will be provided for use on official duties. Vehicles will be sourced from the council's general fleet and bookings must be made in advance through the chief executive officer's executive assistant.



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6.7.6 Employee Assistance Program (EAP)

Councillors are provided with access to council's EAP. The EAP is a program designed to provide independent and confidential counselling support with an external provider, for those experiencing difficulties in their lives. The EAP is free of charge for access to three sessions in a calendar year.

6.8 **Mayoral facilities**

6.8.1 Vehicle

This section is to be read in conjunction with Council's general policy, and particularly the Council's policy – Private Use of Council Vehicles

The mayor will be provided with a fully serviced and maintained executive standard council vehicle, including fuel card, for official duties and commuter use associated with such duties.

The mayor shall be provided with full private use of the vehicle upon payment of a weekly amount as determined from time to time by the council as part of its Annual Schedule of Fees and Charges.

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 monthly.

6.9 **Superannuation**

6.9.1 Council contribution

The Council will make superannuation contributions for councillors as per Section 254B of the Act.

6.9.2 "Salary" Sacrifice

In accordance with the Australian Tax Office Interpretative Decision 2007/205, the council may enter into an arrangement with a councillor under which the councillor agrees to forego all or part of their annual fee in exchange for the council making contributions to a complying superannuation fund on their behalf.

To establish this facility, a councillor must submit a written request to the chief executive officer, using similar wording to that of a normal employee deduction request. The request cannot be retrospective.

6.10 **Recognition of service**

Councillors with qualifying service will be recognised with an appropriate function and/or gift as per the council's Recognition of Service Policy

6.11 **Processes**



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6.11.1 Approval, payment and reimbursement

Expenses should only be incurred by councillors in accordance with the provisions of this policy.

Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.

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, and / or
- carer costs.

Final approval for payments made under this policy will be granted by the chief executive officer or their delegate.

6.11.2 Direct payment

Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Finance Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

6.11.3 Reimbursement

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 Finance Manager

6.11.4 Corporate cards

Council may provide a corporate card for councillors attending approved conferences, seminars or professional development.

The maximum value of a prepaid debit card is \$100 per day of the conference, seminar or professional development to a maximum of \$500. This will be made available via apple or android pay.

Requests for a “virtual” corporate card can be made through the chief executive officer’s executive assistant.

The corporate card will be automatically destroyed at the convening of the approved event. Councillors must upload all receipts and fully reconcile all expenses against the corporate card within 7 days of returning home. This must be done online via the online portal established by the card provider..

6.11.5 Notification



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If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.

If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

6.11.6 Reimbursement to Council

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 and
- the councillor will reimburse council for that expense within 14 days of the invoice date.

If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the chief executive officer. The chief executive officer may elect to deduct the amount from the councillor's allowance.

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 cannot be approved.

6.11.7 Disputes

If a councillor disputes a determination under this policy, the councillor should discuss the matter with the chief executive officer.

If the councillor and the chief executive officer cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved.

6.11.8 Return or retention of facilities

All unexpended facilities or 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.

Should a councillor desire to keep any equipment allocated by council, then this policy enables the councillor to make application to the chief executive officer to purchase any such equipment. The chief executive officer will determine an agreed fair market price or written down value for the item of equipment.

The prices for all equipment purchased by councillors under this clause will be recorded in council's annual report.

6.11.9 Reporting



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Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.

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.

6.11.10 Breaches

Suspected breaches of this policy are to be reported to the chief executive officer.

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.

6.11.11 Audit

The Council will request the Audit Risk and Improvement Committee include a review of expenses and facilities provided to councillors in their audit work plan at least once each term of council.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*
- *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009*
- *Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities*
- *Local Government Circular 05-08 legal assistance for Councillors and Council Employees.*
- *Guidance for councillors on corruption risks associated with overseas travel.* Independent Commission against Corruption, June 2024.

7.2 Council policies and guidelines

- Governance Framework
 - Code of Conduct
 - Councillor Induction and Professional Development Policy
 - Councillor Access to Information and Interaction with Staff Policy
 - Private use of Motor Vehicles Policy
 - Drug and Alcohol-free Workplace Policy
 - Employee Assistance Policy
 - Communication Devices and the Internet Policy
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- Social Media Policy
- Access Control Policy
- Recognition of Service Policy
- Fraud Control Policy
- Clothing and Protective Equipment Policy

8. RECORDS MANAGEMENT

Recording of all information relating to this policy ...

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

9. REVIEW AND EVALUATION

This policy will be evaluated and reviewed at least once every four (4) years as per Council's Governance Framework or as required.

10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

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Policy

11. VERSION CONTROL

| Version Number | Date | Summary | Responsible Officer |
|----------------|------------------|----------------------------|--------------------------------|
| 1.0 | 18 January 2017 | New Policy document | Deputy Chief Executive Officer |
| 2.0 | 15 June 2022 | Review by incoming Council | Deputy Chief Executive Officer |
| 3.0 | 11 November 2024 | Review by incoming Council | Deputy Chief Executive Officer |

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Policy

APPENDICES

APPENDIX A - MONETARY LIMITS FOR REIMBURSEMENT

| Section Name | Expense Type | At Cost | Limit Amount | Comment |
|--|--|--------------------------|--|---|
| Conferences *Including Travel and accommodation | Registration Costs | Actual | Costs of conferences will be detailed in 6 monthly Conference reports presented to Council | <i>All conference attendance approved by mayor and deputy mayor. Conference report to be provided to Council for noting.</i> |
| Travel | Air travel Rail travel Taxi Bus Parking | Actual | Within reason | <i>Travel arrangements must be approved by the chief executive officer. See Details for travel arrangements also General travel arrangements</i> |
| Accommodation | Actual up to daily limit | Actual up to daily limit | 1. \$350 per night 2. \$300 per night 3. \$200 per night | 1. <i>State Capital Cities and Canberra</i> 2. <i>Regional Cities (e.g., Orange, Bathurst, Wollongong, Coffs Harbour).</i> 3. <i>Country.</i> |
| Meals | Actual up to daily limit | Actual up to daily limit | 1. \$150 per day 2. \$100 per day 3. \$100 per day | 1. <i>State Capital Cities and Canberra</i> 2. <i>Regional Cities (e.g., Orange, Bathurst, Wollongong, Coffs Harbour).</i> 3. <i>Country</i> <i>Alcohol with a meal is a private expense unless specifically authorised by council resolution.</i> |
| Accompanying person expenses | Carer or spouse acting as carer | Actual | Reimbursement request to be approved by the Chief Executive Officer. | <i>See Care and Other Related Expenses</i> |
| Attendance at non-Council functions | Cost of service provided | Actual | None | <i>No payment shall be reimbursed for any component of a ticket which is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit.</i> |
| Care and Other Related Expenses | Personal care or childcare expenses up to four hours | Actual | \$150 daily \$4,000 annually | <i>See Special Requirement and Carer Expenses</i> |
| Spouse and Partner Expenses | spouse/partner expenses | | None/some limited instances | <i>See Spouse and Partner Expenses</i> |

Policy

| Section Name | Expense Type | At Cost | Limit Amount | Comment |
|--|---|--|---|--|
| Professional development | Offered by Council for the development of skills and provision of information appropriate to the role of Councillor | | \$5,000 per year per Councillor | <i>With the express permission of the councillors involved The chief executive officer may re-allocate unspent professional development allowance between councillors.</i> |
| Out of Pocket Expenses | Minor expenses incurred when on Council business. | Actual up to daily limit. | \$100 per day | <i>Expenses in this category may include:</i> <ul style="list-style-type: none"> • Reasonable telephone, facsimile or internet usage • Newspapers • Tolls • Reasonable refreshments <i>Meals not included in registration fees for conference.</i> |
| Use of Private Motor Vehicle | Payment | Per km allowance as defined in <i>Clause 16(x) of the Local Government (State) Award 2020.</i> | Under 2.5 litre 0. 68p.km. Over 2.5 litre 0. 78p.km. | <i>See Payment of Kilometres Clause</i> |
| Legal assistance for mayor and councillors | Cost of Service provided | As determined by Council Resolution | Determined by Council | <i>See Legal Expenses and Obligations</i> |
| Employee Assistance Program | Cost of Service Provided | Actual | Three sessions per calendar year | <i>As per Council's Employee Assistance Policy</i> |
| Laptop Computer | Cost of Service Provided | Monthly data allowance | One per term | <i>To support Councillor needs to cover normal Council business use. Ancillary devices such as cases, keyboards, mouses etc. will be provided as required.</i> |
| Mobile telephone | Cost of Service Provided | Monthly data allowance Monthly call allowance | One per term | <i>To support Councillor needs to cover normal Council business use.</i> |
| Use of Private Mobile Phone | Cost of service provided | At cost | \$1,000 per year | <i>Covers use of call costs on private mobile phone for normal Council business.</i> |