

COUNCILLORS - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES

ST020

F22

OBJECTIVE

To provide a policy for the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

APPLICABILITY

This policy applies to all Councillors.

GENERAL

The Policy is based on the Better Practice Template issued by the Office of Local Government in 2017, Guidelines issued by the Office of Local Government in relation to the payment of expenses and provision of facilities to Councillors, as well as the relevant provisions of the Local Government Act 1993.

PROCEDURE

The Policy document provides the procedure for the payment of expenses incurred by Councillors, or for the reimbursement of expenditure. Payment of expenses or provision of facilities can only be provided in accordance with the policy, and claims for expenses must be made in accordance with the Policy.

Any Councillor expenditure is to be approved by the Mayor and General Manager in accordance with this Policy.

Council will reject any claim for payment of expenses or reimbursement of expenses that is made outside the requirements set by the Policy.

- The Policy 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 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 (refer section 6.2)	\$100 per Councillor \$500 for the Mayor	Per year
Interstate, overseas and long distance intrastate travel expenses (refer section 6.6)	\$4000 total for all Councillors	Per year
Accommodation and meals (refer section 6.18)	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development (refer section 6.23)	\$1,500 per Councillor	Per year
Conferences and seminars (registration) (refer section 6.29)	\$60,000 total for all Councillors	Per year
Information and communication technology expenses (refer section 6.33-6.37)	\$1680 per Councillor	Per year
Carer expenses (refer section 6.46)	\$500 per Councillor	Per year
Home office expenses (refer section 6.49)	\$250 per Councillor	Per year
Corporate uniform (refer section 9.1)	\$415 per Councillor (on a dollar for dollar basis)	Per year
Personal protective equipment (refer section 9.1)	\$120 per Councillor	Per year
Access to facilities in Councillors Workroom (refer section 9.1)	Provided to all Councillors	Not relevant
Business cards (refer section 9.4)	500 per Councillor	Per year
Council vehicle and fuel card (refer section 10.1)	Provided to the Mayor (Councillors may use Council pool vehicles for travel on Council business)	Not relevant
Furnished office (refer section 10.4)	Provided to the Mayor	Not relevant
One staff member supporting Mayor and Councillors (Executive Support Manager) (refer section 10.6)	Provided to the Mayor and Councillors	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 months of an expense being incurred. Claims made after this time cannot be approved.

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.

RELATED POLICIES/DOCUMENTS

Local Government Act 1993 and Local Government (General) Regulation 2005

Councillor Expenses and Facilities Policy – Better Practice Template issued by the Office of Local Government

Guidelines and circulars issued by the Office of Local Government

Orange City Council Code of Conduct

Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009

Responsible Area – Corporate and Commercial Services

REVISION					
	DATE	RESOLUTION		DATE	RESOLUTION
1	Jan 2006	06/685	8	17 Sept 2013	13/490
2	Jan 2007	07/207	9	6 November 2014	14/1011
3	June 2007	07/258	10	September 2015	15/521
4	Jan 2009	09/453	11	September 2016	16/453
5	16 Dec 2010	10/621	12	19 December 2017	17/583
6	17 Nov 2011	11/517	13	21 May 2019	19/283
7	20 Nov 2012	12/458			

All policies can be reviewed or revoked by resolution of Council, at any time.

SUMMARY OF AMENDMENTS

Date	Amendment
March 2019	Minor formatting changes, update to adhere to brand style guide. Clause 6.23, 6.29 & 6.49 review of budget for each Councillor's professional development, attendance at conferences/seminars and home office subsidies.
November 2017	Replacement of Policy with the Councillor Expenses and Facilities Policy – Better Practice Template issued by the Office of Local Government. Significant changes include: <ul style="list-style-type: none"> • Introduction of specific categories and dollar limits in relation to all expenses and facilities • Removal of previous dollar limit for payment of approved legal expenses, replaced with conditions under which legal expenses will be reimbursed. • Removal of payment of any expense for spouses attending conferences/events • Inclusion of requests for administrative support to be directed to the Executive Support Manager • Consolidation of forms for Councillors travelling on Council business/attending training/conferences
Sept 2016	Notation in the Policy that any Councillor expenditure is to be approved by the Mayor and General Manager. Section 3.3 – What Conferences may be attended – Inclusion of Tidy Towns (Blue Star) Conferences Section 7.1.2 – Addition of provision allowing for return of equipment in the event of an amalgamation Section 7.1.3 – Provision allowing Councillors to acquire equipment in the event of an amalgamation Minor amendments to attachments and approval forms.

SUMMARY OF AMENDMENTS

Date	Amendment
Sept 2015	<p>Section 2.2.4 – Mobile phones and internet usage. New clause advising that Council will meet monthly expenses for mobile phone use of up to \$40 per month and internet usage of up to \$40 per month. Any amount above that, to a limit of \$100 per month, requires documentary evidence of Council-related use prior to reimbursement.</p> <p>Section 2.2.7 – Inclusion of requirement for all maintenance or repairs of iPads or laptops to be undertaken by Council staff. Requirement for Councillors to return iPads/laptops on request for maintenance.</p> <p>Section 3.3 – Include National General Assembly and National Roads Congress in list of appropriate conferences for Councillors to attend.</p> <p>Section 3.6.4 (iii) – Provision that Council will not pay for or reimburse in-house movies or other in-house services while a Councillor is at a conference.</p>
Sept 2014	<p>Formatting updates. Reference to Office of Local Government updated.</p> <p>Section 1.1.2 - Any purchasing should be undertaken by Council staff. In the event a Councillor is required to make a purchase, the proposed expenditure should be validated by the General Manager (or Director Corporate and Commercial Services) prior to the expenditure being made.</p> <p>Section 5.1 – Insurance – Include of “This includes payment of the relevant excess in the event of a claim.”</p>
Sept 2013	<p>Minor formatting updates. Change to reflect Local Government NSW.</p> <p>Section 2.2.7 – Inclusion of provision of ipads</p> <p>Section 2.2.9 – Clarification of uniform allowance</p>
Sept 2012	1.4.2 – Approval - New clause confirming that any claim for expenditure must be made within 28 days
	2.2.4 – Mobile phones and internet usage - New clause advising that Council will meet monthly expenses for mobile phone use of up to \$30 per month and internet usage of up to \$30 per month. Any amount above that, to a limit of \$100 per month, requires documentary evidence of Council-related use prior to reimbursement.
	2.2.5 – Council-related technology - New clause prohibiting the use of any Council-related technology for the viewing, downloading or transmission of any material of a pornographic or offensive nature
	Removal of previous clause 3.4 - This clause required a report by any Councillor attending a conference
	Removal of references to staff as handled separately in an Operational Policy

Strategic Policy

Councillors Payment of Expenses and Provision of
Facilities - Procedure

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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 Orange City 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 is 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 Act and reviewed annually. Council must adopt its annual fees within this set range. Council adopts the fees paid to the Mayor and the Councillors as part of the annual Delivery/Operational Plan.

2 Policy objectives

- 2.1. The objectives of this policy are to:
 - a enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
 - b enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
 - c ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors
 - d ensure facilities and expenses provided to Councillors meet community expectations
 - e support a diversity of representation
 - f 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
- **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 must 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
 - 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. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

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. Councillors should use the Mayoral vehicle where it is available, or a Council pool vehicle, wherever practical for travel on Council business.
- 6.2. Each Councillor may be reimbursed up to a total of \$100 per year, and the Mayor may be reimbursed up to a total of \$500 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
 - 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.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.5. 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. This includes travel to sister and friendship cities.
- 6.6. Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be capped at a maximum of \$4000 per year.

- 6.7. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- 6.8. Councillors seeking approval for any 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
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.10. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.11. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.12. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.13. Bookings for approved air travel are to be made through the General Manager's office.
- 6.14. 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

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

Accommodation and meals

- 6.16. 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 General Manager. 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.
- 6.17. Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the central west.

- 6.18. 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.
- 6.19. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager.
- 6.20. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for Council related meetings

- 6.21. 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 General Manager.
- 6.22. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager will consider Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.23. Council will set aside \$1,500 per Councillor annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies (as defined in section 6.25). Any further professional development costs would be subject to a business case submitted to the General Manager.
- 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. 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
 - relevance to the exercise of the Councillor's civic duties.
- 6.27. In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.26, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 6.28. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and Local Government in NSW.
- 6.29. Council will set aside a total amount of \$60,000 annually in its budget to facilitate Councillor attendance at conferences and seminars (\$7,500 per Councillor). This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.30. Approval to attend a conference or seminar is subject to approval of the General Manager followed by a resolution of Council. In assessing a Councillor request, Council 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
 - any business case submitted by a Councillor
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.31. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. 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 Clauses 6.18-6.21.

Information and communications technology (ICT) expenses

- 6.32. Each Councillor will be provided with a mobile phone on request. Alternatively, Councillor may wish to utilise their own mobile phones for Council use.
- 6.33. For Councillors utilising Council-provided mobile phones, Council will pay the costs of usage up to \$40 per month without requiring substantiation from the Councillor as to usage. Amounts over \$40, and to a maximum of \$100 per month, can be claimed, subject to the Councillor indicating on the mobile phone account all Council-related use. No landline phone costs will be reimbursed where a Council mobile is provided.
- 6.34. For Councillors utilising their own private mobile or landline phones for Council purposes, Council will provide a payment of \$40 per month to cover the cost of calls. Requests for reimbursement above \$40, and to a maximum of \$100 per month, can be claimed, subject to the Councillor indicating on their phone accounts all Council related use.
- 6.35. Council will provide internet access and a laptop (or other suitable technology) on request. In relation to Council-supplied internet access, the amount provided by Council is set by the data package purchased by Council staff at the time. The package is currently \$40 per month for 4GB of data.
- 6.36. For Councillors utilising Council-provided internet access, Council will pay the costs of the data plan (\$40 per month) without requiring substantiation from the Councillor as to usage. Requests for reimbursement over \$40 per month can be claimed, subject to the Councillor providing verification of Council-related use.

- 6.37. For Councillors utilising their own private internet access, Council will provide payment of a maximum of \$40 per month to cover the cost of this use. Requests for reimbursement above \$40 per month can be claimed, subject to the Councillor providing verification of Council-related use.
- 6.38. Usage of all Council-related technology (including internet access) should be limited to use for Council purposes only, where possible. The viewing, downloading or transmission of any material of a pornographic or offensive nature is not permitted.
- 6.39. Councillors may request the use of a laptop computer, ipad or similar to assist in accessing Council information. Appropriate accessories will be provided as necessary, and only one item will be provided per term of Council.
- 6.40. All repairs/maintenance are to be undertaken by Council. On request, Councillors must return the ipad/laptop to Council for maintenance/updates. This will occur on at least an annual basis.
- 6.41. Reimbursements will be made only for communications devices 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.
- 6.42. Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a Councillor, within the maximum limit (as outlined in sections 6.34 and 6.37).

Special requirement and carer expenses

- 6.43. 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.
- 6.44. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.45. 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.
- 6.46. Councillors who are the principal carer will be entitled to reimbursement of carer's expenses up to a maximum of \$500 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.47. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

6.48. 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.

Home office expenses

6.49. Each Councillor may be reimbursed up to \$250 per year for costs associated with the maintenance of a home office, such as a printer, minor items of consumable stationery and printer ink cartridges.

7 Insurances

7.1. In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims.

7.2. Council will meet on an annual basis the premium costs of Councillors' liability insurance, defamation insurance, personal injury insurance and public liability insurance (for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions) and professional indemnity insurance (for matters arising out of Councillors' performance of their civic duties and/or exercise of their functions). This includes payment of the relevant excess in the event of a claim.

7.3. 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.

7.4. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

7.5. 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 by the Councillor, 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 Local Government Act 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 Act 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 Act 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.
- 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's investigation makes a finding 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 Act 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 policy.
- 8.4. 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
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses (based on a cost estimate of the legal practitioner) 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 Councillors Workroom and reception area will be available for use by Councillors for activities associated with their role as a Councillor
 - Reasonable administrative support will be provided to Councillors by the General Manager's Office during normal office hours for work directly related to the duties of the office of Councillor. Requests for support are to be directed to the Executive Support Manager
 - Councillor pigeon holes
 - Reasonable access to a photocopier and a computer during normal office hours for work directly related to the duties of a Councillor
 - Corporate uniform allowance in accordance with the annual allowance set by Council in the Delivery/Operational Plan, on a dollar for dollar basis
 - 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 the Executive Support Manager.
- 9.3. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Stationery

- 9.4. Council will provide the following stationery to Councillors each year:
- letterhead, to be used only for correspondence associated with civic duties
 - business cards (500 per annum per Councillor)

Administrative support

- 9.5. Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support will be provided by the Executive Support Manager or other staff as delegated by the General Manager.
- 9.6. Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10 Additional facilities for the mayor

- 10.1. 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.
- 10.2. The Mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to the Executive Support Manager on a monthly basis. Monthly records will be retained in the corporate records system.
- 10.3. The Mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4. Council will provide the mayor with a furnished office, telephone and meeting space.
- 10.5. In performing his or her civic duties, the mayor will be assisted by a member of staff providing administrative and secretarial support, as determined by the General Manager.
- 10.6. The number of staff provided to support the mayor and Councillors will not exceed one full time equivalent.
- 10.7. 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.

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 beyond amounts resolved for travel, information and communications technology etc, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Final approval for payments made under this policy will be granted by the General Manager.

Direct payment to a supplier

- 11.4. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Executive Support Manager using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.5. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate tax invoices and be submitted to the Executive Support Manager. Councillors are not to earn reward points or other benefits for any Council-related transaction (refer Council's Gifts and Benefits Policy).

Advance payment

- 11.6. Council may pay a cash advance for Councillors attending Council booked and approved conferences, seminars or professional development.
- 11.7. The maximum value of a cash advance is \$100 per day of the conference. For seminars or professional development courses, a maximum of \$300 per event is available.
- 11.8. Requests for advance payment must be submitted to the Executive Support Manager using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 11.9. Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
 - a full reconciliation of all expenses including appropriate tax invoices
 - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

- 11.10. If a claim is approved, Council will make payment directly or reimburse the Councillor by direct deposit to a specified account.
- 11.11. 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

- 11.12. If a Councillor has incurred an expense that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy, Council will deduct the expense from the Councillor's monthly allowance.

Timeframe for reimbursement

- 11.13. 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 nor reimbursed.

12 Disputes

- 12.1. Where an individual Councillor disputes the decision on an expenses claim, or the provision of facilities, the following process will apply:
 - The Councillor must notify the General Manager, in writing, of the details of the claim or request for facilities.
 - The General Manager will investigate the issue and inform the Councillor of the decision, in writing, within seven days of the request being received.
 - Should the Councillor not accept the General Manager's decision, the General Manager will submit a report to Council outlining the reasons for denying the claim or request.
 - Council's decision will be final and no further appeal will be permitted.

13 Return or retention of facilities

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's annual report.

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 Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to Councillors will be reported to Council 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 Breaches

- 16.1. Suspected breaches of this policy are to be reported to the General Manager.
- 16.2. 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.

Appendix 1: Definitions

The following definitions apply throughout this policy.

Term	Definition
Appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993 (NSW)</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 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
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
Official business	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: <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
Regulation	Means the Local Government (General) Regulation 2005 (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

Appendix 2

**ORANGE CITY COUNCIL
COUNCILLOR FACILITIES AND/OR EXPENSE REQUEST FORM
(includes request to utilise private vehicle for travel on Council's behalf)**

Councillor Name..... Date

Please note claims are to be submitted in accordance with Council's Strategic Policy – Councillors Payment of Expenses and Provision of Facilities.

Expenses claimed must be supported by a tax invoice, receipt or statutory declaration (attached).

**Description of
expense**

Purpose of expense

Signature Date

Internal Use Only	
General Manager/Mayor Approval	
General Manager	Date
Mayor	Date
Staff Action Taken	
Completed/Action taken	Sign Date



Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

Full name
Occupation
Address

Make the following declaration under the *Statutory Declaration Act 1959*

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under Section 11 of the *Statutory Declaration Act 1959*, and I believe that the statements in this declaration are true in every particular.

Declared at
this day of 20..
Before me Signature

.....
Justice of the Peace

I a JP of NSW
full name of JP JP Reg No

1. I saw the face of the declarant/deponent
2. I confirm the person's identity with
.....
described identification document relied upon

.....
Signature of JP Date

A statutory declaration under the *Statutory Declarations Act 1959* may be made before–

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
 Bailiff

Bank officer with 5 or more continuous years of service
 Building society officer with 5 or more years of continuous service
 Chief executive officer of a Commonwealth court
 Clerk of a court

Commissioner for Affidavits
 Commissioner for Declarations
 Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:
 (a) in a country or place outside Australia; and
 (b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
 (c) exercising his or her function in that place

Employee of the Commonwealth who is:
 (a) in a country or place outside Australia; and
 (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
 (c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association
 Finance company officer with 5 or more years of continuous service
 Holder of a statutory office not specified in another item in this list

Judge of a court
 Justice of the Peace
 Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*
 Master of a court

Member of Chartered Secretaries Australia
 Member of Engineers Australia, other than at the grade of student
 Member of the Association of Taxation and Management Accountants
 Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:
 (a) an officer; or
 (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
 (c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:
 (a) the Parliament of the Commonwealth; or
 (b) the Parliament of a State; or
 (c) a Territory legislature; or
 (d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:
 (a) the Commonwealth or a Commonwealth authority; or
 (b) a State or Territory or a State or Territory authority; or
 (c) a local government authority;
 with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer
 Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:
 (a) the Commonwealth or a Commonwealth authority; or
 (b) a State or Territory or a State or Territory authority

Sheriff
 Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution

Appendix 3

COUNCILLOR REQUEST TO TRAVEL

APPROVAL IS SOUGHT FOR THE FOLLOWING COUNCILLOR TO TRAVEL ON COUNCIL BUSINESS AS SET OUT BELOW.

PERSONAL DETAILS

Record Number C

Name of Councillor _____

Signature _____

TRAINING INFORMATION _____

Description of training _____

Venue _____

Date/s and time _____

Supporting documents attached
(including Registration Form and Resolution) Yes No

TRAVEL & ACCOMMODATION ARRANGEMENTS

Do you require air travel Yes No **Notes:**
 Do you require pool vehicle Yes No
 Is accommodation required Yes No
 Is a Cash Advance required Yes No If yes how much?

APPROVAL

APPROVED Yes No

Signature Mayor _____ **Date** _____

Signature General Manager _____ **Date** _____

PLEASE RETURN TO EXECUTIVE SUPPORT MANAGER

Job Number _____

Information Required				Date Confirmed	Date In	Date Out	Initial & date
Registration completed	<input type="checkbox"/>	Yes					
Payment for course arranged	<input type="checkbox"/>	Yes		<input type="checkbox"/> Invoice to be sent <input type="checkbox"/> Cheque <input type="checkbox"/> Credit Card			
Flights booked	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No			
Accommodation booked	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No			
Pool Car booked	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No			
Petty Cash processed	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No			