



Inverell Shire Council

Councillor Expenses and Facilities Policy

COUNCIL POLICY:	COUNCILLOR EXPENSES AND FACILITIES POLICY
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Contact Officer	General Manager
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Policy summary

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

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

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

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

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

Expense or facility	Rate 2020-2021	Frequency
Accommodation and meals	As booked by staff and appropriate to event location per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development, conferences and seminars (indexed annually by CPI)	\$2,791 per councillor	Per year
Fuel (council vehicle)	Reimbursement as per submitted receipts/tax invoices with claim form to be completed within one (1) month of expense being incurred.	Per approved travel
Private Vehicle - Councillor	As per Local Government (State) Award 2020	Per approved travel
Private Vehicle – Delegate	As per Local Government (State) Award 2020. Members of the public shall be granted travelling expenses at the same rate as Councillors, subject to: a) these members of the public being invited to assist council for special one-off projects; and b) the distance travelled being more than 10 kilometres	Per approved travel
Taxi / Cabcharge or equivalent	Reimbursement as per submitted tax invoice/receipts with claim form to be completed within one (1) month of expense being incurred	Per approved travel
Airfares/Trains/Bus	Paid in advance by council at cost or reimbursement as per submitted receipts/tax invoices with claim form to be completed within one (1) month of expense being incurred	Per approved travel
Information & Communications Technology (ICT) expenses	Phone line/internet access with call costs up to \$200 per month for the mayor Mobile phone with call costs up to \$300 per month for the mayor Reimburse annual phone line/internet access for the deputy mayor Reimburse phone line offset payment of \$30	Per month/year

Expense or facility	Rate 2020-2021	Frequency
	per month per councillor Reimburse personal ipad/tablet data/download of \$180 per year per councillor	
Council vehicle and fuel card	Provided to the mayor	Not relevant
Furnished office	Provided to the mayor	Not relevant

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

Councillors must provide claims for reimbursement within one (1) month 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 included in Council's annual report.

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

2. Policy objectives

- 2.1. The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
 - ensure facilities and expenses provided to councillors meet community expectations
 - support a diversity of representation
 - 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 should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
- production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - 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. Payment may be made for travel to and from the meetings of Council or the meetings of any committee of the council.

- 6.2. Payment may be made for travel to and from any business of the council where there is a resolution of the council that the elected member in question attend the business (if this is not possible, then approval should be given jointly by the mayor and general manager. In respect of the mayor, then approval should then be given jointly by the deputy mayor and general manager).
- 6.3. Payment of a daily allowance may be made for each day that a Councillor attends business of Council which involves an overnight stay away from home where there is a resolution of the Council that the elected member in question attend the business (if this is not possible, then approval should be given jointly by the Mayor and General Manager. In respect of the Mayor, then approval should then be given jointly by the Deputy Mayor and General Manager).
- 6.4. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.5. Each councillor may be reimbursed for approved 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
 - fuel of a council vehicle
 - 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.
- 6.6. Approved travel may be undertaken by aeroplane where such travel has been organised by council staff.
- 6.7. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.8. Councillors seeking to be reimbursed for use of a private vehicle must record the date, distance and purpose of travel being claimed. Copies of the relevant details must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.9. Given Council's location near an interstate border, travel to Queensland will be considered as general travel. Arrangements and expenses for this travel will be governed by Clauses 6.1-6.4.
- 6.10. In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Councils should avoid 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.
- 6.11. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the mayor and general manager prior to travel. The mayor must submit a case to, and obtain the approval of the deputy mayor and general manager prior to travel.
- 6.12. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.
- 6.13. 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.
- 6.14. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
 - 6.15. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
 - 6.16. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
 - 6.17. Bookings for approved air travel are to be made through the general manager's office.
 - 6.18. 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

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

Accommodation and meals

- 6.20. 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.
- 6.21. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development.
- 6.22. 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.
- 6.23. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for council related meetings

- 6.24. 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.
- 6.25. As an indicative guide for the standard of refreshments to be provided at council related meetings, the general manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.26. Council will set aside \$2,791 (indexed annually by the CPI) per councillor annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.
- 6.27. 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.
- 6.28. 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.
- 6.29. Approval for professional development activities is subject to a prior written request to the mayor and 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.
- 6.30. In assessing a councillor request for a professional development activity, the mayor and general manager must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the councillor's remaining budget.

Conferences and seminars

- 6.31. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.32. Council will allow councillors to utilise their professional development allowance to facilitate councillor attendance at conferences and seminars.
- 6.33. Approval to attend a conference or seminar is subject to a resolution of council that the councillor attend the business (if this is not possible, then approval should be given jointly by the mayor and general manager. In respect of the mayor, then approval should then be given jointly by the deputy mayor and general manager). In assessing a councillor request, the following factors must be considered:
- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.34. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved. 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

- 6.35. For councillors that choose not to be provided with a council issued ipad/tablet to undertake their civic duties, council will pay an allowance of \$180 annually (paid in advance each month) per councillor for utilising download capacity of their personal telecommunications plan.
- 6.36. Reimbursements will be made only for ipads/tablets used for councillors to undertake their civic duties, such as:
- receiving and reading council business papers
 - relevant emails
 - diary and appointment management.
- 6.37. Councillors (excluding the mayor) will be reimbursed a phonline offset payment of \$30 per month per councillor.

Special requirement and carer expenses

- 6.38. 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.
- 6.39. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.40. 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.
- 6.41. 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 reasonable carer's expenses for attendance at council's ordinary monthly meeting, meetings of a council committee where the councillor is a member of the committee or in circumstances where the councillor has been authorised to attend a conference by the council.

- 6.42. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.43. 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.

Spouses, partners and accompanying persons

- 6.44. Council will pay the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature, is considered appropriate when accompanying councillors within the local government area. Such functions are those where a councillor's spouse, partner or accompanying person could be reasonably expected to attend. Examples include but not be limited to, Australia Day award ceremonies, Citizenship ceremonies, civic receptions and charitable functions for charities formally supported by the council. The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above are confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing, transport and accommodation are not considered reimbursable expenses.
- 6.45. Council will pay limited expenses in respect of spouses, partners or accompanying persons associated with attendance at the Local Government and Shires Associations' annual conferences. These expenses are limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner/accompanying person tours etc are the personal responsibility of individual councillors. 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.

7. Insurances

- 7.1. In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 7.4. Appropriate travel and personal injury insurances will be provided for any councillors travelling on approved travel on council business in Australia.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a councillor defending an action arising from the performance in good faith of a function under the 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 has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the 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 section.
- 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 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:
 - 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,
 - a compendium,
 - an ipad/tablet including an annual data allowance,
 - a suit, scarf/tie and two (2) shirts (of appropriate standard as determined by the mayor and general manager) suitably embossed with council's corporate logo)
- 9.2. Councillors may only use council facilities in the course of performing their duties as councillors.
- 9.3. Councillors may be provided with other facilities from time to time in accordance with the guidelines which enable the effective and efficient conduct of council business, subject to the approval of the mayor and general manager.
- 9.4. Councillor requiring the use of other facilities not specifically covered in this policy shall seek the approval of the mayor or general manager before using such equipment.
- 9.5. Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through a specified officer in the mayor's office or other specified staff member.
- 9.6. The provision of facilities will be of a standard deemed by the general manager as appropriate for the purpose.

Stationery

- 9.7. Council will provide the following to councillors each year:

- Stationery, office supplies, postage and business cards up to a monetary limit of \$100 each year.
- 9.8. As per Section 4, councillors may only use council equipment in the course of performing their duties as councillors.

Administrative support

- 9.9. Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by staff in the mayor's office or by a member of council's administrative staff as arranged by the general manager or their delegate.
- 9.10. Councillors when making requests of staff should ensure that such requests are reasonable and not likely to unnecessarily divert large amounts of staff time from other tasks.
- 9.11. Direct enquires may be either in writing or verbal. Such enquiries should be addressed to the general manager or divisional director, except if they are such a routine nature (eg the date of a council meeting) that they can be dealt with by another staff member.
- 9.12. Any photocopying requirements will be done when time permits.
- 9.13. Councillors may use the telephone in the administrative building for council activities provided they have the approval of the mayor, general manager, divisional director or branch manager prior to doing so.
- 9.14. As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Building access

- 9.15. The administration building should only be used by councillors for the performance of their duties as councillors.
- 9.16. Councillors have access to the administrative building during the hours 8.30am to 4.30pm to all public areas of the building, including front foyer area and public toilets.
- 9.17. Councillors have access, during council meeting and committee meeting times to the council chambers and committee room, as well as all public areas of the building. Councillors wishing to use the council chambers or committee room outside of meeting times should make arrangements to do so with the general manager or divisional director.
- 9.18. Councillors wishing to have access to staff working within the administrative building, or to access the staff work area of the administrative building should make arrangements with either the general manager or appropriate divisional director.

Use of council vehicles

- 9.19. Councillors may use council vehicles to attend conferences, seminars or other official functions where there is a resolution of council that the councillor in question attend, or attendance has been authorised by the mayor and general manager. Provided that a council vehicle is available, and that the motor vehicle is the most appropriate means of travel in the circumstances.
- 9.20. Council staff will only be available to transport councillors when they are on official council business, and staff would be travelling on the trip in question in the normal course of their duties.
- 9.21. All traffic infringement or parking fines incurred while travelling in private or council vehicles whilst on council business are the personal responsibility of the driver.

Access to council records

- 9.22. Requests to gain access to council's records should be made to council's public officer.
- 9.23. The public officer will refuse access to records:
- Which contain information, the disclosure of which would in any way result in a breach of pecuniary interest or confidentiality provisions of the *Local Government Act 1993*, the *Privacy and Personal Information Protection Act 1998* or the *Government Information Public Access Act 2009*,

- Which are the subject of an investigation by the Division of Local Government , ICAC or any other body,
- Which contain information relating to any current negotiation between council and any other party,
- Personnel records of council staff,
- Where the public officer believes that the council would wish to determine whether or not access should be given.

10. Additional facilities for the mayor

- 10.1. Council will provide to the mayor a maintained vehicle to a similar standard of other executive 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 council on a monthly basis.
- 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 incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- 10.5. Council will provide the mayor with a dedicated telephone line, internet connection, basic computer for use on Council related business with call/data costs to be up to a maximum of \$200 per month.
- 10.6. Council will provide the mayor a mobile phone for use on council related business with call costs to be up to a maximum of \$300 per month.
- 10.7. Council will provide entrance costs for the mayor to official functions (where the mayor is extended an official invitation to the function in their capacity as mayor).
- 10.8. Council will provide the mayor with a corporate credit card to be used strictly in accordance with council policy.
- 10.9. In performing his or her civic duties, the mayor will have access to administrative and secretarial support, as determined by the general manager.
- 10.10. As per Section 4, 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.

11. Additional facilities for the deputy mayor

- 11.1. Council will provide the deputy mayor with all of the provisions available for councillors outlined in this policy.
- 11.2. In addition, council will provide the deputy mayor with a monthly payment equivalent to the full line phone rental and internet access.

Part D – Processes

12. Approval, payment and reimbursement arrangements

- 12.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 12.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.

12.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:

- local travel relating to the conduct of official business
- carer costs

12.4. Final approval for payments made under this policy will be granted by the general manager or their delegate.

Direct payment

12.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the general 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.

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 general manager.

Advance payment

12.6. Council may pay a cash advance for councillors attending approved conferences, seminars or professional development.

12.7. Requests for advance payment must be submitted to the general 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.

12.8. 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 receipts and/or tax invoices
- reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

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

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

Reimbursement to council

12.11. If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:

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

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

Timeframe for reimbursement

12.13. Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within one (1) month of an expense being incurred. Claims made after this time cannot be approved.

13. Disputes

13.1. If a councillor disputes a determination under this policy, the councillor should discuss the matter with the general manager.

- 13.2. If the councillor and the general manager cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved.

14. Return or retention of facilities

- 14.1. 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.
- 14.2. 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. This does not extend to the mayoral vehicle or ICT equipment and programs which operate as part of council's corporate information system.
- 14.3. The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in Council's annual report.

15. Publication

- 15.1. This policy will be published on council's website.

16. Reporting

- 16.1. Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.
- 16.2. A detailed report on the provision of expenses and facilities to councillors will be included in council's annual report.

17. Auditing

- 17.1. The operation of this policy, including claims made under the policy, will be included in council's audit program.

18. Breaches

- 18.1. Suspected breaches of this policy are to be reported to the general manager.
- 18.2. 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.

PART E – Appendices

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2005, Clauses 217 and 403
- 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.

Related Council policies:

- Code of Conduct

Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
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 <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, including the mayor
General Manager	Means the general manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
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 or the mayor
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