CHERBOURG ABORIGINAL SHIRE COUNCIL
22 BARAMBAH AVENUE
CHERBOURG QLD 4605
Phone: (07) 4168 1866
Fax: (07) 4168 2727

MAYOR AND COUNCILLORS - REIMBURSEMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

ORIGIN/AUTHORITY

Local Government Act 2009
Section 250 of the Local Government Regulation 2012

PURPOSE

This policy sets the basis by which Council provides for the following:

- Reimbursement for the Mayor and Councillors of legitimate expenses incurred, or to be incurred in carrying out their roles; and
- Facilities to be provided for and/or at the disposal of the Mayor and Councillors, while carrying out civic duties as elected representatives of the Cherbourg Aboriginal Shire Council.

APPLICATION

This policy applies to the Mayor, Deputy Mayor and Councillors.

This policy deals with the reimbursement of expenses or provision of a facility to Councillors and is made in accordance with the Local Government Act and Regulation.

DEFINITIONS

For the purpose of this policy the following definitions shall apply:

Council – shall mean the Cherbourg Aboriginal Shire Council.

Councillors – Includes the Mayor, Deputy Mayor and other Councillors, unless specifically identified.

Expenses - Expenses are payments reasonably incurred, or to be incurred, in connection with Councillors discharging their duties as a Councillor. The expenses may be either reimbursed to Councillors or paid direct by Council for something that is deemed a necessary cost or charge. Expenses are not included as part of the remuneration paid by Council.

Facility - Facilities provided to Councillors that are the "tools of trade" and required to enable them to perform their duties with relative ease and at a standard appropriate to fulfil the community expectation for their role.

Reasonable - Councils must make sound judgments and consider what is prudent, responsible and acceptable to the community when determining appropriate levels of facilities and expenditure.

The Act – shall mean the *Local Government Act 2009*.
The Regulations - shall mean the *Local Government Regulation 2012*.

BACKGROUND

This policy has been written to be compliant with the five (5) underpinning principles set in section 4 of the
Local Government Act 2009:

(a) transparent and effective processes, and decision-making in the public interest; and
(b) sustainable development and management of assets and infrastructure, and delivery of effective services; and
(c) democratic representation, social inclusion and meaningful community engagement; and
(d) good governance of, and by, local government; and
(e) ethical and legal behaviour of councillors and local government employees,

In addition, the financial sustainability criteria under Section 102 of the Act requires that financial policies must be formulated to:

(i) to ensure a reasonable degree of equity, stability and predictability; and
(ii) so that current services, facilities and activities are financed by the current users of the services, facilities and activities; and
(iii) having regard to the effect of the policies on the future users of services, facilities and activities.

1. PAYMENT OF EXPENSES

Expenses will be paid to a Councillor through administrative processes as approved by Council's Chief Executive Officer subject to:

(a) the limits outlined in this policy;
(b) Council endorsement by resolution, when any claim is made outside this policy;
(c) in the case of reimbursement of expenses, the production of receipts and tax invoices or evidence that such expenses have been paid is required prior to reimbursement; and
(d) expense reimbursement must be claimed within three (3) months of such expense having been paid by the Councillor and claims for reimbursements outside of this period will not be accepted.

1.1. Expense Categories

1.1.1. Professional Development /Conferences /Workshops /Training

Council will reimburse expenses incurred for**:**

(a) attendance at Regional, State or National Local Government associated conferences, subject to attendance being approved by Council resolution;
(b) attendance at Regional meetings and workshops associated with a Councillor's responsibilities;
(c) mandatory professional development as approved by Council resolution; and
(d) discretionary professional development deemed essential by Council for the Councillor's role and approved by Council resolution.

1.1.2. Travel as required to represent Council including deputations to Government, Ministers and organisations for the purpose of promoting Council's objectives.

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

(a) a Councillor is an official representative of Council; and

(b) the activity/event and travel have been endorsed by resolution of Council.

Councillors are to travel via the most direct route, using the most economical and efficient mode of transport. Council will pay for reasonable expenses incurred for overnight accommodation when a Councillor is reasonably required to stay outside the local government's region.

All fines incurred while travelling in either Council or privately owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine.

Councillors must consider alternatives to paying excess baggage such as couriering or posting material prior to departure. Any personal excess luggage e.g. gifts and souvenirs must be at the Councillor's personal cost.

1.1.3. Travel Bookings

All Councillor travel approved by Council resolution will be booked and paid for by Council.

Economy class is to be used in all cases. Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses (eg cost of partner or spouse accompanying the Councillor).

1.1.4. Travel/Transfer Costs

Any travel/transfer expenses associated with Councillors travelling for Council approved business will be reimbursed. Examples:- Trains, taxis, buses and ferry fees, toll fees. Council will provide reimbursement for parking costs paid by Councillors while attending to official Council business.

1.1.5. Fuel

Councillors may fuel up Council vehicles at the Council depot fuel bowsers prior to departure if using a Council vehicle for travel outside of the shire. If further fuel is required during travel then the provision of receipts is required for reimbursement.

1.1.6. Accommodation

(a) All Councillor accommodation for Council business will be booked and paid for by Council.

(b) Council will pay for the most economical accommodation arrangement available.

(c) Where possible, the minimum standards for Councillors' accommodation should be three or four star rating.

(d) Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

1.1.7. Meals

Councillors receive an allowance as stipulated on the Claim for "Travel Accommodation/Meals" form. The amounts will be determined by the CEO and be consistent with the amount paid for staff who attend conferences.

2. FACILITIES

2.1. Provision of Facilities

All facilities provided to councillors remain the property of council and must be returned to Council when a Councillor's term expires.

2.2. Private use of Council-owned facilities

Based on the principles of transparent and effective process, good governance and ethical and legal behaviour the facilities provided to Councillors by Cherbourg Aboriginal Shire Council are to be used only for council business (not private or business use) unless prior approval has been granted by resolution of Council.

2.3. Facilities Categories

2.3.1. Administrative tools

Administrative tools should be provided to Councillors as required to assist Councillors in their role. Administrative tools include:

(a) office space and meeting room with the Mayor being provided with a separate office

(b) provision of a laptop with a Council email address for all Councillors

(c) stationery

(d) access to photocopiers

(e) access to printers

(g) publications such as local government magazines

(h) use of Council landline telephones and wifi access in Council offices

(i) Secretarial support may also be provided for the Mayor and councillors

2.3.2. Maintenance costs of Council owned equipment

Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council owned equipment that is supplied to Councillors for official business use.

This includes the replacement of any facilities which fall under Council's asset replacement program.

2.3.3. Council Shirts, Council Jacket, Name Badge and Safety Equipment for Councillors

A local government may provide Councillors with:

(a) a name badge; and

(b) the necessary safety equipment for use on official business, eg safety helmet/boots.

(c) Provide three Council shirts during the first year of the elected term, with additional shirts provided as required thereafter.Provide Council Jacket with council Logo, one per the council Term

(d) Provide one Council jacket bearing the Council logo for each elected term.

2.3.4. Use of Council Vehicles on Council Business

Councillors may access a Council vehicle for use on official business outside of the shire. This can be arranged through the CEO. If a Council vehicle is not available for any reason, with the prior approval of the CEO, a Councillor may use their private vehicle for attending Council business outside of the Shire and be reimbursed mileage at the rate approved by the ATO. In that circumstance, the Councillor must provide the CEO with details of kilometers travelled.
For Council business within the Shire (e.g. attending Council meetings and events) Councillors will use their own transport with no reimbursement for that use.

2.3.5 Provision of Council vehicle for Mayor

In addition to other entitlements set out in this policy, the Council will provide the Mayor with a Council owned vehicle for use while on Council business, both within the Shire and also for attending meetings related to Council business outside of the Shire. The type of vehicle to be provided will be determined by the CEO but will be commensurate with other Council vehicles used for Council business. The Mayor may use the vehicle for limited private use but only where such private use is ancillary to work purposes.

In addition, the Mayor will be provided with the following cards for use while on Council business:-

A. Council Fuel Card for use only with their Council provided vehicle; and
B. A Cab Charge Card for use only while travelling on Council business.
C. Provide a Council credit card for official Council business use only. All expenses incurred must be supported by appropriate receipts and submitted in accordance with Council's financial policies and procedures.

2.3.6. Insurance Cover

Cherbourg Aboriginal Shire Council will indemnify or insure Councillors in the event of injury sustained while discharging their civic duties. The local government will pay the excess for injury claims made by a Councillor resulting from conducting official Council business.

3. CLAIMS FOR REIMBURSEMENT

All claims for reimbursement of expenses will be made on the approved form and submitted with original receipts to the Chief Executive Officer for approval.

Failure to comply with this policy, falsifying claims or logbooks or the misuse of facilities may breach the Councillors' Code of Conduct and/or represent an offence under the Criminal Code and may be referred to the Crime and Corruption Commission.

4. NOTIFICATION OF ADOPTION OF EXPENSES REIMBURSEMENT POLICY

As soon as practicable after a local government adopts its expenses reimbursement policy, the local government must publish the policy on the local government's website.

5. POLICY WILL BE DISCUSSED AT AN OPEN MEETING.

A local government cannot resolve under section 72 that a meeting at which a proposed expenses reimbursement policy is discussed (including its adoption or amendment, for example) be closed.

Adopted by Council by Resolution on :- _____

DRAFT