Councillor Expenses Policy

PURPOSE

The purpose of this policy is to:

a) Comply with the legislative provisions of the *Local Government Act 2020* (the Act) and its Regulations, particularly section 41 of the Act requiring Council to adopt a policy for the reimbursement of out-of-pocket expenses;

b) Specify the support available to councillors to enable them to perform their duties;

c) Ensure that councillors are reimbursed for out-of-pocket expenses, where the expenses (s.40 of the Act):

- are bona fide expenses; and
- have been reasonably incurred in the performance of the role of councillor or member of a Delegated Committee; and
- are reasonably necessary for the councillor or member of a Delegated Committee to perform that role; and

d) Promote public transparency and accountability with the payment of allowances and the reimbursement of expenses.

SCOPE

This Policy should be read in conjunction with relevant legislation, including but not limited to the Act and its Regulations, and the Model Councillor Code of Conduct.

Where a situation is not adequately covered by this policy, the Chief Executive Officer (CEO) will determine what is approved as being an eligible expense.

a) Councillor and delegated committee members

This policy applies to the Mayor, councillors and all Delegated Committee members of Wodonga Council.

The provisions of this policy relating to the reimbursement of expenses will apply to a member of a Delegated Committee who is not a councillor (if any), as if they were a councillor.

b) Partners and family members

The facilities and services outlined in this policy are not available for use by partners and / or family members, unless otherwise noted in this policy. If a partner or family member wishes to accompany a councillor on travel, or to a function / event, this should not be booked through the Council. However, the CEO will consider requests which may require administrative assistance for logistical reasons. Any additional costs incurred by the person accompanying the councillor will not be funded by the Council.

c) Election Period

In accordance with the Election Period Policy, councillors must ensure that benefits contained within this policy are not used as part of any election campaign.

d) Delegates

Councillor Expenses Policy

In instances where a councillor attends a meeting of a community group, organisation or statutory body to which the councillor has been appointed the Council delegate or is authorised by the Council, the contribution or reimbursement by the Council shall be diminished by the amount those bodies pay the councillor.

e) Professional development

Expenses for attendance by councillors at conferences, seminars, forums, delegations or similar events should be read in conjunction with the Councillor Professional Development Policy.

DEFINITIONS

REFERENCE TERM	DEFINITION
Act	Local Government Act (Vic) 2020
Allowance	An allowance as a Mayor or a Deputy Mayor, or a councillor in accordance with a determination of the Victorian Independent Remuneration Tribunal.
Carer	Means a councillor who is a carer in a care relationship within the meaning of Section 4 of the Carers Recognition Act 2012
Child care	Where the provision of child care is reasonably required for a councillor or member of a Delegated Committee to perform their role.
Council	Wodonga Council, being a body corporate constituted as a municipal council under the Act.
Councillor	A person who holds the office of member of Council, and includes the person elected to the office of mayor and deputy mayor.
Councillor duties	Councillor duties are those performed as a necessary part of their role, in achieving the objective of Council. This includes, but is not limited to: • Attendance at meetings of Council and its Committees, including delegated committees, and advisory committees. • Attendance at Joint Council Meetings and Joint Delegated Committee Meetings. • Attendance at Councillor briefing sessions, workshops, and community forums convened by the CEO, the Mayor or the Council. • Attendance at civic or ceremonial occasions and functions convened by the Council or the Mayor. • Attendance at conferences, workshops and training programs related to the role of councillor, Mayor or Deputy Mayor, and subject to approval under the Councillor Professional Development Policy. • Attendance at meetings, events or functions at which the councillor is representing Council. • Attendance at meetings, events or functions that are as a direct result of a councillor being appointed by Council to a board or committee, except where the board or committee reimburses relevant expenses incurred by the councillor.

Councillor Expenses Policy

	• Duties in relation to constituents concerning Council business. • Any other business performed by the Mayor, Deputy Mayor or a councillor as a necessary part of their role and for which a claim has been made for reimbursement of expenses under section 40 of the Act, and that the CEO subsequently approves.
Councillor eligible expenses	The reasonable costs associated with undertaking duties of a councillors such as: • Travel • Parking and taxi, public transport fees • Accommodation • Meals, excluding mini bar • Carer & Child Care • Vehicle use • Communication - phone etc • Other expenses as approved by the CEO
Delegated Committee	A delegated committee established by Council under section 63 of the Act.
Intrastate travel	Travel associated with councillors undertaking duties within Victoria, and within Albury City, Federation and Greater Hume local government areas.
Interstate / international travel	Travel associated with councillors undertaking duties interstate (all states other than Victoria) or overseas. For the purposes of this policy interstate travel does not include travel within Albury City, Federation, and Greater Hume local government areas.
Professional development	. This includes professional development delivered through conferences, seminars, forums, personal coaching, delegations or similar events. This development may be delivered at the Council, external to the Council, or through on-line platforms. Training legislated under the *Local Government Act 2020* (the Act), being councillor induction training and annual professional development training, is included in this definition.
Partner	Means a councillor's or member of a delegated committee's spouse, wife, husband, domestic partner or companion.

POLICY

1. Mayoral and councillor allowances

Section 39 of the Act stipulates that the Mayor, Deputy Mayor and councillors are entitled to receive an allowance.

Allowances are set by determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019.

Councillor Expenses Policy

Allowances will be paid each month, and never more than monthly in advance upon a councillor taking the oath of office and making a declaration that they will abide by the Model Councillor Code of Conduct.

A councillor can elect:

a) to receive the entire allowance to which they are entitled; or
b) to receive a specified part of the allowance to which they are entitled; or
c) to receive no allowance.

Any personal taxation implications from the receipt of allowances are the responsibility of individual councillors. Although allowances are taxable, tax is not deducted by the Council. Councillors will be responsible for determining their own personal requirements in relation to their taxable income and may wish to consider seeking external advice if required.

In accordance with the provisions contained in Australian Tax Office Interpretive Decision 2007/205, the Council may enter into a voluntary arrangement with a councillor under which the councillor agrees to forego all or part of their councillor allowance, including mayoral allowance if applicable, in exchange for the Council making contributions to a complying superannuation fund nominated by the councillor and agreed to by the CEO.

2. Child and carer expenses

Council will provide reimbursement of costs where the provision of childcare is reasonably required for a councillor or member of a delegated committee to perform their role (s.41(2)(c)).

This applies to the care of a dependent, while the councillor is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable.

Council will provide reimbursement of costs where the provision of carer services is reasonably required when a councillor who is a carer incurs reasonable expenses in the performance of their duties.

Payments for carer and childcare services will not be made to a person who resides with the councillor; has any financial or pecuniary interest with the councillor; or has a relationship with the councillor or their partner.

3. Travel and associated expenses

Travel arrangements will be coordinated and booked by the Executive Assistant to the CEO and Mayor (EA).

Claims for reimbursement must be submitted within 30 days of return from travel.

3.1. Local, intrastate and interstate travel

The mode of transport is to be determined by the CEO based on the most cost and time effective form of transport and adhering to OH&S principles.

A Council fleet vehicle is available for use by councillors and is the preferred option for local and intrastate business. When using a Council vehicle, councillors must complete an entry in the logbook provided.

All travel must be undertaken by the shortest route possible and, where practical, vehicles are shared where more than one councillor attends the same function.

If a Council or hire vehicle is not available or it is impractical, councillors may use a private vehicle subject to approval by the CEO. The use of a private vehicle is detailed further in 3.4.

Interstate travel is approved by the CEO in consultation with the Mayor.

In the event that other means of transport are approved, the following classes of transport apply:

- Aircraft travel in economy class including, where available, the use of a flexible fare class for any inbound flight. Under this provision, the most economical fare should be chosen, provided that the departure and / or arrival times are reasonable;
- Hire car up to standard 6 cylinder vehicle;
- Train or bus travel; and
- Standard taxi, Uber, or ride share service.

3.2. International travel

Approval for international travel must be in the form of a specific Council resolution at a Council meeting open to the public. Councillors should remain cognisant of their conflict of interest obligations at such times.

The authorisation process will include notification to Council of all business related itinerary details, with reimbursement of costs limited to the predetermined itinerary and as stipulated in the council resolution.

Councillors will be given the option to travel in business class for all international flights of more than six hours duration.

3.3. Private travel in conjunction with council travel

Councillors undertaking private travel in conjunction with Council authorised travel must ensure that all costs incurred with private travel are clearly delineated from Council funded travel. Under no circumstances will private travel and accommodation costs be funded by Council. Where any private travel and associated costs are included in a package ticket arrangement, the councillor must reimburse Council for the private proportion prior to departure. Private travel to be taken in conjunction with Council travel must be disclosed to the CEO as appropriate within the parameters of normal authorisation procedures articulated in this policy.

3.4. Use of private vehicle

As detailed in clause 3.1, councillors are expected to use Council fleet vehicles for Council business, unless otherwise provided for in this policy.

If a Council vehicle is not available, and subject to approval by the CEO, councillors may use a private vehicle and be reimbursed in accordance with the ATO per kilometre rate. This reimbursement is intended to cover costs associated with ownership and operating a motor vehicle, including registration and insurance, fuel, wear and tear and maintenance.

Travel is measured to and from the councillors main residence:

- Mileage claimed in relation to performing duties associated with Council business must be documented in the councillor's diary with sufficient detail to be able to be independently substantiated for audit purposes.
- Councillors must maintain a vehicle logbook, or some appropriate form of written or digital record in relation to the use of their private vehicle while undertaking Council business, including recording:
  - total kilometres travelled;
  - locations of the travel supported by odometer readings;
  - the date of travel; and
  - the purpose of the travel.

The record must be made available for inspection on request, for audit purposes.

Private vehicles are not covered by Council's insurance policy, and Council will not be held liable for any loss or damage relating to the use of a private vehicle.

Any private vehicle use must be in accordance with the following:

- The vehicle must be roadworthy;
- The vehicle must be comprehensively insured;
- The owner of the vehicle should notify their insurance company that the vehicle is being used for work purposes; and
- Councillors may be eligible for reimbursement of the claims excess cost, in the event of an accident in a private vehicle, when the vehicle is being used for Council business purposes. Councillors should contact the EA who will follow up to confirm eligibility following an incident.

3.5. Car parking/ public transport/ taxi/ toll fees

Council will meet the costs of the following car parking fees:

- Hotel / Motel parking – additional car parking fees not included in accommodation costs;
- Airport parking – costs included in the parking of a councillors private vehicle or Council vehicle at an airport for the duration of the travel; and
- Other fees for parking a councillors private vehicle or Council vehicle in respect to attendance at official / approved Council business.

Council will reimburse the costs of public transport, taxi charges and toll fees incurred while undertaking duties associated with Council business, subject to the provision of original receipts and relevant details being provided, in accordance with the claims process outlined in clause 13 of this Policy.

The cost of any traffic infringements, penalties, parking infringements or similar expenses will not be reimbursed by Council.

3.6. Meals and accommodation connected with travel

Meals and incidental daily expenses when performing councillor duties will be reimbursed up to the maximum rate prescribed by the Australian Taxation Office at the time of travel, subject to the production of receipts. For example, in the 2025-26 income year, Taxation

Determination, TD 2025/4 applied, with the maximum rates for meals and incidentals as specified in table 3.

Personal expenses including mini bar, newspapers, personal phone calls, pay-per-view entertainment, and alcohol will not be paid by Council.

Where a personal expense has been charged to Council, these costs will be recovered from the councillor through the debtor invoice process.

3.7. Accommodation standard

When required accommodation will be provided for councillors travelling on Council related business. Reasonable accommodation, where possible equivalent to four star standard, will be provided. Standard rooms will normally be booked. Room upgrades may be accepted if there is no additional cost to Council.

4. Other expenses

4.1. Community or charitable functions

When councillors are invited guests within the local government area or a neighbouring local government area and the Mayor or Council is invited to host a table at a dinner or similar event, for fundraising, community or charitable purposes, attendance costs for councillors will be paid by Council, subject to budget. Individual councillor requests for specific events must be approved by the CEO, and would be subject to the councillor having a formal role at the event.

4.2. Attendance at dinners and non-council related functions

Consideration may be given by the CEO to meeting the cost of councillors' attendance at dinners and non-council functions which provide briefings to councillors from key members of the community, politicians and business. Approval to meet expenses should only be given when the function is relevant to the Council's interest. Only the cost of the service provided should be met. No payment should be reimbursed for any ticket that is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit. The cost of attending fundraising activities of political parties will not be met.

Ordinarily Council will not reimburse costs for alcohol. However, it is reasonable to include one house standard beverage to be claimed with a meal only at specific work related activities undertaken by the Mayor and CEO as part of Council's strategic engagement and investment attraction with businesses and/or local, state and federal agencies.

Additionally at times the consumption of alcohol may be linked to formal hospitality at civic functions and/or approved business meetings, or forums. In such instances these would routinely be approved by the CEO as required.

4.3. Civic hospitality

The Council can provide refreshments (morning / afternoon teas, light lunches etc) which councillors may utilise when conducting Council business on Council premises.

Councillor Expenses Policy

All formal civic entertainment functions will be coordinated by the EA, and must have prior approval of the CEO, after discussion with the Mayor and councillors.

The Council will cover costs associated with a councillor and accompanying person attending these functions.

4.4. External hospitality

It is recognised that councillors may need to use external hospitality services when conducting Council business outside Council offices. Councillors will be reimbursed reasonable expenses incurred while entertaining visiting dignitaries or Council business guests on behalf of Council, including the reasonable costs of non-alcoholic drinks accompanying a meal. The CEO must give prior approval to any such entertainment.

4.5. Meals and refreshments

Where meetings or functions are held at times which extend through normal meal times, the Council may provide suitable meals / refreshments served on the premises.

4.6. Alcohol

Ordinarily Council will not reimburse costs for alcohol. However, it is reasonable to include one house standard beverage to be claimed with a meal only at specific work related activities undertaken by the Mayor and CEO as part of Council's strategic engagement and investment attraction with businesses and/or local, state and federal agencies.

Additionally at times the consumption of alcohol may be linked to formal hospitality at civic functions and/or approved business meetings, or forums. In such instances these would routinely be approved by the CEO as required.

4.7. Professional development

As the public face of Council and as community representatives, councillors play an integral leadership role in the processes for the development, communication and representation of the Council Plan and Council's policies, strategies and programs. Professional development for councillors contributes towards a positive presentation of Council for the betterment of the organisation and the community. Support available for councillors is detailed in the Councillor Professional Development Policy.

5. Provision of equipment and facilities

Any equipment or resources issued to councillors, including but not limited to information technology, remain the property of the Council.

Any person who ceases to be a councillor must immediately cease to use any equipment or resources. All equipment and resources must be returned no later than 5 p.m. on the day prior to the general election for the Council, being the expiration of the councillor's term of office, or within 48 hours of resignation.

Resources include all confidential electronic or hardcopy material obtained in a person's capacity as a councillor.

Council provides the following equipment and facilities for councillors:

Councillor Expenses Policy

- Appropriate IT equipment for their term in office. The level of equipment will be standardised at a level equivalent to that provided to the CEO. The exact equipment provided to councillors may depart from that outlined in this policy due to changing technology or individual councillor needs. Where the equipment provided to councillors differs from this list, it will be subject to approval by the CEO after consultation with the Mayor and relevant councillors. The primary function of this equipment is for Council purposes and not for business / personal use.

- Council will make available suitable broadband technology to enable email, calendaring and access to relevant Council documentation. Either a laptop or iPad (or similar device) will be provided.

- Mayor and councillors will be provided with an iPhone or similar for use as a mobile phone and for electronic processing of mail when off site. It is the Council's expectation that the iPhone be used for all Council business calls, rather than a landline.

- Council will meet the purchase, initial set up, maintenance costs, connection fees, rental charges and all Council business call charges for the iPhone. All accounts for such equipment will be in the name of the Council.

- Council telephones, mobile phones, email and internet facilities are for business use. Private use of these services must be kept to a minimum.

- The councillors' room is reserved for use by councillors and provides office furniture, telephone, and access to the Council computer network. It is suitable for small meetings. Other Council meeting rooms can be used, subject to availability, and should be booked through the EA.

- A separate office is provided for the Mayor.

- The Council shall, upon request, provide standard stationery which may include: paper, business cards, writing implements, diaries, writing pads, envelopes and the like. Council stationery is not to be converted or modified in any way and must only be used for carrying out the functions of the civic office (not to be used for election, business, or personal purposes). Councillors will be entitled to post, through the Council mailing system and utilising the Council supplied stationery, any items which relate to the Council business (this does not include election related material).

- A photocopier is available for photocopying directly related to Council business.

- Secretarial support will be made available to councillors for work directly related to the duties of the office.

- Each councillor will be provided with a name badge Badges will be replaced as required.

- Each councillor will receive a key fob to provide access to the Council offices, including access to the ground floor office and lounge areas, and the Council Chamber. Each councillor is entitled to use a parking space in the eastern side car park, as sign posted.

- The Mayor will have access to ceremonial clothing, including the Mayoral robe and chains of office, for use during the term of office. The use of the robes and chain must be in accordance with the Mayoral Robe and Chain policy. The ceremonial clothing is available through the EA.

6. Mayoral motor vehicle

If required by the incumbent, the Mayor will be provided with a fully maintained motor vehicle for official Council purposes. The vehicle will be equivalent to the Volkswagen VW Tiguan Elegance and/or Subaru Outback Touring Wagon.

In addition, full private use may be arranged, subject to the Mayor entering into an agreement for the payment of an annual contribution. The annual contribution for private use of the Mayoral vehicle will be set by CEO and will be equivalent to the contribution paid by Directors for a full private use vehicle.The vehicle may be driven by the Mayor, the Mayor's partner or children, a councillor or a Council officer, provided they hold a current drivers licence and provided the Mayor is in the vehicle at the time.

If not required by the Mayor, the mayoral vehicle may be used by another councillor as an alternative to a Council fleet vehicle.

The Mayor will be responsible for the cleanliness of the vehicle. The vehicle must be returned to the EA, 72 hours prior to the conclusion of the mayoral term, so that it can be serviced, cleaned and detailed in time for the commencement of the incoming Mayor.

7. Acquisition and return of equipment

Upon completion of their term, when on extended leave of absence or at the cessation of their civic duties, all Council provided equipment is to be returned by councillors, and access to the Councillor facilities will no longer be available.

Councillors have the option to purchase Council IT equipment previously allocated to them at the cessation of their duties. This will be at a fair market price determined by the CEO.

Any devices purchased or returned will be wiped to Council's security standards.

Upon the election of a new Mayor, the outgoing Mayor will retain access to all the nominated equipment and facilities applicable for councillors. All Mayoral equipment is to be returned to Council and access to the Mayoral facilities will no longer be available.

8. Councillors' welfare

Councillors may approach the CEO with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a councillor. The Councillor Professional Development Policy provides further information in this regard. Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a councillor are able to seek counselling on a confidential basis through the Council's Employee Assistance Program (EAP). Councillors are eligible to access the EAP by contacting the CEO or through Docs On Tap.

9. Councillors with disabilities

Councillor Expenses Policy

For any councillor with a disability, the Council will provide reasonable additional facilities and support to enable that councillor to perform their civic duties.

10. Legal advice expenses

10.1. Any councillor who obtains legal advice without the support of a Council resolution will be required to personally pay the expense incurred.

- If a councillor requires legal advice in connection with his or her duties as a councillor they need to submit a Notice of Motion requesting that Council facilitate and fund legal advice expenses incurred as a result of a councillor executing their duties; or

- The CEO may facilitate such legal advice and confirm that the Council will pay for it, if it is:

    - Appropriate to do so taking into the consideration the criteria below; and
    - The councillor requirement for legal advice cannot be deferred until the lodgement or consideration of a Notice of Motion.

Any decision by the CEO to approve legal advice will be reported to the next public Council meeting.

10.2. Council will evaluate any Notice of Motion requesting legal advice against the following criteria:

- The extent to which the subject matter of the advice required relates to the councillor's functions as a councillor;
- The extent to which the subject matter of the advice required relates to a matter before Council or the councillor's representative role as a councillor;
- The extent to which the subject matter of the advice required will or is likely to be of interest to all councillors;
- The public interest; and
- Any other relevant considerations.

10.3. In the event that legal advice relates to a writ, action or pending action against a councillor(s), the councillor(s) must supply a copy of the writ or action or provide the information which may lead to an action, to the CEO. The CEO will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

Notwithstanding parts 10.1 to 10.3, the CEO may at any time seek legal advice about:

- An occupational health and safety matter involving a councillor; or
- Any other matter involving a councillor that the CEO determines is affecting the good governance and/or health and wellbeing of the organisation.

11. Insurance

Councillors are covered under the following Council insurance policies on a 24-hour basis in respect of any act or thing done or omitted to be done in good faith, while discharging the duties of civic office including attendance at meetings of external bodies as Council's representative:

- Public liability;

- Professional indemnity;
- Councillors and officers liability;
- Personal accident; and
- Comprehensive Motor Vehicle (Mayoral vehicle and any fleet pool vehicle councillors' use).

Council will pay any applicable policy excess in respect of claims made against a councillor, where the claim arises from Council business and is accepted by Council's insurers. This provision will apply whether the claim is defended or not.

Councillors will not be covered for any deliberately fraudulent act or omission, or any wilful violation or breach of any law. Councillors must promptly advise the CEO of any matter which may give cause to a potential claim on Council.

12. Lodging a claim for reimbursement

Claims for reimbursement must be submitted within 30 days of being incurred, unless otherwise provided for in this policy.

Claims not submitted in a timely manner may be refused reimbursement at the discretion of the CEO.

To lodge a claim for reimbursement councillors must complete the electronic form in Docs On Tap.

For any claims relating to carer or childcare expenses, a receipt from the carer must be provided showing the date and time care was provided and detail the reason that care was needed on each occasion.

For all other claim types, the councillor must provide appropriate supporting documentation to substantiate the claim as appropriate to the type of claim. This will include (but is not limited to):

- Vehicle logbook stating destination, purpose of the travel and kilometres travelled;
- Invoices and receipts; and
- Copies of meeting minutes.

If the required supporting documentation is not provided, claims will not be processed. In any case where a councillor is unable to provide a receipt of costs incurred a statutory declaration may be accepted by the CEO. Appropriate and sufficient reasoning for being unable to produce a receipt must be provided by the councillor and it will be at the CEO's discretion whether a statutory declaration will be accepted.

All claims are subject to approval by the CEO, or delegate.

13. Audit and reporting

Prior to annual publication of councillor expenses, each councillor will have the opportunity to review the list of expenses and confirm their accuracy. Councillor expenses are subject to audit by the Victorian Auditor General, the Victorian Local Government Inspectorate and Council's internal auditor. Expenditure approved under this Policy will be reported to the Audit and Risk Committee and in the Council's Annual Report and published on the

Council's website. All claims should be made within 30 days of the date of the service to ensure equitable reporting of expenses.

Any items considered to be in breach of the Act or this policy will be reported to Council's Audit & Risk Committee.

14. Consequences of breach

Any action by a councillor in relation to matters contained in this policy which breaches obligations under the Act or Model Councillor Code of Conduct, may result in action pursuant to the Act and / or Code.

RELATED POLICIES

- Model Councillor Code of Conduct
- Councillor Gifts, Benefits and Hospitality Policy
- Councillor Professional Development Policy

RELATED LEGISLATION

Local Government Act 2020

REFERENCES

- VAGO Fraud and Corruption Control – Local Government Report, June 2019

REVIEW

Council may review this policy at any time but unless otherwise requested at least every four years from date of adoption. Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy eg: typographical errors, a change to the name of a related policy, or a change to the name of legislation.

Title:	Council Expenses Policy - councillors
Reference No:	D18.55379[v3]
Business Unit:	Community Development
Category:	Quality Manager - Strategic and Governance Policy
Approved By:	Council at its meeting of December 19, 2022
Next Review:	19 December 2026