

1. PURPOSE

To provide Councillors and delegated committee members with a framework and guidance for the reimbursement of expenses to enable them to undertake their role in the community without disadvantage.

2. INTRODUCTION

Under Section 40 of the *Local Government Act 2020*, Councillors and members of delegated committees are entitled to reimbursement of expenses reasonably incurred in the performance of their duties.

Councillor duties are those performed by a Councillor as a necessary part of their role in achieving the objectives of Council. These duties may include, but are not limited to:

- (a) Attendance at meetings of Council and its committees
- (b) Attendance at Council briefing meetings, workshops, civic events or functions convened by Council
- (c) Attendance at conferences, workshops and training programs relating to the role of Councillor or Mayor
- (d) Attendance at meetings, events or functions representing Council
- (e) Duties in relation to constituents concerning Council business.

Members of delegated committees exercise the powers of Councillors under delegation.

This policy ensures that reimbursement of expenses for Councillors and delegated committee members is in accordance with the *Local Government Act 2020* and meets the principles of public transparency, achieving the best outcomes for the municipal community, and ensuring the ongoing financial viability of Council.

3. SCOPE

This policy applies to Councillors and members of delegated committees of Horsham Rural City Council.

4. PRINCIPLES

4.1 General Matters

- 4.1.1 Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that:
 - (a) Are bona fide expenses and
 - (b) Have been reasonably incurred in the performance of their role and
 - (c) Are reasonably necessary to perform their role.
- 4.1.2 Councillors and members of delegated committees will be provided with the necessary resources and facilities so that they can serve, engage and act in the community's best interests. Wherever possible, all associated expenses and arrangements (travel, accommodation, registration fees, etc) should be confirmed, finalised and authorised by the Chief Executive Officer or relevant Director (for delegated committee members) beforehand.
- 4.1.3 Council facilities and services will not be made available for use by members of a Councillor or delegated committee member's family, unless:
 - (a) The use directly relates to attendance at a civic function or another aspect of the Councillor or delegated committee member's civic duties
 - (b) The use results in no additional expense for Council (for example, a partner/family member accompanies a Councillor or delegated committee member in a vehicle or accommodation provided for their use
 - (c) The Chief Executive Officer authorises the arrangements.

- 4.1.4 Councillors must ensure that the benefits outlined in this policy are not used as part of any election campaign.
- 4.1.5 If a Councillor or member of a delegated committee does not claim a particular expense or use a particular facility, it cannot be offset against a claim for an additional amount of another expense or facility.
- 4.1.6 Claims for facilities and expenses by a Councillor or member of a delegated committee other than those expressly listed in this policy must be subject to a Council resolution.

4.2 Carer and Dependent-Related 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 [*Local Government Act 2020 s41(2)(c)*].

This applies to the care of a dependent, while the Councillor or delegated committee member 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 or delegated committee member who is a carer (*Carers Recognition Act 2012, s4*) incurs reasonable expenses in the performance of their duties [*Local Government Act 2020 s41(2)(d)*].

Payments for carer and childcare services will not be made to a person:

- (a) Who resides with the Councillor or delegated committee member
- (b) Has any financial or pecuniary interest with the Councillor or delegated committee member
- (c) Has a relationship with the Councillor, delegated committee member or their partner.

Councillors and delegated committee members seeking reimbursement for carer and dependent-related costs, should complete and submit the Councillor/Delegated Committee Member Expense Reimbursement Claim Form, together with all receipts/tax invoices, to the Chief Executive Officer for approval.

4.3 Private Vehicle Usage

Councillors and members of delegated committees should seek to utilise a Council-owned vehicle before use of a private vehicle for Council purposes, particularly for travel outside the municipal district. This should be arranged through the Executive Assistant to the Chief Executive Officer and Councillors.

Councillors and members of delegated committees are entitled to reimbursement for expenses incurred in the use of their own private vehicle for Council purposes for travel outside the Horsham urban area, and for travel to Council meetings from outside the urban area. Reimbursement will be at the rate as determined by Council's Enterprise Agreement and specified in Council's Travel Reimbursement Guidelines.

Council will not reimburse or fund any expense arising from a breach of road, traffic, parking or other regulations or laws, or for damage or loss of a private vehicle.

Reimbursement will not be provided in circumstances where a Councillor or delegated committee member chooses to attend a function or event, but they are not the nominated Council representative.

4.4 Remote Area Travel Allowance

Council is required to pay a remote area travel allowance if a Councillor or delegated committee member resides more than 50 kilometres, by the shortest road route, from the Council Chamber. This payment is as specified in Council's Travel Expenses Guidelines.

Councillors and delegated committee members seeking the Remote Area Travel Allowance should complete and submit the Councillor/Delegated Committee Member Travel Reimbursement Claim Form to the Chief Executive Officer.

4.5 Meetings, Seminars, Conferences and Training

Councillors and delegated committee members are entitled to reimbursement for relevant expenses incurred in attending pre-approved meetings, seminars, conferences and training that are directly relevant to their role on Council outside the municipality. This may include public transport, meals (excluding alcohol), conference, seminar or training costs, parking and reasonable minor incidentals (as determined by the Chief Executive Officer), up to the maximum rates as applicable under Council's Travel Expenses Guidelines.

All arrangements for attendance at meetings, seminars, conferences and training by Councillors and delegated committee members should be made through the Executive Assistant to the Chief Executive Officer and Councillors.

Councillors and delegated committee members seeking reimbursement for expenses associated with their attendance at meetings, seminars, conferences and training, should complete and submit the Councillor/Delegated Committee Member Expense Reimbursement Claim Form, together with all receipts/tax invoices, to the Chief Executive Officer for approval.

4.6 Functions and Events

Where a Councillor or delegated committee member is the designated Council representative to perform an official duty at a function or event, Council will meet costs associated with their attendance. This may include public transport, meals (excluding alcohol), conference or seminar costs, parking and reasonable minor incidentals (as determined by the Chief Executive Officer), up to the maximum rates as applicable under Council's Travel Expenses Guidelines. If their partner is invited, Council will meet the cost of their attendance also.

Where a Councillor or delegated committee member and their partner are invited to a function or event and no official duties are required, the Chief Executive Officer has the discretion to determine whether Council will meet the cost of their attendance. Approval must be sought prior to the function or event.

For formal local functions and events supported by Council, the Chief Executive Officer has the discretion to determine whether Council will meet the cost of attendance for Councillors or delegated committee members and their partners. Approval must be sought prior to the function or event.

Councillors and delegated committee members seeking reimbursement for expenses associated with performing an official duty at a function or event should complete and submit the Councillor/Delegated Committee Member Expense Reimbursement Claim Form, together with all receipts/tax invoices, to the Chief Executive Officer or relevant Director for approval.

4.7 Communication Tools

Each Councillor will be provided with a fully maintained mobile phone, computer, relevant software, email and access to the internet for use during their Council term. The Mayor will also be provided with a landline office phone. Councillors will not be reimbursed for call costs from personal phones or any additional costs associated with personal electronic devices as these costs are considered to be covered by the Councillor Allowance.

Delegated committee members may be reimbursed for reasonably incurred phone calls where it has been necessary to use these tools to perform their role. Delegated committee members seeking reimbursement for these costs should complete and submit the Councillor/Delegated Committee Member Expense Reimbursement Claim Form and associated receipts to the Chief Executive Officer or relevant Director for approval.

4.8 Memberships or Subscriptions to Professional Associations

Council will not meet the costs of any memberships or subscriptions to professional associations by a Councillor or delegated committee member unless there is a specific resolution of Council or it is in accordance with a Council policy.

4.9 Legal Expenses

Council will not meet the costs of any legal expenses incurred by a Councillor or delegated committee member unless there is a specific resolution of Council or it is in accordance with a Council policy.

4.10 Mayor and Councillor Allowances

The *Local Government Act 2020* currently provides for the Mayor and Councillors to receive an allowance from Council in accordance with a Determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Despite the repeal of sections 73B and 74 to 74B of the *Local Government Act 1989*, these arrangements remain in place until the first determination of the Tribunal [*Local Government Act 2020, s39(6)*].

4.11 Mayoral Resources and Support

To assist the Mayor to undertake their role, Council will provide the following during their Mayoral term:

- (a) A fully equipped office exclusively for their use, along with access to meeting space, printers and phones at the Civic Centre
- (b) Administrative support via the Executive Assistant to the CEO and Councillors
- (c) A Council mobile phone
- (d) Vehicle for the Mayor of a type similar to that of the Chief Executive Officer
- (e) A Council vehicle for their full private use in accordance with Council's Vehicle Usage Policy
- (f) A procurement (credit) card with a \$5,000 limit to facilitate purchase of goods and services whilst on Council business, in accordance with Council's Procurement Card Use Policy.

4.12 Monitoring, Evaluation and Review

Quarterly reports of all Councillor and delegated committee member expenses will be provided as part of the Quarterly Performance Report to Council and the Audit and Risk Committee. Details will also be published in the Annual Report.

These reports will include:

- (a) Expenses incurred by Councillors and delegated committee members during the quarter
- (b) Reimbursement claims made by Councillor and delegated committee members during the quarter
- (c) Reimbursements made by Councillors and delegated committee members during the quarter.

5. COMMUNICATION

This policy will be available on the Horsham Rural City Council website and intranet. It will also be discussed at Council Briefing meetings and delegated committee meetings, and will form part of the induction training for new Councillors and delegated committee members.

6. RESPONSIBILITY

Policy Owner: Director Corporate Services

7. DEFINITIONS

Definition	Meaning
Carer	A person who provides care for another person who has a disability, is younger, has a mental illness or an ongoing medical condition (including a terminal or chronic illness or dementia) (<i>Carers Recognition Act 2012</i> , section 4)
Civic duties	Duties or activities in relation to the municipality undertaken on behalf of Council
Civic Functions	Functions in the municipality undertaken by Council
Delegated committee	A committee established by Council which must include at least two Councillors and may include any other persons appointed to the delegated committee by the Council who are entitled to vote (<i>Local Government Act 2020</i> , section 63)

8. SUPPORTING DOCUMENTS

Document	Location
<i>Carers Recognition Act 2012</i> (section 4)	Internet
<i>Gender Equity Act 2020</i>	Internet
<i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i>	Internet
<i>Local Government Act 2020</i> (sections 40 and 41)	Website
Horsham Rural City Council – Councillor Code of Conduct	Website, intranet
Horsham Rural City Council – Council Procurement Card Use Policy (A04/034)	Intranet
Horsham Rural City Council – Information Privacy Policy (A04/039)	Website, intranet
Horsham Rural City Council – Public Transparency Policy	Website, intranet
Horsham Rural City Council – Terms of Reference (for each individual delegated committee)	Website, intranet
Horsham Rural City Council – Travel Expenses Guidelines (G04/003)	Intranet
Horsham Rural City Council – Vehicle Usage Policy (A04/011)	Intranet
Councillor/Delegated Committee Member Expense Reimbursement Claim Form (F04/112)	Intranet, Councillors Room, EA to CEO and Councillors
Councillor/Delegated Committee Member Travel Reimbursement Claim Form (F04/111)	Intranet, Councillors Room, EA to CEO and Councillors

9. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01	21 October 2013	Council	<ul style="list-style-type: none"> Replaces Councillors reimbursement of Expenses Policy 	
02	19 December 2016	Council	<ul style="list-style-type: none"> Reviewed and updated 	
03	27 August 2018	Council	<ul style="list-style-type: none"> Reviewed and updated 	27 August 2022
04	24 August 2020	Council	<ul style="list-style-type: none"> Replaces Councillor Allowances, Reimbursement and Support Policy to reflect requirements of the new <i>Local Government Act 2020</i> 	April 2021
05	26 April 2021	Council	<ul style="list-style-type: none"> Minor formatting changes 	26 April 2024
5.1	March 2023	n/a	<ul style="list-style-type: none"> New logo 	26 April 2024