

# Councillor Expenses & Facilities Policy

Section 252, Local Government Act 1993

Effective date:	March 2018
Next review date:	March 2021
Contact Officer:	Manager Administrative Services
TRIM Document Number:	D03085444

30 Frances Street, Randwick NSW 2031  
T 02 9399 0999  
F 02 9319 1510  
E-[general.manager@randwick.nsw.gov.au](mailto:general.manager@randwick.nsw.gov.au)  
W-[www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au)

# Councillors' Expenses and Facilities Policy

## Contents

<b>Policy summary</b> .....	<b>4</b>
<b>Limits on expenditure table</b> .....	<b>4</b>
<b>Part A – Introduction</b> .....	<b>7</b>
1. Introduction.....	7
2. Policy objectives.....	7
3. Principles.....	7
4. Private or political benefit.....	7
<b>Part B – Expenses</b> .....	<b>10</b>
5. General expenses.....	10
6. Specific expenses.....	10
7. Insurances.....	14
8. Legal assistance.....	14
<b>Part C – Facilities</b> .....	<b>17</b>
9. General facilities for Councillors.....	17
10. Additional facilities for the Mayor.....	17
<b>Part D – Processes</b> .....	<b>20</b>
11. Approval, payment and reimbursement arrangements.....	20
12. Disputes.....	21
13. Return or retention of facilities.....	21
14. Publication.....	21
15. Reporting.....	21
16. Breaches.....	21
<b>Part E – Appendix</b> .....	<b>23</b>
Appendix I – Related legislation, guidance and policies.....	23
Appendix II – Definitions.....	24
Appendix III – Reimbursement Claim Form.....	25

## 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.

## Limits on expenditure table

Clause	Expense/Facility	Amount (per Councillor unless otherwise stipulated)	Frequency
<b>EXPENSES</b>			
6.2	Travel expenses (Councillors)	\$5,000	Per year
6.2	Travel expenses (Mayor)	\$8,000 for the Mayor	Per year
6.6	Interstate, overseas and long distance intrastate travel expenses (includes all out of pocket expenses and any allowable payments in advance)	\$25,000 total for all Councillors	Per year
6.21	Professional development (includes all out of pocket expenses and any allowable payments in advance and annual memberships eg. Australian Institute of Company Directors)	\$20,000	Per term
6.28	Conferences and seminars (includes all out of pocket expenses and any allowable payments in advance)	\$50,000 total for all Councillors	Per year
6.31	Attendance at events if representing the Council	\$150	Per event/function
6.32	Spouse/partners/accompanying persons expenses	\$150	Per event/function
6.35.1	Laptop computer (Council purchased & maintained)	\$4,000	Per term
6.35.2	Tablet style computer (Council purchased & maintained)	\$1,500	Per term
6.35.3	Data sim card for tablet style computer	\$150	Per month
6.35.4	Printer/copier/scanner unit (Council purchased & maintained)	\$1,500	Per term
6.35.5	Mobile phone (Council purchased & maintained)	\$2,500	Per term
6.35.5	Mobile phone call costs (Councillors)	\$300	Per month
6.35.5	Mobile phone call costs (Mayor)	\$500 for the Mayor	Per month
6.35.5	Mobile phone data sim	\$150	Per month
6.35.6	Messaging service (if required)	\$200	Per month
6.35.7	Call costs associated with a telephone line at place of residence (if required)	\$200	Per month
6.35.8	Internet connection at place of residence (if required)	\$100	Per month
6.39	Carer expenses	\$4,000	Per year
6.42	Home office expenses	\$1,000	Per year

Clause	Expense/Facility	Amount (per Councillor unless otherwise stipulated)	Frequency
6.43	Subscription to resource material (including digital newspaper subscriptions)	\$1,200	Per year
<b>FACILITIES</b>			
9.1	Access to facilities in Councillors' Rooms within the Town Hall building	Provided to all Councillors	Not relevant
9.3	Christmas or festive cards	300 cards per Councillors & 500 cards for the Mayor	Per year
9.3	Postage expenses	600 standard stamps	Per year
9.3	Letterheads, business cards etc (printed in-house)	Provided to all Councillors on request	Not relevant
10.1	Council vehicle and fuel card	Provided to the Mayor	Not relevant
10.2	Reserved parking space at Council offices	Provided to the Mayor	Not relevant
10.3	Furnished office	Provided to the Mayor	Not relevant
10.4-10.5	Number of exclusive staff supporting Mayor and Councillors	Provided to the Mayor and councillors	Not relevant

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

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.



Randwick City  
Council  
a sense of community

# Part A - Introduction

## 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 Randwick City Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council 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 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 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. Such incidental private use does not require a compensatory payment back to Council.

- 4.3 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 Council.
- 4.4 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.



Randwick City  
Council  
a sense of community

# Part B - Expenses

## 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.
- 5.3. The exchange of one or more allowance(s) to fund an increase in another allowance is not permitted under this policy.

### 6. Specific expenses

#### General travel arrangements and expenses

- 6.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each Councillor may be reimbursed up to a total of \$5,000 per year, and the Mayor may be reimbursed up to a total of \$8,000 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
  - for public transport fares
  - for the use of a private vehicle or hire car
  - for parking costs for Council and other meetings
  - for tolls
  - by Cabcharge card or equivalent
  - by Uber, when using Council's corporate Uber account only.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the NSW Local Government (State) Award.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a record of the date, distance and purpose of travel being claimed. This record must be provided with the claim.

#### Interstate, overseas and long distance intrastate travel expenses

- 6.5. In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.6. Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be capped at a maximum of \$25,000\*\* per year. This amount will be set aside in Council's annual budget.
- 6.7. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- 6.8. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.9. The case should include:
  - objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
  - who is to take part in the travel
  - duration and itinerary of travel

- a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.10. For interstate and long distance intrastate journeys by air of less than two hours, the class of air travel is to be economy class.
  - 6.11. For interstate journeys by air of more than two hours, the class of air travel may be premium economy.
  - 6.12. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy. For the Mayor the class of travel is to be appropriate to the position of Mayor, subject to the approval of the General Manager
  - 6.13. Bookings for approved air travel are to be made through the General Manager's office.
  - 6.14. For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

### **Travel expenses not paid by Council**

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

### **Accommodation and meals**

- 6.16. Council will reimburse the actual costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development.
- 6.17. The daily limits for accommodation and meal expenses both within and outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.19.
- 6.18. Councillors can claim payment in advance, subject to a limit of \$150 per day for meals (subject to substantiation on return from the conference/seminar and reimbursement of any unspent funds).
- 6.19. Councillors will not be reimbursed for alcoholic beverages.

### **Refreshments for Council related meetings**

- 6.20. 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 in accordance with budgetary limits.

### **Professional development**

- 6.21. Council will set aside \$20,000\*\* per Councillor per term in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 6.22. 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.
- 6.23. 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.
- 6.24. If Councillors choose to become a member of the Australian Institute of Company Directors. The membership fee (as set by the Australian Institute of Company Directors) will be funded from the professional development limit set in 6.21.
- 6.25. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:

- details of the proposed professional development
- relevance to Council priorities and business
- relevance of the exercise of the Councillor's civic duties.

6.26. In assessing a Councillor request for a professional development activity, the 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**

6.27. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.

6.28. Council will set aside a total amount of \$50,000\*\* annually in its budget to facilitate Councillor attendance at conferences and seminars, including the Local Government NSW Annual Conference. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably. The expenditure limit set in this clause is subject to review as deemed appropriate by the General Manager in consultation with the Mayor.

6.29. Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager must consider factors including the:

- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
- cost of the conference or seminar in relation to the total remaining budget.

6.30. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.16-6.19.

\*\* subject to review by the General Manager if considered necessary and appropriate.

### **Events/functions**

6.31. Reimbursement for reasonable expenses incurred by a Councillor in attending functions if officially invited to events/functions representing the Council. This expense is subject to a limit of \$150 per Councillor per event/function.

6.32. Expenses of a Mayor or Councillor's spouse/partner/accompanying person\* shall be met by Council in the following circumstances;

- 6.32.1 Where the reasonable expenses of the spouse/partner/accompanying person have been met by the Mayor/Councillor; and
- 6.32.2 The Mayor's/Councillor's spouse/partner/ accompanying person has been officially invited to and has accompanied the Mayor/Councillor to a function/event; and
- 6.32.3 The function/event relates to the discharge of the civic functions of the Mayor/Councillor; and
- 6.32.4 The attendance of the spouse/partner/accompanying person at the function is considered reasonably necessary or appropriate in order for the Mayor/Councillor to fulfil his/her statutory role.

\* An accompanying person is a person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor.

This expense is subject to a limit of \$150 per Councillor per event/function.

This reimbursement does not extend to functions where the attendance of the Councillor's spouse, partner or accompanying person may be convenient, but could not be properly seen as relating to the discharge of functions of civic office (e.g. attendance at seminars, conferences and the like, with the exception of the Annual Conference of LGNSW). Examples of the types of functions that could be reimbursed under this clause include charitable functions to which the Mayor has been invited and award ceremonies and other functions to which the Mayor is invited to represent the Council. The payment for spouses, partners and accompanying persons for attending appropriate functions (as detailed above) will be confined specifically to the ticket, meal and/or the direct cost of attending

the function. Peripheral expenses incurred by spouse, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

### **Local Government NSW Annual Conference**

- 6.33. All Councillors are able to attend the Local Government NSW Annual Conference each year. Council will reimburse the cost of registration fees and where the conference is outside the metropolitan Sydney, the cost of travel, accommodation and meals not covered by the conference registration, subject to Clauses 6.16-6.19.
- 6.34. For the Local Government NSW Annual Conference only, Council will meet the costs of the official conference dinner for an accompanying person of a Councillor.

### **ICT expenses**

- 6.35. Council will purchase and provide Councillors with appropriate ICT devices and services as follows:
- 6.35.1 A laptop computer, with specification and configuration necessary to access and utilise appropriate Council systems. No unauthorised or unlicensed software is to be installed on the laptops and councillors are required to comply with Council's Communication Devices Policy for Councillors at all times when using Council laptops. The maximum cost for this equipment is \$4,000 per Councillor per term.
  - 6.35.2 A tablet style computer with specification and configuration necessary to access and utilise appropriate Council systems. No unauthorised or unlicensed software is to be installed on the tablet computer and Councillor are required to comply with Council's Communication Devices Policy for Councillors at all times when using the device. The maximum cost for the purchase of this equipment is \$1,500 per Councillor per term.
  - 6.35.3 The tablet computer will be supplied with a data sim card. The maximum cost for the tablet sim is set at \$150 per Councillor per month.
  - 6.35.4 A printer/copier/scanner unit. The maximum cost for this equipment is \$1,500 per Councillor per term.
  - 6.35.5 A mobile phone. The maximum cost for the purchase of this device is \$2,500 per Councillor per term. The phone will be supplied with a voice and data sim card. The maximum call cost (including voice calls and SMS messages) to be borne by Council is \$300 per Councillor per month and \$500 for the Mayor per month. In addition, Council shall meet data costs in respect of mobile telephones up to a limit of \$150 per Councillor per month.
  - 6.35.6 A messaging service (if required). The cost of this service is subject to a limit of \$200 per Councillor per month.
  - 6.35.7 A telephone landline (if required) or reimbursement for telephone landline at each Councillor's place of residence, with rental and call costs to be paid by Council. This facility is subject to a maximum cost of \$200 per Councillor per month.
  - 6.35.8 An internet connection (if required) or reimbursement for internet connection at each Councillor's place of residence. This expense is subject to a limit of \$100 per Councillor per month.

The abovementioned ICT equipment and services will be updated periodically, as and when considered appropriate by the General Manager. Other home office equipment or expenses should be claimed by Councillors under clauses 6.39 and 6.40 of this policy.

All equipment remains the property of Council and is returnable on a Councillor ceasing to hold office.

Councillors are not able to purchase their own ICT equipment and claim reimbursement for this equipment. Council supplied equipment will be purchased (where possible be purchased utilising State Government contract) and maintained by Council.

### **Special requirement and carer expenses**

- 6.36. 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.
- 6.37. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.

- 6.38. 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.
- 6.39. 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 carer's expenses up to a maximum of \$4,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.40. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.41. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

### **Home office expenses**

- 6.42. Each Councillor may be reimbursed up to \$1,000 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.
- 6.43. Subscription to resource material (including software apps and online subscriptions) which will assist in the performance of the role of a Councillor, subject to a limit of \$1,200 per Councillor per annum.

## **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. The Mayor and Councillors will be provided with full indemnity against any action, liability, claim or demand, arising from the bona fide performance of their responsibilities, with the exception of defamation claims where the availability and extent of an indemnity shall be determined by Council, in its absolute discretion, after the claim has been disposed of by a final judgement in proceedings, withdrawn, settlement or compromise of proceedings or otherwise as the case may be, having regard to all circumstances that Council, in its absolute discretion, consider relevant.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not. All insurances are subject to any limitations or conditions set out in the Council's policy of insurance.
- 7.4. Insurance provision for Councillors includes:
- Public liability (for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions);
  - Professional indemnity (for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions);
  - Personal injury while on Council business (note: Councillors are not covered by Workers Compensation payments or arrangements);
  - Appropriate travel insurances will be provided for any Councillors traveling on approved interstate and overseas travel on Council business.

## **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;

- 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;
  - 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 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 or conduct review panel to make formal enquiries into that matter in accordance with Council's Code of Conduct.
- 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.



Randwick City  
Council  
a sense of community

# Part C - Facilities

## Part C – Facilities

### 9. General facilities for all Councillors

#### 9. Facilities

- 9.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- a Councillor common room appropriately furnished to include telephone, photocopier, printer, desks, computer terminals, business equipment, meeting supplies and appropriate refreshments (excluding alcohol)
  - access to shared car parking spaces while attending Council offices on official business
  - personal protective equipment for use during site visits
  - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
- 9.2 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

#### Stationery

- 9.3 Council will provide the following stationery to Councillors each year:
- letterhead, to be used only for correspondence associated with civic duties
  - business cards, 'With compliments' slips (if required) and envelopes
  - up to 600 ordinary postage stamps
  - up to 300 Christmas or festive cards per year for Councillors and 500 for the Mayor. The cards will be arranged and order by Council staff in accordance with budgetary limits.
- 9.4 As per Section 4, stamps shall only be used to support a Councillor's civic duties. Councillor mail will only be posted using the stamps provided. Any stamps not used will not be carried over to the next year's allocation.

\*Note: Mass mail outs or letter box distributions to residents are not reimbursable under this policy as such mail outs/distributions are deemed to have a political component regardless of the subject matter. The maximum number of letters/flyers that may be distributed or posted to residents in relation to the one subject and using stationery, postage or other Council facilities under this policy is limited to 150.

#### Administrative support

- 9.5 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.
- 9.6 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.

### 10. Additional facilities for the Mayor

- 10.1. Council will provide to the Mayor full private use of a maintained vehicle (including a fuel card) to a similar standard of the Council vehicle provided to the General Manager and as considered appropriate to the position of Mayor, with conditions of use being generally in accordance with Council's Private Use Policy for motor vehicles.
- 10.2. A parking space at Council's offices will be reserved for the Mayor's Council-issued vehicle for use on official business, professional development and attendance at the Mayor's office.
- 10.3. Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.
- 10.4. In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.

- 10.5. The number of exclusive staff provided to support the Mayor and Councillors will not exceed two (2) full time equivalents.
- 10.6. 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.



Randwick City  
Council  
a sense of community

# Part D - Processes

## Part D – Processes

### 11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. 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
- 11.4. Final approval for payments made under this policy will be granted by the General Manager or their delegate.

#### Direct payment

- 11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Manager Administrative Services 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

- 11.6. 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 Manager Administrative Services.

#### Advance payment

- 11.7. Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 11.8. The maximum value of a cash advance is \$150 per day of the conference, seminar or professional development, subject to a period of stay not exceeding the period of the conference, seminar etc, plus one business day each way for travel.
- 11.9. Requests for advance payment must be submitted to the Manager Manager Administrative Services for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 11.10. 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
  - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

#### Notification

- 11.11. If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 11.12. If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

#### Reimbursement to Council

- 11.13. 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.

- 11.14. 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**

- 11.15. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

## **12. Disputes**

- 12.1. If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 12.2. 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.

## **13. Return or retention of facilities**

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

## **14. Publication**

- 14.1. This policy will be published on Council's website.

## **15. Reporting**

- 15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

## **16. Breaches**

- 16.1. Suspected breaches of this policy are to be reported to the General Manager.
- 16.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.



Randwick City  
Council  
a sense of community

# Part E - Appendices

## 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 Local Government Act 1993 (NSW)
Annual Conference	Means Local Government NSW Annual Conference
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
ICT	Means Telecommunications and Information Communications and Technology
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"> <li>meetings of Council and committees of the whole</li> <li>meetings of committees facilitated by Council</li> <li>civic receptions hosted or sponsored by Council</li> <li>meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council</li> </ul>
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

# Appendix III

## CLAIM FOR REIMBURSEMENT OF EXPENSES

### BY COUNCILLORS

I hereby submit my claim for reimbursement of expenses in accordance with the provisions of the Local Government Act and Council's Policy with respect to the Payment of Expenses & Provision of Facilities to Councillors.

**Name of claimant: Councillor**.....

Claim for reimbursement of expenses:

Date	Nature of Business	Nature of Claim	Amount claimed

Claim for reimbursement of travel expenses:

Date	Nature of business (include where the travel was to/from & the purpose of the travel)	Method of travel	Distance in Kms	Rate/Km	Amount claimed

**Total amount claimed and/or tax invoices:** \$

**Please note: Receipts must be attached to this claim form in order for reimbursement to be processed.**

Signature:.....

Date: .....