

<b>Title</b>	<b>Councillor Support Policy</b>
<b>Description</b>	A policy to set out the resources and support to be provided to Councillors and members of Delegated Committees and the expenditure that may be claimed in performing their duties
<b>Category</b>	Governance
<b>Type</b>	Policy
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<b>Human Rights compatibility</b>	This policy has been assessed and is compatible with the Victorian Charter of Human Rights and Responsibilities

## 1. Purpose

To set out the resources and support to be provided to Councillors and members of Delegated Committees and the expenditure that may be claimed in performing their duties.

## 2. Preliminaries

### 2.1. Scope

This policy applies to all Councillors and members of Delegated Committees in relation to resources and support provided; and when seeking reimbursement for out-of-pocket expenses while carrying out their role.

### 2.2. Definitions

In this policy:

**Act** means the Local Government Act 2020.

**Council Business** means duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies. This includes, but is not limited to:

- Council and Committee meetings and civic events;
- Meetings of external groups and bodies which a Councillor has been appointed Council delegate;
- Site inspections or meetings, or to participate in delegations or deputations to which a Councillor has been duly appointed as a representative of Council; and
- Meetings with residents, community groups, businesses and other stakeholders;
- Attendance at community events, fundraisers, awards ceremonies
- Participation in sector wide forums, meetings
- Other meetings which the Councillor attends as part of executing their duties as a Councillor for the City of Yarra.

**Delegated committee** has the same meaning as in the Act – being a delegated committee established by a Council under section 63, a joint delegated committee established under section 64 or a committee, other than a Community Asset Committee, exercising any power of a Council.

**Family member** has the same meaning as in the Act – being a spouse, domestic partner, parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or step-child of the Councillors or their spouse or domestic partner; or any other relative that regularly resides with the Councillor.

**Reasonable private use** means use for purposes other than Council business that does not result in additional costs to Council and is reasonable in the circumstances. Reasonable private use must be consistent with Council policy including, but not limited to, the Councillor Code of Conduct, Governance Rules and Council's IT policies.

### 3. Policy

It is Council's policy to provide all Councillors with the necessary support and resources to effectively fulfil their duties of office.

A Council must adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.

(2) A policy adopted by a Council under this section must—

(a) specify procedures to be followed in applying for reimbursement and in reimbursing expenses; and

Council will meet all expenses or reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied—

- are bona fide expenses;
- 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.

### 4. Resources Provided

#### 4.1. Standard Resources

In order to support Councillors in performing their roles as elected representatives, a number of specific resources are provided. These resources may be used for Council business and, except where specifically noted, cannot be used for private use.

The standard resources available to Councillors are:

- **A smartphone** with a mobile data and telephony plan which shall be sufficient to meet the anticipated needs for Council business. Reconciliation of telephone accounts will take place quarterly, and where costs are found to exceed these monthly caps, Councillors will be given the opportunity to confirm that the costs have been incurred in the course of Council business or to reimburse costs related to personal use. Reasonable private use is permitted.
- **Computer equipment** comprising an internet connected laptop or tablet computer, external monitor, multifunction printer and necessary supporting hardware and software. Reasonable private use is permitted.

- **Office space** at Fitzroy and Richmond Town Halls, each containing a number of workstations, with computer access and meeting table.
- **Meeting space** in the Councillors Lounge at Richmond Town Hall and, by prior arrangement, at other facilities throughout the municipality.
- **Access to Council facilities** in the form of an access card providing 24 hours 7 days a week access into Collingwood, Fitzroy and Richmond Town Halls and a key to the Councillor's Office at the Fitzroy Town Hall.
- **Mail services** through Councillor pigeon holes at Richmond Town Hall, with contents cleared and couriered to the Councillor's home each Thursday evening or such other occasions as may be necessary.
- **Public Transport** by means of a Myki card, Cabcharge card and/or an account with a transportation network company such as Uber.
- **Private Transport** by means of access to the Council vehicle pool, membership of a car sharing scheme or reimbursement for use of a private vehicle (at the same rate per kilometre as is applicable to Council staff).
- **Sustainable Transport** by the provision of a manual or electric bicycle. This bicycle may be used for reasonable private use.
- **Car parking** both in a designated parking area at each of the Fitzroy and Richmond Town Halls and, by means of a Councillor Parking Permit, in Council vehicle zones; permit zones; paid parking areas and time restricted areas of 1P or more.
- **Stationery** items held or obtained generally for the organisation's requirements, including, but not limited to paper, business cards, writing implements, diaries, writing pads/books, computer storage devices, toner cartridges, envelopes and the like.
- **A name badge** displaying the Councillor's name, ward and, where relevant, title as Mayor or Deputy Mayor.
- **Catering** at meetings that take place during or immediately adjacent to recognised meal times, including accommodation for dietary requirements and through the provision of tea/coffee making facilities at each Town Hall. Alcohol shall not be provided.

In the addition, the following resources are made available to the Mayor:

- **A dedicated office** at Richmond Town Hall including communications equipment and meeting facilities.
- **Secretarial support** to assist the Mayor in effectively undertaking the role. The level of support will be determined by the CEO in consultation with the Mayor and budgeted positions.
- **A dedicated parking space** located in a secure, undercover location at Richmond Town Hall.

## 4.2. Additional Resources

In addition to the standard resources available to each Councillor, the Chief Executive Officer may approve the provision of additional resources to support a Councillor in their duties, either temporarily or for the term of office. Such resources may include office furniture such as an office chair and desk; corporate or safety apparel; sun smart items such as sunscreen, sunglasses and a hat; and any other necessary resources not anticipated in the development of this policy.

## 4.3. *Civic Meetings*

From time to time, Councillors may wish to host meetings with members of the community as part of their role as community representatives. These meetings are described variously as ward meetings, community meetings, public meetings or public forums. Council shall provide a suitable venue for such meetings where they have the following characteristics:

- The meeting has a clear purpose that is part of a Councillor's representative role.
- The host Councillor is in attendance for the meeting.
- The meeting is not of a nature that would be more appropriately directed to the Community Venue Subsidy Hire program.
- Where provided, catering is limited to tea, coffee, biscuits and water.

## 5. **Support Provided**

### 5.1. *Child Care*

Council will either meet or reimburse the out of pocket cost of child care where a Councillor with child care responsibilities is undertaking Council business.

Expenses for child care may be claimed in respect of children up to the age of sixteen years.

Payments cannot be claimed where the child care provider is a family member of the Councillor.

### 5.2. *Care Relationships*

Council will either meet or reimburse the out of pocket cost of care where a Councillor is in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012 and is undertaking Council business.

Payments cannot be claimed where the care provider is a family member of the Councillor.

### 5.3. *Other Support*

The following support shall also be made available to Councillors where required:

- For a **Councillor with a disability**, Council will provide reasonable additional support, facilities and equipment to support them in discharging the duties of office.
- For a **Councillor with poor English**, Council will provide reasonable translation or other language services to enable effective communication with the organisation and community.
- For an **observant Councillor**, Council will, to the extent practicable, accommodate their observance of faith through the provision of necessary facilities and consideration in the scheduling of Council meetings and events.

## 6. **Professional Development Program**

### 6.1. *Conferences and Seminars*

Councillors shall be regularly provided with details of recognised and/or industry approved conferences and seminars for their reference and attention.

Subject to the availability of funds, Council shall meet the cost of registration fees, accommodation, travelling expenses, meals and other incidental expenses associated with authorised attendance at conferences and seminars.

The following approval process is applicable:

- Events **interstate or overseas** may be attended following approval by the Council. Councillors are encouraged to nominate themselves as early as possible to enable the preparation of a report to a subsequent Council meeting. Where approval is granted, Council shall meet associated expenses, subject to any conditions or limitations determined by the Council.
- Events **within Victoria** is subject to the availability of relevant budget funds and the approval of the Chief Executive Officer or delegate. Councillors may nominate themselves for attendance at such events.

## **6.2. Training and Development**

Council is committed, subject to the availability of funds, to support Councillors in meeting their training and professional development needs relating to their role as a Councillor, including that facilitated through attendance at recognised and approved conferences, seminars, and study and training courses.

Councillors shall be provided with details of recognised and industry approved training and development opportunities for their attention. It is also noted that the following principles will apply:

- While the undertaking any professional development through attendance at training or study courses is strongly encouraged, participation shall be on a completely voluntary basis;
- As the needs of individual Councillors will vary, Councillors may wish to enlist the assistance of the Group Manager Chief Executive's Office and/or the Organisational Culture and Capability Branch in identifying available courses, seminars, training or study materials to satisfy individual needs;
- A personal training program may be developed for Councillors, if required;
- The Chief Executive Officer shall be responsible for approving training and development programs under this policy;
- Council may meet or reimburse professional development fees including study expenses incurred, subject to approval of the Chief Executive Officer; and
- Development programs and initiatives may be available to Councillors collectively or individually.

Training and professional development expenditure should always be tested against the key criteria of whether it is relevant to the Councillor's role and in the interest of the Yarra community. Should insufficient funds be available in the current year's budget, Councillors may attend training opportunities, by paying their own expenses.

## **6.3. Travel**

Council shall meet the cost of travel associated with Council business or as part of a Councillor's professional development program.

### **Air travel**

Bookings for air travel shall be made by Council officers through Council's approved travel agent. In selecting the appropriate fare, officers shall seek to book the best value fare, having regard to cost, timing, quality and any fare conditions such as cancellation fees and additional charges. While

Councillors are able to accrue loyalty points, Council officers are not to consider whether such points are available in determining the most suitable airline or fare.

### **Accommodation**

Accommodation shall be provided in a location convenient to the travel itinerary. Where Councillors travel together, they will be each be booked a separate room.

### **Meals and incidentals**

Council shall reimburse the cost of all meals and other incidental costs associated with travel, including breakfast, lunch and dinner, coffees, transport fares, car parking. Expenditure on alcohol shall not be reimbursed.

### **Personal Travel**

Councillors may request that their itinerary be extended for personal reasons. If an extension results in a higher fare, Councillors must reimburse Council for the difference. If an extension in dates results in a lower fare, no payment to the Councillor shall be made.

Any additional costs arising from a partner, spouse or companion accompanying a Councillor on a business trip must be borne by that person, unless there is a bona fide and pre-approved business purpose to support their presence.

Where Councillors wish to 'upgrade' their travel, such as by flying in business class, staying in a higher standard of accommodation or hiring a prestige car or similar, they are able to do so, subject to meeting the additional cost to Council of the upgrades.

## **7. Councillor Allowances**

Mayoral, Deputy Mayoral and Councillor Allowances shall be payable in accordance with the provisions of section 39 of the Act.

A payment of one twelfth of the annual amount shall be made to each Councillor's nominated bank account on the first cheque cycle within each calendar month. Where a part month payment is calculable, an amount of 1/365 of the annual amount shall be payable for each day for which the allowance is payable, irrespective of the length of that month.

For the avoidance of doubt, on the day of a Mayoral election, the incoming Mayor and Deputy Mayor shall receive the Councillor Allowance and the outgoing Mayor and Deputy Mayor shall receive the Mayoral and Deputy Mayoral Allowances respectively.

Where a Councillor wishes to arrange a sacrifice payment of part or all of their allowance into a complying superannuation fund, a request must be lodged before the commencement of that month.

As the regular scheduled payment is made in advance at the commencement of each month, no additional payments can be made in advance.

## **8. Expenses that will not be met**

While this is not an exhaustive list, for the avoidance of doubt, the following expenses will not be met:

- Donations, grants or subsidies to individuals, community groups or other organisations.
- Purchases at charity auctions, raffles, fundraising events or similar.
- Costs associated with venue use other than for those civic meetings described above.
- Costs related to electoral or other personal political activity.
- Costs of personal travel.

- Legal and other expenses arising from the bad faith behaviour of a Councillors.
- Expenses of a personal nature, such as clothing, toiletries, beauty and medical services.

## 9. Administrative arrangements

### 9.1. Administration

The primary contact for Councillors relating to expense matters is the Office of the Mayor and Councillors.

### 9.2. Expense Reimbursement

For reasons of practicality, Councillors may be expected to meet the upfront cost of some minor expenses, and seek reimbursement from Council upon the presentation of a tax invoice or statutory declaration (where a tax invoice cannot be obtained).

As a general principle, expense reimbursements should only be sought where it is impractical to arrange direct payment by Council through the Mayor and Councillor's Office (such as for minor incidental expenses).

In order to seek reimbursement of out of pocket costs, Councillors must:

- Submit an expense reimbursement form to the Mayor and Councillors Office.
- Attach a Tax Invoice (receipt) showing GST payable.
- Describe the nature of the expense and why it was incurred.

In cases where a tax invoice cannot be provided (such as for incidental expenses, expenses incurred overseas, online transactions or lost or damaged tax invoices), Councillors may be requested to provide alternative evidence of charges (such as credit card statements, screen shots or electronic receipts or other transaction records) before reimbursement can be made.

To enable all expenses to be included in the quarterly report, Councillors shall lodge all reimbursement claims within one month of the conclusion of the quarter in which the expense was incurred.

### 9.3. Transparency

#### **Expense Reports**

The cost to Council of all payments, charges and reimbursements made under this policy shall be publicly reported on a quarterly basis, by means of a report on Council's website. An annual total for each Councillor shall be included in Council's Annual Report.

Reports shall identify costs for each Councillor, separated into the following categories:

- **Councillor Allowances**, which includes statutory allowances for the Mayor and Councillors, inclusive of any amount sacrificed into a complying superannuation fund.
- **Communication Costs**, which includes monthly fees and usage costs associated with Councillor smart phone computer equipment. They do not include any charges reimbursed by Councillors.
- **Travel Expenses** includes taxi fares, public transport costs, reimbursement to Councillors for kilometres travelled in their private vehicles, airfares, accommodation and ancillary costs associated with travel for Council business.

- **Community Representation** includes cost of attendance at events while representing Council in an official capacity, such as community events, dinners, fundraisers, media events, and network meetings.
- **Professional Development** includes registration fees, travel and accommodation costs associated with attendance or participation in conferences or professional development programs and professional membership fees.
- **Other Costs** includes carer expenses, printing and other incidental expenditure incurred by Councillors in performing their Councillor role.

Councillors will be provided a copy of their quarterly expense report and will be given an opportunity to query or clarify any included expenses before publication.

The quarterly report will be published within three months of the end of the quarter (ie before the end of the following quarter).

### **Audit and Risk Committee**

The Audit and Risk Committee will receive a copy of the quarterly expense report, together with specific details of all expense reimbursements made during that quarter.

### **Conference Reports**

Following attendance at any conference approved by Council resolution under the terms of this policy, Councillors shall present a Delegates Report to Council providing an overview of the conference program and its relevance to the City of Yarra. Councillors shall present this report to Council within two months of their return.

## **9.4. Indemnity**

Council will indemnify and keep indemnified each Councillor against all actions or claims whether arising during or after their term of office in respect of anything necessarily done or reasonably done or omitted to be done in good faith in the performance of a duty or a function or the exercise of a power under the Act, the regulations or a local law or any other Act; or in the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a power under the Act, the regulations or a local law or any other Act.

Council shall maintain public liability and professional liability insurance for this purpose and a copy of the certificate of currency for this insurance will be provided to Councillors on request.

## **9.5. Departure of a Councillor**

Where a Councillor leaves office, the following arrangements shall be made:

- Any overpayment of the Mayoral Allowance or Councillor Allowance shall be repaid to Council within 60 days. Where this would cause hardship, the Chief Executive Officer may enter into repayment arrangements for the recovery of the excess amount.
- Swipe cards, keys and Cabcharge or other charge cards shall be returned upon departure.
- IT equipment including, but not limited to, computers, phones, printers, unused consumables, cables and chargers shall be returned upon departure.
- Where issued, Council's bicycle and associated accessories shall be returned on departure.
- Upon request, any other items such as stationery, furniture, ergonomic equipment, corporate or safety apparel or any other Council owned items shall be returned on departure.
- Where approved by the Chief Executive Officer, Councillor name badges, name plates and other personalised items may be retained as a memento.

## 10. Members of Delegated Committees

This policy applies to members of a delegated committees who are not Yarra Councillors as if “Councillor” were replaced with “Committee member”.

Council will not meet the expenses of members of delegated committees where these expenses are met by another Council or organisation.