

Title	Councillor Expenses and Support Policy
Description	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
Category	Governance
Type	Policy
Approval authority	Council
Responsible officer	Manager Governance and Integrity
Approval date	17 December 2024
Review cycle	Every four years
Review date	17 December 2028
Document Reference	D14/166289
Human Rights compatibility	This policy has been assessed and is compatible with the Victorian Charter of Human Rights and Responsibilities

1. Purpose

This Councillor Expenses and Support Policy establishes the facilities, resources and support necessary or appropriate to provide to Councillors in the performance of their duties as elected representatives.

This includes:

- Outlining Councillors' entitlements for reimbursement of reasonable out of pocket expenses incurred while performing the duties of a Councillor;
- Establishing Councillors' support, resources and equipment entitlements associated with performing the duties of a Councillor;
- Establishing Councillors' opportunities to undertake paid professional development;
- Specifying procedures to be followed in applying for reimbursement and in reimbursing expenses; and
- Reimbursement of child care costs where reasonably required for a Councillor or member of a delegated committee to perform their role.
-

In the event Council establishes a Delegated Committee, the provisions of this Policy relating to the reimbursement of expenses will apply to a member who is not a Councillor (if any), as if they were a Councillor.

The Policy also sets out the processes for ensuring that the costs of resourcing and supporting Councillors, and the value of any expenses reimbursed, are reported to the community quarterly to promote good governance, transparency and accountability.

This policy is designed for both Councillors and the wider community to provide transparency on the level of support required for Councillors under The Local Government Act 2020 (the Act), including expenses involved in supporting Councillors to undertake their roles effectively.

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.

Under the Policy, the provision of facilities, resources and support to Councillors, and the expenses paid or reimbursed to Councillors, will be consistent with the following :

- (a) the standards of conduct prescribed in the Local Government (Governance and Integrity) Regulations 2024 and the Model Councillor Code of Conduct;
- (b) encouraging diversity in participation, equity and access; and
- (c) good governance, accountability and transparency.

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 Model Councillor Code of Conduct, Governance Rules and Council's IT policies.

3. Background

Under Section 41 of the Local Government Act 2020, 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.

Council will meet all expenses or reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which:

- 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 and Facilities

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. Councillors must maintain appropriate security over all Council supplied property, facilities and resources.

4.1. Communications and equipment

Councillors are issued with IT equipment, meeting Council's IT standards, in order to facilitate Council-related communications between the community, Council staff and Councillors.

Equipment, software, service and facilities offered includes:

- mobile telephone ;
- a tablet and/or laptop device;
- Windows/OS and MS Office (via Office365) amongst others will be installed on the device;
- cloud-based data storage (Office365);
- computer monitor;
- Multi-function unit for printing, photocopying and scanning documents upon request and approval by the Chief Executive Officer;
- IT support.

Mobile telephones and devices will all have wireless broadband capability and be Mobile internet enabled.

A request for replacement of Council supplied communications equipment that has been lost or irreparably damaged must be accompanied by documentation to substantiate the loss or damage.

4.2. Councillor Resources and Support

The standard resources and support to be provided to Councillors are:

- **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 Annex at Richmond Town Hall and, by prior arrangement, at other facilities throughout the municipality.

Councillor Expenses and Support Policy

- **Access to Council facilities** in the form of an access card providing 24 hours 7 days a week restricted 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
- **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 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, 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. Alcohol shall not be provided.
- **Health and wellbeing:** Councillors are able to access (where required) Council's appointed confidential professional counselling service (EAP) to help resolve both personal and Council related problems or concerns that may impact on their capacity to effectively undertake their role as a Councillor.

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.
- Executive 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 location at Richmond Town Hall.

In addition to the above 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. *Ward Meetings*

From time to time, Councillors may wish to host meetings with members of the community as part of their role as community representatives. The intent of the ward meeting program is for a Councillor to connect with their ward residents to be held from February to November, across a variety of locations in the City of Yarra. These ward-based meetings will be Council funded subject to the conditions outlined below and will be supported by Council officers and subject matter experts where applicable.

For the avoidance of doubt, this section does not limit a Councillor's right to organise and engage in community meetings/forums that they wish to undertake independently.

A Councillor can hold a maximum of three ward meetings per calendar year. Officer support may be provided in an advisory capacity as determined by the Chief Executive Officer. Senior officer attendance at the ward meeting will also be determined by the Chief Executive Officer.

Support

Council will cover the expenses for venue hire and collateral to support the meeting. Additional resources such as an A-Frame and ward pull up banner is available on request. A suitable Council venue may be determined by the ward Councillor after consultation with officers. When determining an appropriate venue, accessibility and venue size should be taken into consideration to ensure attendees can be accommodated for.

A ward meeting cannot be called when it will clash with the following Council commitments –

- Council meetings;
- Planning Decisions Committee meetings;
- Councillors workshops; and
- Advisory Committee meetings.

A ward meeting must not be held –

- Within 6 months before a Local Government Election;
- Within 3 months before a State Election; and
- Within 3 months before a Federal Election or the latest potential date for Federal Election. Where a Federal Election is called early

5. **Support Provided**

5.1. *Media Support*

The Mayor is the principal spokesperson for Council when dealing with the media.

Media support that directly pertains to the official business of Council is provided by the Communications Department to the Mayor and to Councillors who are delegated by the Mayor, to manage a particular issue.

The services provided include responding to media enquiries, providing media advice, developing media releases and arranging media events directly related to the official business of Council. The service provided is at a level determined reasonable by the CEO.

Speech support is only provided for Councillors who wish to speak at function in an official role as a representative of Council (i.e. Mayor's delegate).

5.2. *Carer and dependent related expenses*

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. The Council will reimburse the cost of necessary expenses for childcare up to and including the age of 16 years and for the care of elderly, disabled and / or sick immediate family members of Councillors, who live with the Councillor while a Councillor is conducting Council business.

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.

Childcare costs are not eligible for reimbursement if paid to a family member or a person who normally or regularly lives with the Councillor, except where a live-in (professional) helper such as a nanny is required to work extra time at extra expense because of the Councillor's duties.

Carer expenses may consist of:

- Childcare centre fees;
- Hourly fees;
- Agency booking fees (if claimed); and
- Reasonable travelling expenses

Fees that can be reimbursed are at per hour (or part of an hour) rate, subject to any minimum period which is part of the provider's usual terms, to a maximum hourly rate approved by the Chief Executive Officer (guided by industry rate).

Claims must be accompanied by a receipt from the care provider showing the date and time care was provided and details of the reason care was needed on each occasion.

All claims will be substantiated by an invoice or receipt or other relevant documentation provided by the caregiver.

Any claims for family care by a Councillor will be considered and have regard to the definitions and provisions of the Carers Recognition Act 2012.

5.3. *Other Support*

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

- **Disability support:** Council will provide reasonable additional support, facilities and equipment to support them in discharging the duties of office.
- **CALD support:**-reasonable translation or other language services.
- **Cultural support:** 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 Training and Development Program

Council is committed 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.

6.1. Training and Development

The Councillor Professional Development and Training program will cover professional development training opportunities whilst ensuring compliance with Councillor training and induction requirements under the Act. The program will be delivered over the Council term and cover the following four components:

- Mandatory professional development training as required under the Act, including but not limited to:
 - Good Governance training
 - Organisation or local government peak body training and development, and
- Other professional development opportunities, including conferences and seminars.

Councillors will 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 undertaking any professional development through attendance at training or study courses is strongly encouraged, participation will be on a completely voluntary basis;
- As the needs of individual Councillors will vary, Councillors may wish to discuss with the Manager Governance and Integrity in identifying available courses, seminars, training or study materials to satisfy individual needs;
- The Chief Executive Officer will be responsible for the training and development programs in accordance with the Act;
- 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 following key criteria:

- whether it is relevant to the Councillor's role;
- it is in the interest of the Yarra community; and
- it is consistent with the legislative requirements relating to induction and mandatory professional development training.

Council holds a range of corporate professional memberships that are reviewed on an annual basis. Councillors are able to access information, training and development opportunities through these corporate memberships.

6.2. *Conferences and Seminars*

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

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

A Councillor's attendance at a particular conference or seminar will be assessed against the following criteria:

- course topic, content, location, date and duration;
- relevance of conference to Council business and the Councillor's personal development requirements;
- analysis of the costs including the course, course material, travel and accommodation for the Councillor; and
- benefits expected to result from attendance.

Conferences or seminars to be held **interstate or overseas** are subject to the provisions of clause 8 of this policy and 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 will meet associated expenses, subject to any conditions or limitations determined by the Council.

Conferences or seminars to be held **within Victoria** are subject to the provisions of clause 8 of this policy and are 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.

7. **Representing Council**

7.1. *Council organised or sponsored events*

The Mayor is the primary Council representative for Council events. If the Mayor is unavailable to attend a Council event, the Deputy Mayor (if appointed) will become the primary representative. If the Deputy Mayor is not available, the Mayor may delegate the role to a Councillor.

All Councillors will receive an invitation to Council organised or sponsored events.

Speech support is only provided for Councillors who wish to speak at functions in an official role as Yarra representative (i.e. Mayor's delegate).

The Mayor, or delegated Councillor representing Council at an event is entitled for any reasonable bona fide costs associated with representing Council at the event to be paid by Council or reimbursed.

Should any other Councillor be required to attend the event then the costs associated with attending the event will be paid by Council.

7.2. Local community events and functions

Attendance at local events and functions is a key part of a Councillor's representative role.

Councillors will be supported to attend paid events if it complies with section 7.3 of this policy.

Councillors will carefully consider if their attendance at an event or function truly relates to the duties of office, and whether community resources should be used to pay for their attendance.

Councillors will avoid conflicts of interest (or perceptions of) that may arise as a result of their attendance at events and functions, including the applicable gifts threshold.

Under Section 128 of the Act, a material conflict of interest because of receipt of an applicable gift does not include reasonable hospitality received by the person at an event or function the person attended in an official capacity as a Councillor.

Hospitality is a gift where a Councillor attends an event or function:

- From free tickets the Councillor received and there are NO official duties to perform, or
- With free membership; or
- Where the hospitality is generous e.g. a two or three course meal with alcohol at an event or function.

Councillors will act in accordance with the Councillor Gifts and Hospitality Policy in disclosing offers.

7.3. Paid events

Councillors will be supported to attend paid events that:

- Are held by groups or organisations based in the City of Yarra that have a 'demonstrable benefit' to the local community and are directly related to a Councillor's area of responsibility or committee membership as appointed by Council; or
- Events hosted by key community partners/stakeholder organisations, where an official invitation is received, the Councillor has been invited in an official capacity and attendance has been approved by the Chief Executive Officer in conjunction with the Mayor; and
- Where the invitation does not conflict with any Council policies or resolutions and attendance can must be reasonably viewed as contributing to the fulfillment of the Council's goals.

The cost of a Councillor's partner or guest will not be covered by Council and may constitute an applicable gift (or contribute to an applicable gift) under the Act for the Councillor if accepted free of charge.

8. Travel expenses

Council will 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 will be made by Council officers through Council's approved travel agent. In selecting the appropriate fare, officers will 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 will 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 will 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 will 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 will 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.

9. Councillor Allowances

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

A payment of one twelfth of the annual amount will 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 will 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 will receive the Councillor Allowance and the outgoing Mayor and Deputy Mayor will 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.

10. 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 associated with the attendance of a Councillors spouse, partner or family member at conferences, seminars and events under sections 7.1, 7.2 and 7.3.
- Costs related to electoral or other personal political activity.
- Costs of personal travel.

- Expenses of a personal nature, such as clothing, toiletries, beauty and medical services.

11. Administrative arrangements

11.1. Administration

The primary contact for Councillors relating to expense matters is the Councillor Support Unit.

11.2. 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 Councillor Support Unit (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 Councillor Support Unit;
- Attach a Tax Invoice (receipt) showing GST payable; and
- 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 should lodge all reimbursement claims within one month of the conclusion of the quarter in which the expense was incurred.

11.3. Transparency

Expense Reports

The cost to Council of all payments, charges and reimbursements made under this policy will be publicly reported on a quarterly basis on Council's website. An annual total for each Councillor will be

included in Council's Annual Report.

Reports will 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, 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 should present a Delegates Report to Council providing an overview of the conference program and its relevance to the City of Yarra. Councillors should present this report to Council within two months of their return.

11.4. Indemnity

Council will indemnify (unless prohibited under legislation) 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 will 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.

11.5. Legal fees

Other than by a specific Council resolution, or in accordance with a Council Policy, any legal expenses incurred by a Councillor or member of a delegated committee will be the responsibility of that Councillor or member of a delegated committee.

11.6. End of Council term/suspension or resignation

At the end of a Councillor's term or resignation from office, the following arrangements will 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.
- Claims by a Councillor for a previous term must be finalised within one month of a general election or by-election. After this time, the entitlement of the Councillor to claim the expense will cease.
- 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 within one week of ~~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.

Councillor Expenses and Support Policy

- Where approved by the Chief Executive Officer, Councillor name badges, name plates and other personalised items may be retained as a memento.

If a Councillor is suspended in accordance with the Act, the Councillor must return all Council equipment and materials to the Council at the beginning of the term of suspension.

In the case that a Councillor seeks a leave of absence for a period exceeding one month, they will be required to return their Council provided equipment.

12. 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.