



Councillors Support and Expenses Policy

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1 Purpose

The purpose of this Policy is to outline:

- allowances for the Mayor, Deputy Mayor and Councillors;
- the reimbursement of out-of-pocket expenses incurred in the performance of official Council duties for the Mayor, Deputy Mayor, Councillors and members of delegated committees; and
- Councillor support to enable the performance of their official Council duties.

2 Scope

This policy applies to the Mayor, Deputy Mayor, Councillors and members of delegated committees of the East Gippsland Shire Council (Council).

3 Policy Context

Council must adopt and maintain a Councillor Expenses Policy under section 41 of the *Local Government Act 2020* (the Act) that must:

- a) specify procedures to be followed in applying for reimbursement and in reimbursing expenses;
- b) comply with any requirements prescribed by the regulations in relation to the reimbursement of expenses;
- c) provide for the reimbursement of childcare costs where the provision of childcare is reasonably required for a Councillor or member of a delegated committee to perform their role; and
- d) have particular regard to expenses incurred by a Councillor who is carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*.

4 Policy Statement

Council will pay allowances to the Mayor, Deputy Mayor and Councillors in accordance with the requirements of the Act.

Council will reimburse Councillors and members of delegated committees 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.

A copy of this Policy will be made available on Council's website.

This Policy will be reviewed following every Council election. Councillors may seek to review the Policy at any time.

5 Mayor, Deputy Mayor and Councillor allowances

The Mayor, Deputy Mayor and Councillors are entitled to receive an allowance pursuant to section 39 of the Act and in accordance with the determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Allowances paid to the Mayor, Deputy Mayor or Councillor cannot exceed the amount specified in the relevant determination by the Victorian Independent Remuneration Tribunal.

The Mayor and Deputy Mayor are not entitled to receive an allowance as a Councillor while receiving the allowance as the Mayor or Deputy Mayor.

A Mayor, Deputy Mayor or Councillor may elect, in accordance with section 39 (5) of the Act, to receive:

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

Allowances are taxable income and are paid fortnightly in arrears. Personal taxation implications are the responsibility of individual Councillors.

6 Support for the Mayor, Deputy Mayor, Councillor and members of delegated committees

Council will provide support to the Mayor, Deputy Mayor, Councillors and members of delegated committees to undertake their official Council duties.

In this Policy, official Council duties are defined as:

- meetings of the Council, a delegated committee, its advisory boards, advisory or consultative committees;
- meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or Council or a delegated committee;
- meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative or is authorised by Council to attend in their role as a Councillor;
- meetings, functions or other official role as a representative of the Mayor or Council or a delegated committee;
- other meetings, inspections, community forums or events attended by a Councillor in the course of their duties as a Councillor; and
- conferences, seminars, events and professional development being undertaken by a Councillor.

6 Office Accommodation

A Mayoral office is at the Corporate Centre at 273 Main Street, Bairnsdale, for use by the Mayor for purposes directly related to their official Council duties.

Councillors may use the Nicholson Room for purposes directly related to their official Council duties.

7 Building Access

Each Councillor will receive a swipe card allowing 24-hour access to the Nicholson Room and public area at the Corporate Centre at 273 Main Street, Bairnsdale.

8 Name Badge and Business Cards

Each Councillor will be provided with a name badge and business cards.

9 Administrative Support

Administrative support will be made available by the Chief Executive Officer (CEO) to assist the Mayor in performing their official Council duties and to assist Councillors with diary management and responses to correspondence, enquiries and requests for service as part of their official Council duties.

Council's letterhead stationery is only available for official Council business and may be used by Councillors only when approved by the CEO.

Council business papers, personal mail and other Council information will be forwarded electronically. If and when circumstances render it necessary, documents may also be placed in Councillors' lockers at the Corporate Centre.

10 Insurance

Councillors are covered under the following Council insurance policies on a 24-hour basis while discharging the duties of office of Councillor, including attendance at meetings of external bodies as Council's representative:

- Public Liability;
- Professional Indemnity;
- Councillors and Officers Liability;
- Personal Accident (accompanying partners are also covered); and
- Corporate Travel.

These policies will apply to claims that arise from an occurrence in connection with Council business.

Items of Council equipment provided to Councillors to assist in performing their role, including motor vehicles, are covered for damage or theft under Council's insurance policies. Councillors are expected to exercise due care in protecting the equipment from damage or theft. Personal items and effects left in Council vehicles are not covered by Council's insurance policies.

Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not. Councillors will pay the excess on the vehicle policy or any policy covering other items of Council equipment provided to Councillors to assist in performing their role, if they are found to have not taken due care in protecting the vehicle or equipment from damage or theft.

11 Information and Communications Technology

Councillors will be provided a computer with access to email and internet services and a mobile telephone for Council business. Councillors will be provided with access to a printer located at the Corporate Centre.

Where the CEO deems it necessary, support for internet connectivity at a Councillor's residence will be provided.

Council will review mobile phone, internet and other plans provided for use by Councillors or members of delegated committees on a quarterly basis, to ensure the adequacy of the plans and investigate alternatives or decreases in plan allowances in order to achieve cost savings while maintaining the adequacy of the plans.

All equipment provided by Council is to be used only for the purpose of performing official Council duties and remains the property of Council. All equipment must be returned at the end of a Councillor's term of office or upon retirement/resignation of the Councillor.

12 Motor Vehicles

All Councillors will be provided with a range of options (as detailed below) related to travel using motor vehicles for Council Business. These options include both the provision of Council vehicles for use by a Councillor, the use of Council Fleet Pool Vehicles by a Councillor and the reimbursement of costs associated with use of a Councillors private vehicle for performing their duties as a Councillor.

Several key principals underpin the provision and allocation of vehicles to Councillors, with the following applicable:

- a) Travel is a requirement of Councillors and vehicles are made available primarily to support the Councillor to perform their role.
- b) The type of vehicles provided will be fit for purpose performing the role of a Councillor.
- c) Vehicles will be selected in the most cost effective, environmentally conscious, and socially responsible way.
- d) Private use of vehicles will require a contribution by the beneficiary commensurate with the additional costs incurred for that use.

All vehicles will be provided with a first aid kit.

Vehicles which are used in isolated and remote areas may also be fitted with additional safety and telecommunication equipment.

Motor Vehicle options

Option 1 - Electing to receive a Council vehicle, including full private use, inclusive of a contribution commensurate with the additional cost incurred by Council for that use.

Councillors may elect to be provided with use of a vehicle that is available for use for both performing the role of a Councillor and private purposes.

The standard of vehicle will be purchased based on business requirement, to support the Councillor in performing their role.

Small and medium sized cars and SUVs will be provided. Councillor vehicles are traded over on a four-yearly cycle. The organisation will not provide six-cylinder vehicles unless there is a specific business need, with the fleet predominantly four-cylinder or hybrid vehicles. Vehicles will generally be of a mid-range specification. Electric models will be made available if supply and servicing networks are adequate within the municipal district, vehicles are fit for purpose in performing the role of a Councillor and represent a cost-effective option.

The Councillor will be required to make a contribution, as determined by Council from time-to-time, via a deduction from their Councillor allowance, the proportion of the total vehicle ownership costs, that it is equivalent to the proportion of private use. The selection of vehicle type by the Councillor will have a bearing on these costs.

Councillors are required to keep a logbook of vehicle use for performing the role of a Councillor and private usage for a three-month period during the first 12 months of the Council term, at a minimum. Further data collection may be required throughout a Councillor's term to validate the arrangements in place.

A Councillor's annual contribution in recognition of the private use component of their Councillor vehicle will be revised and adjusted if necessary, based on logbook data.

SUVs and 4x4 vehicles will be fitted with a standard tow-pack acknowledging this is a standard item on this type of vehicle.

Requests for additional equipment or accessories may be made to the General Manager Assets and Environment for review before approval by the CEO. If approved, additional vehicle equipment or accessories will be fitted at the Councillor's expense. Accessories requiring any structural modification to the vehicle or effecting its roadworthiness or safety systems will not be considered.

A vehicle provided under this category entitles the Councillor and the Councillor's immediate family to use the vehicle for private use and for the Councillor to perform their role.

A copy of the driver's licence for each Councillor and their nominated alternate driver must be provided.

In instances where multiple at-fault incidents result in damage to Council vehicles, Councillors may be required to contribute (in each case) up to \$400 to the cost of insurance excess costs. For drivers under the age of 25, the contribution will additionally include any excess that applies above the standard excess nominated in Council's vehicle insurance policy.

In the event of a Councillor taking a leave of absence, or when suspended or stood down, they will return their vehicle to a nominated location. Councillors would not be required to make a vehicle contribution during this time.

Option 2 - Electing to receive a Council vehicle for business use only, where access to Council Fleet Pool Vehicles is limited, and reimbursement of travel expenses results in higher overall cost to Council.

Councillors who do not elect to be provided with a private use vehicle in accordance with Option 1, may be provided with use of a vehicle that is available for performing the role of a Councillor.

Option 2 is to be made available to a Councillor for performing their role only if the cost of that vehicle is determined to be less than their estimated travel reimbursement expenses, representing the lowest cost option. Logbook data and the Councillors proximity to Council Fleet Pool Vehicles would be considered in making this determination. A determination regarding provision of a vehicle in accordance with Option 2 requires approval by General Manager Assets and Environment and the CEO.

A vehicle provided in accordance with this option is for the sole purpose of the Councillor performing their role. No contribution to vehicle costs is required from a Councillor in accordance with this option.

In instances where multiple at-fault incidents result in damage to Council vehicles, Councillors may be required to contribute (in each case) up to \$400 to the cost of insurance excess costs. For drivers under the age of 25, the contribution will additionally include any excess that applies above the standard excess nominated in Council's vehicle insurance policy.

The standard of vehicle will be purchased based on requirements of the Councillor to perform their role.

Option 3 - Electing to not receive a Council vehicle.

Councillors may elect not to be provided with use of a Council vehicle.

In this instance, Councillors will, as a first preference, utilise Council Fleet Pool Vehicles. Where the use of Council Fleet Pool Vehicles is not possible or practical, Councillors may make a claim for reimbursement for use of their own private vehicle for performing their role as a Councillor.

A claim for private use of privately-owned vehicles must be made using the approved Expenses Claim Form. The claim must be fully complete and detail odometer readings at the start and end of the journey. If a journey includes elements of both performing the role of a Councillor and private use, only a proportion of travel commensurate with performing the role of a Councillor can be claimed. This must be clearly detailed on the Expenses Claim Form.

The rate of reimbursement for use of privately-owned vehicles is set at the Australian Taxation Office rate for motor vehicle expenses, based on the cents per kilometre method, adjusted annually.

Fines and infringements

Under no circumstances will Council be liable to pay any fine or costs incurred by the driver of a Council vehicle if that person infringes against road traffic regulations, local laws of any local government with respect to parking restrictions, or any other regulation that relates to the use of vehicles. The onus for the payment of a fine or other cost resides with the offender. If any fines or other costs are incurred by an alternate driver, or any other driver of a Council vehicle, it will be that Councillor's responsibility to pay for the fine. They are free to seek repayment from the driver at their own discretion.

Servicing and maintenance

Where a vehicle has been allocated to a Councillor, the Councillor will ensure the vehicle remains in a clean and tidy condition.

It is the Councillor's responsibility to ensure that the vehicles are maintained in accordance with the manufactures recommended servicing schedule and remain in a roadworthy condition at all times. This responsibility is limited to ensuring that regular fluid and tyre pressure checks are carried out, vehicle servicing is current, and any obvious tyre, windscreen or other wear or abnormal noises are reported to the Councillor Support Officer.

Smoking is not permitted in the Councillor's vehicle.

Vehicle breakdown

All Councillor vehicle related matters including breakdowns and accidents must be reported to the Councillor Support Officer.

Procedures relating to breakdowns and accidents are provided in the glove box of the Councillor's vehicle.

Election

All Councillor vehicles and related matters during an election will be managed in accordance with the Election Period Policy in the Governance Rules.

13 Meals and Refreshments

Where Council or Committee meetings are held at times which extend through normal mealtimes, Council will provide suitable meals served on the premises. Alcohol will not be provided.

7 Expenses and Reimbursements

7.1 Reimbursement of Expenses Generally

For the purposes of expenses and reimbursements under this Policy, whether it is specified or not in this Policy, members of delegated committees are subject to the same rules as Councillors, and Council's reporting and oversight obligations apply in relation to members of delegated committees in the same way they apply in relation to Councillors.

In accordance with section 40 of the Act, Council will reimburse Councillors and members of delegated committees 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.

When the above criteria are satisfied and a Councillor or a member of a delegated committee has incurred an out-of-pocket expense, the expense will be paid or reimbursed by Council. Councillors and members of delegated committees will not be reimbursed for purchases of alcohol. Alcohol cannot be charged back to Council for payment.

Reimbursement of any expenses that are not specifically identified in this Policy will require approval by the CEO after assessment of the relevant claim form by the Manager Governance.

Reimbursement of any expense not specifically provided for in this Policy will require approval by the CEO after assessment of the relevant claim form by the Manager Governance.

Claims for reimbursement must be submitted by the claimant on the appropriate claim form for assessment. Evidence, including any applicable original tax invoices or receipts (credit card/EFTPOS receipts will not be accepted), personal vehicle use (must include the odometer at the start and end of the trip) or reports regarding training attended, are required to be submitted with the claim form as proof of purchase for reimbursement. Reimbursements must not be approved without sufficient evidence. Reimbursements will be paid by accounts payable on a monthly basis into the Councillor's or member of delegated committee's nominated bank account after approval is given by the CEO.

All claims for reimbursement must be made within one month of incurring the expense. Where there is an upcoming Council election, all claims for reimbursement of expenses must be finalised at least one month prior to the election date. A one-month grace period will apply post-election for Councillors who sought re-election and were not successful to lodge claim forms after which claim forms will no longer be accepted.

7.2 Legal Support

Where legal proceedings are brought against a Councillor in connection with an act or omission in their functions as a Councillor, a Councillor may be entitled to have legal costs up to \$2,500 reimbursed. Legal costs will not be reimbursed for any defamation action brought by a Councillor.

A Councillor may seek reimbursement up to \$2,500 per request, and no more than two requests per financial year can be made by an individual Councillor. To receive reimbursement, the Councillor must provide a declaration that the matter for which reimbursement of legal costs is sought is related to their role as a Councillor and that they have acted in good faith and not unlawfully or improperly. The Councillor must engage a lawyer from a legal firm on the Municipal Association of Victoria panel or otherwise as approved by the CEO prior to any expense being incurred, otherwise they will not be granted reimbursement.

The CEO must refuse reimbursement in the following circumstances:

- a) to the extent the costs are unreasonable;
- b) the costs have been incurred through the engagement of a lawyer from a legal firm not on the Municipal Association of Victoria panel, or pre-approved by the CEO;
- c) the CEO considers the matter for which reimbursement of legal costs is sought is or was outside the Councillor's official Council duties; or
- d) the CEO considers the Councillor has not acted in good faith or lawfully or properly in relation to the matter for which reimbursement of legal costs is sought.

A Councillor will repay any reimbursed costs where there is a finding by a court, tribunal, or regulatory authority in relation to the matter the Councillor has not acted in good faith or has acted unlawfully or improperly.

7.3 Remote Area Travel Allowance

A remote area travel allowance will be paid to compensate for the time spent by Councillors who reside more than 50 km by the shortest possible practicable road distance from the location or locations specified for the conduct of:

- meetings of Council;
- meetings of delegated committees, Council advisory boards, consultative, advisory and other committees to which Council has formally appointed the Councillor as its representative;
- meetings and other formal events of organisations to which Council has formally appointed the Councillor as its delegate; or
- any municipal or community functions that have been authorised by the Mayor or CEO for the Councillor to attend.

A Councillor will be paid an allowance of \$44 per day on which one or more meetings or authorised functions is actually attended by the Councillor, up to a maximum of \$5,500 per annum. The remote area travel allowance is not paid on days that there are no meetings or authorised functions.

Councillors and members of delegated committees must submit a completed *Remote Area Travel Allowance* form by the last day in each month providing details of the date, location, purpose of the meeting and odometer reading at the start and end of journey for kilometres travelled on each occasion.

All claims for the remote travel allowance pertaining to travel undertaken within a particular financial year must be accounted for within that financial year. A one-month grace period to 31 July in each year will be given to allow claim forms for the previous financial year to be lodged. At the expiry of the one-month grace period claims will no longer be accepted.

7.4 Other Travel Expenses

Council will pay for the costs of Councillors' travel if it is required for official Council duties, in accordance with the below guidelines.

Where travel is by air, economy class will be the standard.

Where travel between Bairnsdale and Melbourne and return is by train, first class will be the standard, in recognition of potential safety issues. The standard of any other train travel will be determined by the CEO on a case-by-case basis.

All interstate travel proposed to be undertaken by a Councillor and paid for by Council requires prior approval by the CEO.

All international travel proposed to be undertaken by a Councillor and paid for by Council requires prior approval by a formal resolution of Council.

Claims for reimbursement of out-of-pocket travel expenses by Councillors may be made or approved only on the basis of the actual form of transport used and the actual out of pocket expenses incurred and be in the form of a reasonable allowance towards, or reimbursement of, out of pocket expenses necessary for the Councillor's official Council duties.

7.5 Representative Memberships

Council will organise and pay for collective Council or individual Councillor membership to peak Australian Local Government industry bodies.

7.6 Professional Development

Professional development for Councillors and members of delegated committees is encouraged.

Attendance at relevant conferences and seminars is considered necessary for effective representation and advocacy for the Shire and the development of Councillors in their role.

Councillors may attend seminars and conferences that:

- relate directly to performing official Council duties; or
- are organised by a Local Government peak body/association; and
- have a demonstrable benefit for the East Gippsland Shire community.

Councillors are encouraged to discuss proposed attendance at conferences and seminars with the CEO.

All arrangements associated with Councillor professional development (including registration, air or train travel and accommodation/meals) will be organised through the Councillor Support Officer.

Where professional development opportunity involves interstate or overseas travel Councillors must complete a *Record of Interstate or Overseas Travel* form providing details of the date, destination, purpose and total cost of the travel.

After attending a professional development opportunity Councillors are required to provide a report to the next Council meeting. The summary should outline the benefits of the conference to themselves personally and to Council.

7.7 Conferences and Seminars

The cost of attending approved conferences and seminars, including reasonable out-of-pocket expenses substantiated by related receipts, will be met from the Council budget. Where a conference or seminar involves interstate or overseas travel, Councillors must complete a *Record of Interstate or Overseas Travel* form.

Each year Council's Budget includes provision for the costs associated with Councillor attendance at Council approved conferences and seminars (including registration fees, accommodation, and meals for the duration of the event). This amount is apportioned as follows:

- allocation of a lump sum amount to meet the costs associated with all conferences, seminars and other events attended by the Mayor and Councillors in order to meet their responsibilities as elected representatives and where appropriate, as Council's formally appointed delegate or nominee; and
- a specific sum is allocated to the Mayor and each individual Councillor from which the costs associated with attendance at conferences, seminars or other events that are not directly related to their role as a formally appointed delegate or nominee (e.g. a professional development opportunity not being pursued by other Councillors) will be met.

Where the Mayor or a Councillor has expended the individual sum allocated to them in any year and wishes to attend a further conference, seminar or other event as described in this section, they will need to discuss their proposed attendance with the CEO so that the appropriateness of funding their attendance from another Council budget can be assessed against the following criteria:

- relevance to Council business and/or the Councillor's personal development requirements;
- benefits to Council and the Shire expected to flow from attendance;
- estimated cost including but not limited to conference material, travel and accommodation for the Councillor; and
- appropriateness of funding from other Council budgets.

After attending a conference or seminar, Councillors are required to provide a report to the next Council meeting. The summary should outline the benefits of the conference to themselves personally and to Council operations.

7.8 Childcare expenses

Council will reimburse the cost of childcare where the provision of childcare is reasonably required for a Councillor or a member of a delegated committee to perform their role. The reimbursement of childcare will be capped at the Federal Government hourly rate for in-home care at \$33.17 per family (this rate is subject to change and will be applied in accordance with the Federal Government recommendations).

Reimbursement for childcare costs by Council is limited to:

- child/ren aged less than 13 years;
- costs associated with childcare only and no other household duties;
- costs of childcare not covered by other entitlements such as the Australian Government Child Care benefit;
- childcare services that are operating as a registered business in Victoria; and
- childcare services that are not a relative or household member.

Subject to prior approval by the Mayor and CEO, a Councillor or member of a delegated committee with dependent children who is attending a conference or seminar at which a designated children's program is provided may enrol their dependent children in that program at Council's expense.

7.9 Care Related Expenses

For Councillors and members of a delegated committee who would otherwise be a primary care giver for immediate family members who are elderly or sick, have a disability or mental illness, or a care relationship for children up to 15 years old, Council will, subject to the requirements of this section, reimburse the cost of expenses incurred in order to provide care for the relevant person when the Councillor who would otherwise be the primary care giver is engaged in discharging their duties as a Councillor.

For Councillors and members of a delegated committee who are in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*, Council will, subject to the requirements of this section, reimburse the cost of expenses incurred in order to provide care for the relevant person when the Councillor who would otherwise be providing the care is performing their duties as a Councillor.

Council will only reimburse Councillors or members of a delegated committee for carer expenses paid to:

- An accredited care provider; or
- A person providing care who does not:
 - a) have a familial or like relationship with the Councillor or member of a delegated committee; or
 - b) reside either permanently or temporarily with the Councillor or member of a delegated committee; or
 - c) have a relationship with the Councillor or member of a delegated committee or their partner such that it would be inappropriate for Council to reimburse monies paid to the care provider.

Care expenses may include hourly fees as paid by the Councillor or member of a delegated committee to a care provider and/or agency booking fees if applicable.

7.10 All Abilities Access

Where possible, Council will resolve to meet reasonable additional expenses to assist a Councillor or member of a delegated committee with a disability to perform his or her official Council duties.

7.11 Standard of Accommodation and Meals

Standards and availability of accommodation vary markedly in both urban and regional areas. Councillors and members of delegated committees are encouraged to select accommodation that is modern, safe and hygienic. In accordance with the Australian Taxation Office Taxation Determination TD2022/10 (the determination is subject to change and will be applied in accordance with the current Australian Taxation Office determination) reasonable accommodation expenses for Tier 2 country centres is \$134 per night and Melbourne is \$173 per night. Where accommodation is not available in accordance with these limits the Manager Governance may recommend to the CEO to approve accommodation that exceeds the limit.

If a Councillor requires accommodation in a location other than Melbourne or a Tier 2 country centre, the appropriate limits in the Australian Taxation Office Taxation Determination TD2022/10 will be applied and where accommodation is not available within the limits the Manager Governance may recommend to the CEO to approve accommodation that exceeds the limit.

All bookings for accommodation are to be made by the Councillor Support Officer.

In accordance with Occupational Health and Safety principles, Councillors who reside in the more remote areas of the Shire are encouraged to stay overnight following Council meetings, events and functions that conclude well after normal business hours. The cost of this accommodation will be met by Council provided it fits with the standard of accommodation outlined above. When a Councillor is required to stay overnight, the Councillor will be reimbursed for an evening meal, where this is not provided by Council or at a function attended in an official capacity, and breakfast.

Where meals are not included at meetings, conferences, seminars and professional development events, Councillors and members of delegated committees can be reimburse for meals and beverages in accordance with the amounts provided by the Australian Taxation Office. Only actual food and beverage expenses will be reimbursed up to the amount deemed reasonable by the Australian Taxation Office Taxation Determination TD2022/10 (the determination is subject to change and will be applied in accordance with the current Australian Taxation Office determination). Councillors and members of delegated committees will not be reimbursed for the purchase of any alcohol.

The amounts below are the upper limits that may be claimed for out-of-pocket meal expenses for Tier 2 country centres:

- Breakfast \$ 26.80 (only reimbursable for the day following an overnight stay)
- Lunch \$ 30.60 (only reimbursable for the day following an overnight stay)
- Dinner \$ 52.75 (only reimbursable for the night of an overnight stay).

The equivalent upper limit for Melbourne and other capital cities that may be claimed for out-of-pocket meal expenses are:

- Breakfast \$ 29.90 (only reimbursable for the day following an overnight stay)
- Lunch \$ 33.65 (only reimbursable for the day following an overnight stay)
- Dinner \$ 57.30 (only reimbursable for the night of an overnight stay).

Claims for reimbursement for out-of-pocket expenses will only be approved for the time away from home that allows the Councillor to perform their role.

As a general rule, it is anticipated that an *a la carte* meal purchased by Councillors would comprise of two courses or less. The purchase of any alcohol by a Councillor or member of a delegated committee must be done so at their personal expense.

Councillors are not permitted to seek reimbursement of out-of-pocket expenses to cover meals or refreshments for anyone other than themselves.

Council is a family-friendly organisation and as such, does not discourage family members from joining Councillors at conferences and events such as seminars, training or planning sessions. However, when accompanied by a family member (other than a Councillor's partner at a conference or seminar where the presence of their partner is necessary to support the business or representational needs of Council) any additional costs incurred (e.g. room upgrade, additional meals, etc.) are required to be paid for by the Councillor.

7.12 Other Exclusions

In addition to any exclusions set out in the rest of this Policy, Council will not be responsible for reimbursing the following expenses incurred by Councillors or members of a delegated committee:

- a) Any costs arising from a breach of road, traffic, parking or other regulations or laws.
- b) Expenses incurred which:
 - are not bona fide expenses;
 - have not been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; or
 - are not reasonably necessary for the Councillor or member of a delegated committee to perform that role.
- c) The cost of the purchase of any alcohol.
- d) Costs incurred for immediate family members/associates to attend conferences and events such as seminars, training or planning sessions (other than in the case of attendance of a Councillor's partner at a conference or seminar where the presence of their partner is necessary to support the business or representational needs of Council).

If a Councillor does not claim a particular expense, this cannot be offset against a claim for any additional amount of another expense.

8 Reporting and review of expenses

All reimbursements and expenses paid to or for Councillors or members of a delegated committee will be recorded and categorised as either:

- travel expenses;
- professional development expenses; or
- expenses to support the performance of the role.

Details of all reimbursements to Councillors and members of delegated committees will be provided to the Audit and Risk Committee quarterly. These details must include:

- expenses incurred by Councillors during the quarter;
- reimbursement claims made by Councillors during the quarter.

A summary of reimbursements to Councillors and members of delegated committees will be published on Council's website following the report to the Audit and Risk Committee.

Council will provide Councillors and members of delegated committees with their expenses data for review on a quarterly basis.

9 Training

Training will be provided to Councillors and members of delegated committees in their induction training and midway through their term. Training will be given to Councillors and members of delegated committees by the Councillor Support Officer regarding which expenses they are entitled to receive reimbursement for and the requirements for obtaining reimbursement, such as the appropriate claim forms to be submitted.

During the course of this training, Councillors and members of delegated committees will be informed that all expenses will be submitted to the Audit and Risk Committee, published on Council's website and included in the annual report to be presented at the end of each financial year.

10 Roles and Responsibilities

These management positions are responsible for the implementation, communication and compliance monitoring of the policy in their work areas:

Party / Parties	Roles and Responsibilities
Chief Executive Officer (CEO)	<p>Advise all Councillors and members of delegated committees of their responsibilities and to comply with this Policy.,</p> <p>Approve claims for reimbursement of Councillor's out-of-pocket expenses.</p> <p>Approve support, expenses and reimbursements which are not specifically identified in this Policy.</p> <p>Approve content of claim forms to ensure sufficient detail is provided to substantiate claims for out-of-pocket expenses in line with the requirements in this Policy.</p>
General Manager Business Excellence	<p>Review the Policy to reflect legislative requirements and best practice for transparency of Councillor expenses and reimbursements of out-of-pocket claims.</p>
Manager Governance	<p>Review expense claims from Councillors.</p> <p>Provide advice to Councillors regarding support, expenses and out-of-pocket reimbursement.</p> <p>Provide advice to the CEO regarding accommodation expenses that exceed the limits outlined in this Policy.</p> <p>Provide training to Councillors on this Policy and completing claim forms as outlined in the Policy.</p> <p>Provide a report on Councillor and members of delegated committee expenses and reimbursements to the Audit and Risk Committee quarterly.</p>
Councillor Support Officer	<p>Support Councillors and members of delegated committees comply with this Policy.</p> <p>Book travel and accommodation as outlined in this Policy.</p> <p>Process Councillors out-of-pocket expense claims for review by the Manager Governance and approval by the CEO.</p> <p>Advise the Manager Governance and the CEO of any discrepancies that may occur with claims.</p>
Finance Department	<p>Process reimbursements of expenses for Councillors and members of delegated committees.</p>

11 References and Supporting Documents

11.1 Applicable Legislation:

- *Local Government Act 2020*
- *Local Government Act 1989*
- *Carers Recognition Act 2012*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Privacy and Data Protection Act 2014*

11.2 Supporting Documents:

- Reimbursement of expenses claim form
- Councillor remote area travel allowance claim form
- Councillor request/record – Interstate or overseas travel undertaken in an official capacity form
- Local Government Inspectorate Report – Councillor expenses and allowances: equitable treatment and enhanced integrity
- Australian Taxation Office Taxation Determination TD2022/10

12 Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council in connection with this Policy will be handled in accordance with all applicable privacy legislation and will be used only for purposes consistent with this Policy.

Council must not collect personal information unless the information is necessary for one or more of its functions or activities.

Individuals have the right to make a complaint to the Victorian Information Commissioner if they believe their privacy has been breached.

This Policy has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights Responsibilities Act 2006*.

13 Definitions

Term	Meaning
Act	<i>Local Government Act 2020.</i>
Chief Executive Officer (CEO)	The person appointed by a Council under section 44 of the Act to be its Chief Executive Officer or any person acting in that position.
Council	East Gippsland Shire Council.
Councillor	A person who has been elected to the office of Councillor of East Gippsland Shire Council.
Delegated committee	The meaning given in the Act.
Official Council duties	<ul style="list-style-type: none"> • Meetings of the Council, a delegated committee, its advisory boards, advisory or consultative committees; • meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or Council or a delegated committee; • meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative or is authorised by Council to attend in their role as a Councillor; • meetings, functions or other official role as a representative of the Mayor or Council or a delegated committee; • other meetings, inspections, community forums or events attended by a Councillor in the course of their duties as a Councillor; and • conferences, seminars, events and professional development being undertaken by a Councillor.
Policy	This Councillor Support and Expenses Policy.
Shire	The geographical area of East Gippsland Shire Council.

14 Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	27/9/2005	Council		Clause 4.2
2	Approved	July 2006	Council		Update of staff titles and meeting rooms
Update	Approved	1/11/2007	J Websdale		Staff Titles updated
3	Approved	10/11/2009	Council	3721038	Comprehensive review
4	Approved	04/03/2014	Council	5675760	
5	Approved	08/07/2016 03/08/2016	G Gaffney C Waites		Update of staff titles and expenses Update of Vehicle provisions
6	Approved	07/03/2017	Council	7132299	
7	Approved	25/08/2020	Council	8618744	Update to comply with <i>Local Government Act 2020</i> and update information relevant to actual practice, including removal of forms in appendix.
8	Approved	24/08/2021	Council	9140990	Reviewed in relation to <i>Local Government Act 2020</i> and Local Government Inspectorate Report – Overview of councillor support and expenses policy.
9	Approved	19/11/2021	CEO	9268122	Administrative change approved by CEO to include reference to tow pack for SUVs and 4x4s.
10	Approved	08/11/2022	Council	9723093	Updated to reflect Councillor Allowances as per the Tribunal outcome and updated Standards of accommodation and meals to reflect ATO allowances