

Gladstone Regional Council

Council Policy

Title	COUNCILLOR EXPENSES REIMBURSEMENT & PROVISION OF FACILITIES
Policy Number	P-2021-18
Business Unit/s	FINANCE GOVERNANCE & RISK
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

1.0 PURPOSE:

To ensure accountability and transparency in the reimbursement of expenses and the provision of facilities provided or incurred by Councillors in the conduct of Council business.

~~This policy is deemed to be a procedure for the purposes of section 176(4)(a) of the Local Government Act 2009.~~

This policy does not provide for salaries or other form of Councillor remuneration. Councillor remuneration is in accordance with the determination of the Local Government Remuneration Commission.

2.0 SCOPE:

This policy applies to Councillors of Gladstone Regional Council.

3.0 RELATED LEGISLATION:

Local Government Act 2009

Local Government Regulation 2012

4.0 RELATED DOCUMENTS:

~~Gladstone Regional Council~~ Procurement Policy

~~Gladstone Regional Council~~ Entertainment and Hospitality Policy

~~Gladstone Regional Council~~ Councillor Code of Conduct

5.0 DEFINITIONS:

To assist in interpretation of this policy the following definitions apply:

<u>Term</u>	<u>Definition</u>
<u>Administrative Tools</u>	<u>May include:</u> <ul style="list-style-type: none">• <u>office space and meeting rooms</u>• <u>smartphone of approved/supported platform (currently Apple iPhone)</u>• <u>tablet computer of approved/supported platform (currently a laptop)</u>• <u>internet access</u>• <u>access to photocopiers</u>• <u>printers</u>• <u>publications</u>

<u>Chief Executive Officer</u>	<u>Means the chief executive officer, and where the context permits, the acting chief executive officer, of Council as appointed under the <i>Local Government Act 2009</i></u>
<u>Conference</u>	<u>Means a professional development event named as a conference, convention, symposium, seminar or similar.</u>
<u>Councillor Expense</u>	<p><u>For the purposes of this Policy, the reference to Councillor includes the Mayor</u></p> <p><u>Means a cost reasonably incurred in the course of a Councillor participating in Council related conferences, professional development, training, entertaining visiting dignitaries or other travel as required to represent Council and may include:</u></p> <ul style="list-style-type: none"> <u>• travel costs such as flights, car hire, taxi, Uber, bus, ferry, train fares;</u> <u>• meals;</u> <u>• accommodation;</u> <u>• other incidentals such as parking fees;</u> <u>• training / conference registration fees</u> <p><u>It specifically excludes:</u></p> <ul style="list-style-type: none"> <u>• the purchase of alcohol (unless specifically authorised at the sole discretion of the Mayor); and</u> <u>• any finances incurred while travelling in Council-owned vehicles or privately-owned vehicles when attending to Council business.</u> <p><u>It also includes legal expenses incurred individually by a Councillor for the provision of advice related to conflicts between official duties of a Councillor and Council resolved appointments to separate committees and boards.</u></p>
<u>Entertainment or Hospitality</u>	<p><u>Means as defined in Section 196 of the <i>Local Government Regulation 2012</i>; and includes:</u></p> <ul style="list-style-type: none"> <u>• entertaining members of the public in order to promote a local government project; and</u> <u>• the provision of food or beverages:</u> <ul style="list-style-type: none"> <u>- to a person visiting the local government in an official capacity; or</u> <u>- for a conference, course, meeting, seminar, workshop or another forum that is held by the local government for its Councillors, officers or other persons; and</u> <u>• paying for a Councillor or local government employee to attend a function as part of the Councillor’s, or employee’s official duties or obligations as a Councillor or local government employee.</u>
<u>Facilities</u>	<p><u>May include:</u></p> <ul style="list-style-type: none"> <u>• Vehicle and accessories;</u> <u>• Administrative Tools;</u> <u>• Uniforms;</u> <u>• Information resources (copies of documents, emails, records and the like);</u> <u>• Other property and equipment provided by Council.</u>
<u>Incidentals</u>	<p><u>Incidental expenses are paid to Councillors to cover expenditure of the following nature –</u></p> <ul style="list-style-type: none"> <u>• snacks including coffee, tea or drinks, etc;</u> <u>• personal items necessary for the travel.</u>
<u>Training</u>	<u>Means a structured training event designed to deliver specific outcomes, skills and capabilities.</u>

Term	Definition
Administrative Tools	<p>May include:</p> <ul style="list-style-type: none"> • office space and meeting rooms • smartphone of approved/supported platform (currently Apple iPhone) • tablet computer of approved/supported platform (currently a laptop) • internet access • stationery • access to photocopiers • printers • publications • name badges • safety equipment for use on official business. e.g. safety helmet /boots/high visibility shirt.
Chief Executive Officer	<p>Means the chief executive officer, and where the context permits, the acting chief executive officer, of Council as appointed under the <i>Local Government Act 2009</i></p>
Councillor	<p>For the purposes of this Policy, the reference to Councillor includes the Mayor</p>
Expense	<p>Means a cost reasonably incurred in the course of a Councillor participating in Council related conferences, professional development, training, entertaining visiting dignitaries or other travel as required to represent Council and may include:</p> <ul style="list-style-type: none"> • travel costs such as flights, car hire, taxi, bus, ferry, train fares; • meals; • accommodation; • other incidentals such as parking fees, internet/phone costs incurred at an accommodation providers premises; • training / conference registration fees <p>It specifically excludes:</p> <ul style="list-style-type: none"> • the purchase of alcohol (unless specifically authorised at the sole discretion of the Mayor); and • any finances incurred while travelling in Council owned vehicles or privately owned vehicles when attending to Council business. <p>It also includes legal expenses incurred individually by a Councillor for the provision of advice related to conflicts between official duties of a Councillor and Council resolved appointments to separate committees and boards.</p>

Term	Definition
Entertainment or Hospitality	<p>Means as defined in Section 196 of the <i>Local Government Regulation 2012</i>; and includes:</p> <ul style="list-style-type: none"> ● entertaining members of the public in order to promote a local government project; and ● the provision of food or beverages: <ul style="list-style-type: none"> — to a person visiting the local government in an official capacity; or — for a conference, course, meeting, seminar, workshop or another forum that is held by the local government for its Councillors, officers or other persons; and ● paying for a Councillor or local government employee to attend a function as part of the Councillor’s, or employee’s official duties or obligations as a Councillor or local government employee.
Facilities	<p>May include:</p> <ul style="list-style-type: none"> ● Vehicle and accessories; ● Administrative Tools; ● Uniforms; ● Information resources (copies of documents, emails, records and the like); ● Other property and equipment provided by Council.
Incidentals	<p>Incidental expenses are paid to Councillors to cover expenditure of the following nature—</p> <ul style="list-style-type: none"> ● newspapers, magazines; ● snacks including coffee, tea or drinks, etc; ● private telephone calls; ● personal items necessary for the travel.

6.0 POLICY STATEMENT:

Council is committed to ensuring Councillors have Council business expenses paid or reimbursed and are provided with facilities to enable them to perform their duties.

Payment or reimbursement of expenses and provision of facilities for Councillors is:

- a) To occur in accordance with statutory requirements;
- b) To be open, transparent, prudent and responsible;
- c) Based on ensuring economy and efficiency; and
- d) Subject to budget provisions.

6.7.10 PAYMENT OF EXPENSES

Expenses will be paid to a Councillor through administrative processes approved by Council’s Chief Executive Officer subject to the limits outlined in this policy and within budget.

6.7.12 CONFERENCES, ~~PROFESSIONAL DEVELOPMENT~~ AND TRAINING

7.1.1 Conferences

Council will meet or reimburse expenses incurred by a Councillor in relation to ~~the attending a~~ ance ~~of a~~ Conference where approval has been granted by either:

- ~~s, professional development and training of Councillors that have been approved by~~
Resolution of the Council; or

Authorised by the CEO in accordance with the criteria contained in this section.

Councillor attendance at a conference ~~may be or seminar is~~ approved by the CEO where there is a budget allocation and the following criteria are satisfied:

1. The Councillor has attended no more than 3 conferences/seminars in the current financial year; and
- ~~2. The registration cost of this conference/seminar is no more than \$2000; and~~
2. The seminar/conference is to be held in Queensland.

Where any of the above criteria are not satisfied, Council approval is required in order to attend. However, where the conference is to be provided within the Gladstone Regional Council area incurring no travel or accommodation costs, all Councillors will be entitled to attend, subject to sufficient budget for any relevant registration costs.

The process for seeking approval to attend a conference is outlined in the Councillor Conference internal factsheet.

7.1.2 Training

Council will meet or reimburse expenses incurred by a Councillor in relation to training that has been endorsed by the Mayor and CEO that is of relevance to the roles and responsibilities of a Councillor and is within budget allocations.

6.37.2 TRAVEL AS REQUIRED TO REPRESENT COUNCIL

6.37.2.1 Travel Outside the Gladstone Regional Council Area

Council will meet or reimburse local, interstate and in special cases, overseas travel expenses (e.g. flights, car, accommodation, meals and associated registration fees) deemed necessary to achieve the business of Council where a Councillor is an official representative of Council and the travel is approved by the Mayor and Chief Executive Officer.

Where approval to attend a Conference or Training has occurred, this automatically approves the associated travel expenses.

6.37.2.2 Travel within the Gladstone Regional Council Area

Councillors are provided with a Council vehicle for travel within the region. Where a Councillor is required to attend a meeting within the Gladstone Regional Council area and:

- a. the meeting does not conclude before 8.30pm, or it commences prior to 7.00am; and
- b. the Councillor's place of residence is more than 60 kilometres from the meeting venue;

Council will meet reasonable accommodation costs for the night.

6.37.2.3 Travel Guidelines

The following guidelines are to apply to travel:

- Councillors are to travel via the most practical and direct route, using the most economical and efficient mode of transport.
- Council will pay for reasonable expenses incurred for overnight accommodation. Where possible the maximum standard for Councillors' accommodation should be four-star rating however where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.
- Any fines incurred while travelling in Council-owned vehicles or privately-owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine.
- Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed. ~~For example: trains, taxis, buses and ferry fares.~~
- In the unusual circumstance that a Councillor cannot access their Council provided vehicle or another fleet vehicle, they may claim for mileage by submitting a claim based on the rate prescribed by Directive issued by the Minister for Industrial Relations in pursuance of Section 34 (2) of the Public Service Act 1996 for an automobile 2601cc and over (currently of 75c/km).
- Council will reimburse the actual costs of meals for a Councillor (on the production of receipts) when the Councillor incurs the cost personally and the meal was not provided within the registration costs of the approved activity/event or during a flight. Council will also reimburse any actual incidental costs incurred when a Councillor is away from home overnight. The

maximum daily amounts for reimbursement are identified in Table 1 below. These limits are not to be used as an accumulative total (i.e. if the full cost of a ~~particular meal~~ meal is not spent, it cannot be added to the next meal to increase the amount).

Table 1

Expense Item	Maximum Daily Limit
Breakfast	\$ 25 30
Lunch	\$ 27 30
Dinner	\$45
Incidentals (where attendee is away from home overnight)	\$ 20 17

- Generally, **no alcohol will be reimbursed by Council**, however the Mayor may exercise discretion and allow on occasions the purchase of limited alcohol where it is deemed appropriate ~~and in the best interest of Councils' rate payers~~.
- Corporate Credit Cards cannot be used to bypass compliance with the reimbursement of expenses set out in this policy. All purchases made by the use of a Council Corporate Credit Card are still subject to compliance with this policy and all related procurement policies.

67.43 ENTERTAINMENT OR HOSPITALITY

It is recognised that on occasions Councillors may host people in the course of their official duties.

Council will reimburse Councillors Entertainment or Hospitality expenses ~~(for example: food and refreshments)~~ for the Councillor and others where the meeting directly relates to Council business and:

- it appears appropriate and reasonable;
- can withstand the "public defensibility test"; and
- is in the best interest of Council ratepayers.

Circumstances where it may be appropriate and reasonable for expenses to be reimbursed include:

- Hosting visiting Ministers, Dignitaries and Public Representatives;
- Meeting with members of the public who wish to meet outside of Council facilities to discuss matters relating to Council's current, past or future services and facilities;
- Hosting others during the course of travel for official Council business.

~~All~~ Alcohol, whether part of a meal or not, will be deemed personal use, and is not eligible for reimbursement; however, the Mayor may exercise discretion and allow the purchase of limited alcohol where it is deemed appropriate.

7.3.1 Claiming Entertainment or Hospitality Reimbursement

Councillors must submit a claim for reimbursement as follows:

1. Complete a brief precis of the circumstances where the hospitality expenses were incurred including the following details:
 - (a) Date and time of meeting, function, event or forum;
 - (b) Attendees hosted;
 - (c) Purpose of the meeting, function, event or forum;
 - ~~(d) Any key outcomes / actions discussed;~~
 - ~~(e) How the topics discussed link to Council's Corporate or Operational Plan objectives;~~
 - (d~~f~~) Name and Signature of the Councillor making the claim.
2. Attach a copy of the tax receipt for the expenses incurred.

Councillors must forward all claims to the ~~Chief Executive Officer~~ Councillor Support mailbox for authorisation and processing.

6.57.4 LEGAL EXPENSES

Council will provide reimbursement of legal expenses incurred individually by a Councillor subject to the following guidelines:

- Expenses will only be reimbursed where the legal advice is related to conflicts between official duties as a Councillor and duties associated with Council resolved appointments to separate committees and boards;
- Notification is to be provided to the Chief Executive Officer of the intended external legal firm prior to engagement to ensure relevant procurement processes are met;
- Reimbursement will not be authorised where the content of the advice has been provided previously (i.e. reimbursement will only occur once for the same subject matter).
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6.68.0 PROVISION OF FACILITIES

All facilities provided to Councillors remain the property of Council and must be returned to Council when a Councillor resigns or their term expires.

6.78.1 PROVISION OF A FULLY SERVICED VEHICLE

Council will provide each Councillor with a fully serviced mid-sized SUV (sports utility vehicle) or utility for use on Council business.

Councillors who wish to avail themselves of the opportunity for private use of the vehicle can do so, on the basis that they reimburse Council for 25% of the ~~total~~ running costs (ex GST) of the vehicle with contributions grossed up to account for GST. The contribution is calculated based on the ~~annualised whole of life owning and~~ operating cost of the vehicle plus any whole of life costs. ~~While the actual cost will vary depending on the type of vehicle, usage patterns, fuel price and other assumptions, past comparisons have shown the cost to be in the order of \$3,500 per annum. For a Councillor's first year contribution, the calculation will be based on the past averages for Councillor usage. Reconciliations are to be performed annually and at the end of the election term, with contributions to be adjusted to account for any shortfall or overpayment.~~

~~Addendum 1 shows typical cost vehicle comparisons.~~

All Councillors are duly authorised officers for the purposes of motor vehicle insurance under Council's Motor Vehicle Insurance Policy, and where the Councillor has elected to avail themselves of private use, the Councillor can nominate to the Chief Executive Officer members of the persons immediate family who will be eligible to use the vehicle in line with the private use entitlement provided to the Councillor.

~~6.88.2~~ ADMINISTRATIVE TOOLS

Administrative tools will be provided to Councillors as required to assist them in their role.

~~Secretariat Administrative~~ support ~~is may also be~~ provided for Councillors in accordance with the Councillor Administrative Support Guidelines endorsed by the Chief Executive Officer.

Council may provide Councillors with a corporate credit card on the basis that the Councillor will reimburse all expenses not covered by this policy.

~~6.98.3~~ INSURANCE COVER

Council will indemnify or insure Councillors in the event of injury sustained while discharging their civic duties.

For clarity, where there is an excess payable with respect to any insurance claim, Council will pay such excess.

~~6.108.4~~ UNIFORM

Council will supply each Councillor with up to three (3) shirts, one (1) bottom (pants or skirt) and one jacket ~~and polo shirt~~ from the Corporate Uniform range, which will be replaced on a fair wear and tear basis. At a minimum, Councillors are entitled to a replacement supply for each election term.

~~In the interests of presenting a unified corporate image, Councillors are to also have access to other corporate attire on an as required basis.~~

8.5 PERSONAL PROTECTIVE EQUIPMENT (PPE)

PPE will be provided where required for use on official business e.g. safety helmet / safety boots / high visibility shirt.

7.0 ATTACHMENTS:

Nil.

~~Addendum 1 – Vehicle Pricing Comparisons for Councillors~~

8.0 REVIEW MECHANISM:

This policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. Three years from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	18 September 2012	G/12/1229	Was originally P-1.02.04 – Elected Members Expenses Reimbursement and Provision of Facilities Policy
Amendment 1	16 August 2016	G/16/2870	[Considered at Finance & Corporate Governance Committee Meetings 9 August 2016 FCGC/16/0052 and 12 July 2016 FCGC/16/0036 and General Meeting 19 July 2016 G/16/2850]
Amendment 2	4 July 2018	G/17/3103	
Amendment 3	6 November 2018	G/18/3567	Previously P-2017-27 – Updating expense values, making provision for legal fees and reward points
Amendment 4			

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER