

COUNCILLOR EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES POLICY

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| Policy Owner: | Finance Governance and Risk |
| Adoption: | 16 July 2024 |
| Version: | 65 |
| Link to Corporate Plan: | Accountable Council |
| Head of Power: | s250 Local Government Regulation 2012 |

1 PURPOSE

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

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

2 SCOPE

This policy applies to Councillors of Gladstone Regional Council during the Councillor's term of office.

3 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:

- to occur in accordance with statutory requirements;
- to be open, transparent, prudent and responsible;
- based on ensuring economy and efficiency; and
- subject to budget provisions.

~~3.1~~

~~Payment of Expenses~~

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

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

3.23.1 Conferences, ~~and~~ Training, and Meetings

3.2.13.1.1 Conferences

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

- resolution of the Council for international travel; or
- authorised by the CEO in accordance with the criteria contained in this section.

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

- the Councillor has attended no more than three conferences/~~seminars~~ in the current financial year; and
- the ~~seminar~~/conference is to be held in Queensland Australia.

Where any of the above criteria are not satisfied, Council approval via resolution 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.

3.2.23.1.2 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.

3.1.3 Meetings

Council will meet or reimburse expenses incurred by a Councillor in relation to any meetings associated with the Councillor's appointment as Council's representative on boards, committees, or groups (i.e. Local Authorities Waste Management Advisory Committee, Capricorn Pest Management Group, etc) held outside of the Gladstone Regional Council area. Where the meeting is held within the Gladstone Regional Council area, sections 3.2.2 and 3.2.3 apply.

3.33.2 Travel as Required to Represent Council

3.3.13.2.1 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~~CEO.

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

3.3.23.2.2 Travel Within the Gladstone Regional Council Area

Councillors are provided with a Council vehicle for travel within the region.

To manage health and safety risk, Council will meet reasonable accommodation costs for the night where a Councillor is required to attend a meeting within the Gladstone Regional Council area and:

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

3.3.33.2.3 Travel Guidelines

The following guidelines apply to travel:

- Councillors are to travel via the most practical and direct route, using the most economical, ~~and~~ efficient and safe mode of transport. In relation to air travel, an alternative travel class may be approved by the CEO where there is a risk to the health and safety of the Councillor. For example, management of fatigue that may impact the Councillor's ability to perform official duties safely and effectively.
- 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 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.
- In the unusual circumstance that a Councillor cannot access their Council provided vehicle or another fleet vehicle, they may submit a travel allowance claim in accordance with the Australian Taxation Office vehicle usage rates per kilometre schedule.
- When a Councillor is travelling for Council approved business, Council will reimburse the actual costs of meals and incidentals as follows:
 - an amount equivalent to, for the financial year, the Australian Taxation Office's Taxation Determination for reasonable travel and overtime meal allowance expense amounts a daily total of up to \$150;
 - the costs are incurred personally;
 - receipts of meals and incidentals are produced;
 - the meal was not provided as part of the registration costs of the activity, event or included in the travel booking; and
 - it appears appropriate and reasonable.
- 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.
- 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.

3.43.3 Entertainment of 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 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; or
- hosting others during the course of travel for official Council business.

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.

3.4.13.3.1 Claiming Entertainment or Hospitality Reimbursement

Councillors must submit a claim for reimbursement as follows:

- complete a brief precis of the circumstances where the hospitality expenses were incurred including the following details:
 - date and time of meeting, function, event or forum;
 - attendees hosted;
 - purpose of the meeting, function, event or forum; and
 - name and signature of the Councillor making the claim;
- attach a copy of the tax invoice receipt for the expense incurred; and
- forward all claims to the Councillor Support Mailbox for authorisation and processing.
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3.5.3.4 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~~CEO of the intended external legal firm prior to engagement to ensure relevant procurement processes are met; and
- 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).

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.~~

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3.6.3.5 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 10% of the running costs (ex GST) of the vehicle with contributions grossed up to account for GST. The contribution is calculated based on the operating cost of the vehicle plus any whole of life costs. 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.

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~~CEO 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.

3.73.6 Administrative Tools

Administrative tools will be provided to Councillors as required to assist them in their role. Councillors are expected to comply with the same conditions of use, guidelines and processes for administrative tools that apply to employees which includes limited personal use.

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

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

3.83.7 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.

3.93.8 Uniform

Council will supply each Councillor with up to five tops, five bottoms (pants and/or skirts), and/or five dresses and one jacket from the Corporate Uniform range. With a maximum total not exceeding five sets plus one jacket. For example: four tops, four bottoms, one dress and one jacket.

Uniform items will be replaced on a reasonable wear and tear basis. At a minimum, Councillors are entitled to a replacement supply for each election term.

3.103.9 Personal Protective Equipment (PPE)

PPE will be provided where required for use on official business. For example: safety helmet / safety boots / high visibility shirt.

4 RELATED LEGISLATION

Local Government Act 2009
Local Government Regulation 2012

5 RELATED DOCUMENTS

Councillor Administrative Support Guidelines
Councillor Code of Conduct
Entertainment and Hospitality Expenditure Policy
Procurement Policy
[Australian Taxation Office - Taxation Determination for reasonable travel and overtime meal allowance expense amounts for the financial year](#)

6 CONSIDERATION OF HUMAN RIGHTS

Gladstone Regional Council has considered the human rights protected under the *Human Rights Act 2019 (Qld)* when adopting and/or amendment this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to any human rights relevant to the decision.

7 ATTACHMENTS

Nil.

8 EVALUATION OF POLICY

This policy is successful when the payment or reimbursement of expenses and provision of facilities for Councillors:

- is open, transparent, prudent, and responsible;
- ensures economy, safety, and efficiency;
- is within budget allocations;
- enables Councillors to perform their duties efficiently and safely in the conduct of Council business.

9 DEFINITIONS

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

| Term | Definition |
|-------------------------------|--|
| Administrative Tools | May include: <ul style="list-style-type: none"> • office space and meeting rooms; • smartphone of approved/supported platform; • tablet computer of approved/supported platform; • internet access; • access to photocopiers; • printers; and • publications. |
| Chief Executive Officer (CEO) | Means the Chief Executive Officer, and where the context permits, the acting Chief Executive Officer, of Council as appointed under the Local Government Act 2009. |
| Conference | Means a professional development event named as a conference, convention, symposium, seminar or similar. |
| Councillor | For the purposes of this Policy, the reference to Councillor includes the Mayor. |

| Term | Definition |
|------------------------------|--|
| 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, Uber, bus, ferry, train fares; • meals; • accommodation; • other incidentals such as parking fees; and • 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 fines 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> |
| 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; • 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); and • 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"> • snacks including coffee, tea or drinks, etc; and • personal items necessary for the travel. |
| Training | <p>Means a structured training event designed to deliver specific outcomes, skills and capabilities.</p> |

10 REVIEW

This policy is to be reviewed upon the earlier of:

1. Five years from the date of adoption of the most recent version;
2. Any relevant statutory review periods;
3. The related legislation or governing documents are amended or repealed; or
4. A request from the Chief Executive Officer or Council.

11 DOCUMENT CONTROL

| Version | Reason/Change | Date | Council Resolution |
|----------|---|------------|--------------------|
| 0 | Adoption Previously P-1.02.04 – Elected Members Expenses Reimbursement and Provision of Facilities Policy. | 18/09/2012 | G/12/1229 |
| 1 | | 16/08/2016 | G/16/2870 |
| 2 | | 04/07/2018 | G/17/3103 |
| 3 | Updated expense values, making provision for legal fees and reward points. | 06/11/2018 | G/18/3567 |
| 4 | Updated definitions, clarified sections, removed outdated information. | 02/11/2021 | GM/21/4623 |
| 5 | Update to uniform allocations, limited personal use for administrative tools, reimbursement for meals and incidentals increased to a daily total, private use vehicle percentage reduced. | 16/07/2024 | GM/24/5283 |
| <u>6</u> | <u>Update to enhance safety commitment, CEO approval extended to Australian conferences, reimbursement for meals and incidentals aligned with ATO allowances, and recognition of Councillor attendance at meetings.</u> | | |