

COUNCIL EXPENSES AND SUPPORT POLICY

1.0 Purpose

This policy provides for the reimbursement of reasonable out of pocket expenses for Councillors and members of Delegated Committees as required under section 41 of the Local Government Act 2020 (the Act).

This policy provides guidance on:

- Entitlements for Councillors.
- Processes for reimbursement.
- Reporting requirements.

This policy is intended to ensure that Councillors and members of Delegated Committees are supported to perform their duties without disadvantage.

2.0 Scope

This policy applies to:

- Councillors of the Council
- Members of Delegated Committees of the City of Ballarat where specified

3.0 Policy Statement

3.0 Council Expenses

In accordance with section 40 of the Act, Councillors and members of Delegated Committees are entitled to reimbursement of expenses reasonably incurred in the performance of their duties.

This policy ensures that the reimbursement of these expenses is in accordance with the Act and meets the Act's principles of:

- Public transparency;
- Achieving the best outcomes for the municipal community; and
- Ensuring the ongoing financial viability of the Council.

Councillors and members of Delegated Committees will be reimbursed for out-of-pocket expenses that:

- Are genuine 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.

3.1 Travel and Related Expenses

Councillors may complete a request for reimbursement of travel and related expenses, incurred in the following circumstances:

- To attend Council and Delegated Council meetings and meetings of Committees of Council.
- To attend formal briefing sessions and civic or ceremonial functions convened by the City of Ballarat or the Mayor.
- To attend meetings scheduled by Council.
- To attend meetings necessary for the Councillor or member of a Delegated Committee to exercise a delegation given by Council.
- To attend a meeting, function or undertake other official duties as a representative of Council or the Mayor.
- To attend meetings of community groups, organisations, and statutory authorities to which the Councillor or member of a Delegated Committee has been appointed Council's delegate or is authorised by Council to attend, but the reimbursement by Council is to be diminished by the amount of travelling expenses or allowance paid by the external party directly.
- To attend an inspection of a street, property or area or to discuss with any person any matter related to Council business, and/or to carry out activities in the capacity of a Councillor or member of a Delegated Committee.
- To attend discussions with City of Ballarat officers on any matters relating to the municipal area.
- To attend meetings or to participate in delegations or deputations to which the Councillor or member of a Delegated Committee has been appointed as a representative of Council or the Mayor.
- To attend conferences or functions, and expenses for accommodation and other related expenses.

3.2 Private Use Vehicle

Reimbursement of motor vehicle expenses will be paid based on the rate set out by the Australian Tax Office (ATO) for vehicles used for business purposes. In the case where Council business is carried out before or after travelling to the Councillor's normal place of business, the normal kilometres travelled to and from the normal place of work will be excluded from the number of kilometres able to be requested for reimbursement. The minimum details required for a request for reimbursement of travelling expenses are:

- Date
- Time
- Starting Point
- Destination
- Purpose of business
- Starting kilometres
- Ending kilometres
- Total Kilometres travelled.

3.3 Mayoral Vehicle

A vehicle and fuel card will be offered by the City of Ballarat to the Mayor for the duration of their Mayoral term. The vehicle will be provided in accordance with internal fleet processes and procedures to the extent possible. Should the Mayor access this during their term, fuel and on cost services for their travel will be included within the Mayor's reportable Councillor expenses.

Should the Mayor access this arrangement, requests for kilometre reimbursement will not be accepted

during the time that this remains the nominated vehicle for business unless travelling interstate or overseas where use of the mayoral vehicle is not applicable.

3.4 Car Parking

Car parking will be made available for Councillors to park when attending the Ballarat Town Hall on Council business.

Councillors will be requested to register their vehicle at the commencement of their term and will be provided a parking pass for this location. Councillors must advise of any change in vehicle used for parking at this location throughout their term.

3.5 Interstate and International Traveling Expenses

As part of their duties, the Mayor and Councillors may be required to undertake interstate and international travel on behalf of Council.

The following will apply in relation to interstate and international travel:

- The mode of transport is to be determined on the advice of the Chief Executive Officer based on the most cost and time effective form of transport.
 - Where interstate travel is by flight, the standard form of travel will be economy class.
 - Where international travel is by flight, the standard form of travel will be premium economy class.
- Travelling expenses associated with airfares, accommodation and taxi fares may be requested under this policy.
- All international travel proposed to be undertaken by a Councillor during their duties requires prior approval through a Council resolution. The proposed travel must be within budget and directly related to the Council Plan objectives.
- A post travel report to Council is required for all approved international travel undertaken.
- Others accompanying Councillors (such as spouses, children, partners) to conferences or other events, travel and attend at their own expense, unless otherwise specified as per section 3.10.
- Travel must be undertaken in the most cost-effective manner and all travel plans must consider appropriate occupational health and safety.
- Any expenses incurred during non-authorized Council business while travelling will not be reimbursed.
- Requests for reimbursement will only be paid based on the actual form of transport used and the necessary out of pocket expenses incurred.
- City of Ballarat maintains travel insurance and Council's Governance and Risk team will assist with any claims.

3.6 Professional Development and Memberships

In accordance with section 32 of the Act, all Councillors must complete the mandatory induction program provided by the organisation upon the commencement of their term.

On the coming into force of section 27A of the Act, Mayoral training must be completed annually. On the coming into force of section 33A of the Act, Councillors must complete annual professional development training to ensure they understand their role and responsibilities. This training is required in addition to any professional development Councillors may choose to complete.

Professional development provision incorporated into this policy is to be considered ongoing on an as

needs basis throughout the duration of the Council term.

Councillor professional development is necessary to develop and maintain Councillor competence and is consistent with the achievement of Council Plan goals.

Many specific professional development opportunities cannot be identified in advance and different Councillors will have different needs. Funding is provided as part of the annual Councillor expense budget allocation and requests will be managed by the Chief Executive Officer in accordance with the allocation determined within the annual budget.

Councillors will be reimbursed for attendance at courses and conferences, associated fees and materials, and memberships.

Councillor professional development should be relevant to the individual Councillor and their duties and be of demonstrable benefit to the enhancement and development of the Councillor's skills and abilities with regard to effective community representation.

Councillors may access programs and initiatives either collectively or individually. They are encouraged to identify development needs and can discuss with the CEO. Programs which may be relevant for Councillor development include:

- Meeting procedures
- Chairing of meetings
- Media training
- Financial training
- Team building and interpersonal skills
- Councillor and Board Development and Governance Programs.

All requests for professional development and memberships require approval prior to payment/reimbursement. Payment of these expenses require the Chief Executive Officer's authorisation in consultation with the Mayor supplied on the nominated application form prior to attendance and payment by Civic Support staff or through the processing of a reimbursement request.

3.7 Representing Council at Functions, Events or Meetings

From time to time, Councillors may be invited to attend community functions and events. It is usual for the Mayor to represent the Council at these functions and any payment required to attend the function is paid by the City of Ballarat. If another Councillor attends the function, either representing the Mayor or in an official capacity as Council representative to that particular group, any attendance charge will be paid or reimbursed by the City of Ballarat and recorded as a Councillor expense.

The cost of Council representatives attending civic functions and events hosted by other Councils or hosted by bodies to which the City of Ballarat holds a corporate membership, will be covered under this provision.

A Councillor attending an event, function or meeting as an official representative of Council is entitled to have all reasonable expenses for travelling/transport, accommodation, registration fees or tickets, meals, and other necessary associated out of pocket expenses reimbursed or paid on their behalf.

Where a table at an event is available to the City of Ballarat, a Councillor may be permitted to bring

another person as their guest.

3.8 Attendance by a Spouse or Partner at Events

Where a Councillor is attending a conference or event, City of Ballarat will only fund the Councillor. Where a Councillor's spouse/partner is named on an invitation to attend an event with the Councillor, the spouse/partner will be funded under this policy. This requires the Chief Executive Officer's authorisation prior to payment or reimbursement.

The spouse/partner of any Councillor may be invited to any functions hosted by the Mayor and/or Chief Executive Officer at the expense of the City of Ballarat.

3.9 Carer and Dependent-related Expenses

City of Ballarat will provide reimbursement of costs where the provision of childcare is reasonably required for a Councillor or member of a Delegated Committee to perform their role in accordance with the Act.

This applies to the care of a dependent, while the Councillor or Delegated Committee member is undertaking their official duties and may include expenses such as hourly fees and booking fees, if applicable.

Payments for carers and childcare services will not be made to a person who:

- Resides with the Councillor or Delegated committee member;
- Has any financial or pecuniary interest with the Councillor or Delegated Committee member; or
- Has a personal relationship with the Councillor, Delegated Committee member or their partner.

These costs must be necessarily incurred under the following circumstances:

- To attend Council and Delegated Council meetings and meetings of Committees of Council.
- To attend formal briefing sessions and civic or ceremonial functions convened by Council or the Mayor.
- To attend meetings scheduled by Council.
- To attend meetings necessary for the Councillor to exercise a delegation given by Council.
- To attend a meeting, function or undertake other official duties as a representative of Council or the Mayor.
- To attend meetings of community groups, organisations and statutory authorities of which the Councillor has been appointed Council's delegate or is authorised by Council to attend, but the reimbursement by Council is to be diminished by the amount of expenses or allowance paid to the Councillor by the group, organisation or authority directly.
- To attend an inspection of a street, property or area or to discuss with any person any matter related to Council business, and/or to carry out activities in the capacity of a Councillor.
- To attend discussions with Council officers on any matters relating to the city.
- To attend meetings or to participate in delegations or deputations to which the Councillor has been appointed as a representative of Council or the Mayor.

Reimbursement is subject to the following conditions:

- The hourly rate a Councillor or member of a Delegated Committee will be reimbursed for informal childcare expense is \$20.00 per hour.
- In the case of care provided through an approved program by a registered provider, the amount on the official tax invoice will be paid by Council.

3.10 Communication Expenses

Councillors will be provided with communication equipment which may include:

- Mobile phone including data service
- Laptop computer including data service
- iPad including data service
- Printer

This equipment will have internet connection to ensure that Councillors can adequately and efficiently perform their duties as a Councillor. This is outlined in the Councillor ICT Acceptable Use Procedure.

City of Ballarat will be responsible for the cost of purchase, initial installation, maintenance, connection fees and all Council business call charges. All accounts for equipment will be in the name of City of Ballarat.

All equipment and services provided by City of Ballarat is provided for Council business. Reasonable personal use (excluding private work) is permitted provided this does not interfere with the performance of duties or adversely affect system performance. The City of Ballarat has the discretion to determine what constitutes excessive use. Councillors will be provided with an appropriate data plan. Where usage is over this limit, an invoice will be sent to the Councillor who will be required to reimburse the City of Ballarat for these expenses.

Fees for monthly service charges of applicable devices will be included in the reportable Councillor expense summaries.

3.11 Meeting Rooms and the Councillors' Office

A designated office will be provided to the Mayor for the duration of their term.

Councillors will have access to a shared office space and meeting room for the purpose of Council business.

The Mayor and Councillors may hold meetings in other Civic meeting spaces within the Ballarat Town Hall. Should Councillors require access to a meeting space, they must seek to book a space through the Civic Support Team. Standard hiring fees and conditions will apply if the facility is required for private use.

3.12 Administrative Support

Reasonable administrative support will be made available to the Mayor and Councillors by the Civic Support team primarily in the form of assistance with diary management, responding to correspondence, enquiries and Councillor requests for service as part of their official duties as a Councillor.

3.13 Stationery

City of Ballarat will, upon request, provide Councillors with standard stationery. The stationery may include, but not necessarily be limited to, paper, business cards, writing implements, writing pads, and envelopes. Requests for stationery should be made to the Civic Support team. The costs will be incurred as a reportable Councillor expense.

3.14 Protective Clothing

The City of Ballarat will, upon request, provide for Councillors items of protective clothing required to assist in carrying out the duties of the Councillor upon the commencement of their Council term.

City of Ballarat will provide Councillors with City of Ballarat branded apparel, including but not limited to

t-shirts, jackets or hats.

3.15 Councillors' Welfare

All Councillors will be entitled to counselling on a confidential basis through the City of Ballarat's approved Employee Assistance Program.

3.16 Submitting a request for reimbursement

- Requests for reimbursement by Councillors must be completed on the nominated form and submitted to Civic Support for processing.
- Requests for reimbursement by members of Delegated Committees must be completed on the nominated form and submitted to the City of Ballarat administrative officer responsible for relevant Delegated Committee.
- The reimbursement requires the Chief Executive Officer's approval prior to payment.
- The key consideration in determining whether or not an expense is properly incurred is whether the expenditure is necessary and reasonable to complete duties as a Councillor or member of a Delegated Committee. This determination will be made by the Chief Executive Officer.
- When requesting reimbursement of out-of-pocket expenses, original receipts or supporting documentation must be provided to support the request. If a receipt cannot be provided, a statutory declaration is required to be submitted.
- Any costs incurred by a Councillor or member of a Delegated Committee which are not deemed necessary for the purpose of Council business will not be reimbursed by the City of Ballarat.
- As part of Council's commitment to open and transparent governance, and to meet the requirements of the Act and *Local Government (Planning and Reporting) Regulations 2020*, a summary of expenses incurred by Councillors are made public on an annual basis. The regulations outline the Councillor expense categories which form the basis of the reporting. All registers related to travel and expenses that relate to this policy will be kept and made available as required.
- Councillors will be provided with reports on Councillor expenses at least 14 days prior to publication to review and seek clarification where required.
- All requests for reimbursement must be lodged within three (3) months of expenses being incurred. At the end of the financial year, all reimbursement requests must be received no later than one month after the financial year.
- A record of processed reimbursements are recorded in a register providing sufficient detail of the nature of the expense incurred.
- Once approved, reimbursements will be made via direct debit to nominated bank account within 30 days.
- City of Ballarat must provide details of all reimbursements under this policy to the Audit and Risk Committee.

3.17 Exclusions to Expenses

The following out-of-pocket expenses are the responsibility of Councillors or members of Delegated Committees and cannot be the subject of a request for funding or reimbursement:

- The cost of any road, traffic, parking, or public transport infringements or penalties incurred by Councillors or members of Delegated Committees, whether or not in the course of performing their role.
- Any private travel, regardless of whether it is conjoined with approved interstate or overseas travel in the course of performing their role.

- If Councillors choose to purchase the equivalent of any resources or facilities made available to them as outlined above, they will not be entitled to request reimbursement for their own purchase of those same resources and facilities.
- Any private-use costs associated with use of ICT equipment that are deemed unreasonable.
- Any intentional, wilful, or negligent damage to ICT equipment.
- Other general expenses including but not limited to:
 - Alcohol
 - Passport application expenses
 - Mini bar purchases
 - Toiletries
 - Briefcases
 - Magazine purchases
 - Personal travel insurance
 - Any in-room entertainment, including movie hire
 - Kennel fees or animal expenses
 - Hairdressing, barber and beautician services

- Loss of property (claims for loss of property may be available under the City of Ballarat’s corporate travel insurance).
- Expenses or other support for attendance at political party led events.

3.18 Roles and Responsibilities

Party/parties	Roles and responsibilities
Councillors	Comply with the requirements of this policy.
Delegated Committee Member	Comply with the requirements of this policy.
Chief Executive Officer	Monitor implementation of this policy and conduct periodic reviews to drive continuous improvement.
Civic Support Staff	Manage areas of responsibility to ensure requests for reimbursements and payment of expenses are completed in accordance with this policy.

4.0 Supporting documents and references

4.1 Legislation

- *Carers Recognition Act 2012*
- *Equal Opportunity Act 2010*
- *Gender Equality Act 2020*
- *Local Government Act 2020*
- *Occupational Health and Safety Act 2004 (Vic)*
- *Local Government (Planning and Reporting) Regulations 2020*

4.2 Associated Documents

- Councillor ICT Acceptable Use Procedure

4.3 Definitions

Carer	A carer is defined under section 4 of the Carers Recognition Act 2012
City of Ballarat Council	Means the body corporate constituted in accordance with the LGA 2020. Council consists of the Councillors who are democratically elected to represent the Ballarat municipality in accordance with the LGA 2020.
Councillor	Means a Councillor of the Council. Where specified within this policy the reference to Councillor applies to Councillors while performing duties as a necessary part of their role, in achieving the objectives of Council. These duties may include (but are not limited to): <ul style="list-style-type: none"> • attendance at meetings of Council and its Committees; • attendance at briefing sessions, workshops, civic events or functions convened by Council; • attendance at conferences, workshops and training programs related to the role of Councillor, Mayor or Deputy Mayor; • attendance at meetings, events or functions representing Council; or • duties in relation to constituents concerning Council business.
Delegated Committee	Delegated Committees are defined under section 63 of the Act. Members of Delegated Committees exercise powers of Councillors, under delegation. This policy applies to those members where specified in the course of undertaking their role as Delegated Committee members.
Mayor	Means the Mayor of Council and any person appointed by Council to be acting as Mayor.

5.0 Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

6.0 Policy owner

The owner of this policy is the Chief Executive Officer. Enquiries regarding this policy should be referred to the Head of Executive and Civic Services.

7.0 Authorisation

Adopted by the City of Ballarat Council on 28 August 2024 (R138/24).