



COUNCIL POLICY

POLICY TITLE:	COUNCILLOR EXPENSES REIMBURSEMENT
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1. OBJECTIVE

The objective of this Policy is to establish a fair, transparent and accountable system for the payment and reimbursement of expenses and provision of facilities to councillors to enable them to effectively perform their responsibilities on behalf of Richmond Shire Council ("Council").

2. SCOPE

This Policy applies to all councillors of Richmond Shire Council and to Council employees who are involved in the administration or payment process outlined in this Policy. This Policy also applies to other persons performing work at the direction of, in connection with, or on behalf of Council (e.g. contractors, subcontractors, agents, consultants).

Councillor expenses that relate to entertainment and hospitality must comply with and be paid/reimbursed in accordance with the Entertainment and Hospitality Policy. Councillor expenses that are paid by corporate credit card must be in accordance with the Corporate Credit Card Policy.

3. BACKGROUND AND PRINCIPLES

3.1 Requirement for an Expenses Reimbursement Policy

In accordance with Section 250 of the *Local Government Regulation 2012*, Council must prepare and adopt an Expenses Reimbursement Policy which provides for payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors, and the provision of facilities to councillors for that purpose.

3.2 Local Government Principles

Councillors are required to apply the local government principles in all of their responsibilities, including expenses claims and the use of Council facilities. The local government principles are:

- transparent and effective processes, and decision-making in the public interest;
- sustainable development and management of assets and infrastructure, and delivery of effective services;
- democratic representation, social inclusion and meaningful community engagement;

- good governance of, and by, local government; and
- ethical and legal behaviour of councillors and local government employees.

This Policy and other financial Policies/Procedures are important risk control measures to ensure compliance with the local government principles for finance-related activities.

3.3 Application of Principles

As Council is a public entity it is important that councillors deal with public funds in accordance with the public interest. Councillors' expenses and facilities must therefore be reasonable and necessary to, or at least directly supportive of and relevant to, the performance of their councillor responsibilities (i.e. 'Council business'). Council will ensure that processes are in place to ensure that all councillor expenses are in accordance with this Policy and other relevant Policies/Procedures (e.g. Entertainment and Hospitality Policy; Corporate Credit Card Policy). This includes obtaining evidence of expenses (e.g. receipts) and clear correlation of councillors' expenditure to business activities.

3.4 Meaning of Council Business

Council business, for which a councillor can claim reasonable expenses, are activities conducted by the councillor on behalf of Council in the performance of their responsibilities stated in Section 12 of the *Local Government Act 2009*.

A councillor's business activities are activities where benefit is clearly being achieved either for the local government and/or the local community. Examples of Council business include:

- attendance at General and Special Council Meetings, Committee Meetings and Briefing Meetings;
- attendance at required or recommended training/workshops, seminars and conferences (e.g. councillor inductions/updates conducted by the Local Government Association of Queensland (LGAQ));
- attendance at civic ceremonies and community events hosted by the Richmond Shire Council, where the councillor's official attendance as a councillor is appropriate;
- attendance at civic ceremonies and community events hosted by another entity inside or outside the Richmond Shire, where a formal invitation has been extended to a councillor to attend the event in an official capacity;
- attendance at public meetings, club meetings or presentation dinners in the Richmond Shire where an invitation has been extended to a councillor to attend the event in an official capacity;
- attendance at public meetings where it is appropriate for a councillor in an official capacity to speak about Council programs or initiatives (e.g. community consultation meetings); and
- attendance at private meetings with constituents where the meeting has been arranged through official channels, details of discussions are documented in official records or diaries, and the scope of the meeting is within the councillor's responsibilities under the *Local Government Act 2009*.

In the interests of practicality or financial economy, councillors may participate in meetings by videoconference or teleconference (note – for Council Meetings, tele/video conferencing must be in accordance with Section 276 of the *Local Government Regulation 2012*).

4. EXPENSES ENTITLEMENTS

4.1 Job Cost Codes

To facilitate the reporting of each councillor's expenses in the Annual Report (refer to Section 8), Council administration will establish and use separate job cost codes for each councillor's travel-related expenses (e.g. registration, accommodation and travel fare expenses for functions/conferences and similar), subsidised housing rental, and vehicle provision.

4.2 Approval by Council Resolution

Where it is possible in the available timeframe, a councillor's attendance at a business-related activity/event that is outside the Richmond Shire, will be approved in advance by Council resolution (e.g. civic function, conference).

If a councillor wishes to claim reimbursement for the following, this **must** be approved in advance by Council resolution:

- interstate travel;
- international travel;
- attendance at a conference not specifically related to local government; or
- expenses which may exceed the councillor's annual entitlement outlined in Section 4.3.

4.3 Maximum Entitlements

The following limits shall apply per financial year for travel-related expenses:

- Mayor – \$25,000;
- Deputy Mayor – \$15,000;
- Other councillor – \$10,000.

These amounts include Goods and Services Tax (GST), and include all accommodation expenses, travel fares, conference/seminar registration costs, and meal costs for the financial year.

4.4 Types of Expenses

4.4.1 Activities/Events

In order to submit an application to attend a civic function, conference, seminar or similar, a councillor will complete the Councillor Activity/Event Form and submit it to the Chief Executive Officer as far as practical in advance of the activity. This will allow the expenses to be properly approved by an authorised Council delegate, and for the expenses to be tracked.

In accordance with Section 4.2, a Council resolution is also needed in certain circumstances.

Councillors are strongly encouraged to share with their peers the knowledge and skills obtained by their attendance at such events.

4.4.2 Accommodation

Council will pay for reasonable expenses incurred for overnight accommodation when a councillor is required to stay overnight outside the Shire for business purposes. All accommodation related to the performance of a councillor's responsibilities will be booked and paid for by Council, as follows:

- Council will source economical deals and advise the councillor of the location and details of the accommodation, although the councillor may advise of particular accommodation they wish to use (e.g. on the Councillor Activity/Event Form);
- the person booking the accommodation will take into account travel distance, transport availability, access to meals etc when selecting the accommodation. Where particular accommodation is recommended by conference organisers, Council may choose to use other accommodation where there is no disadvantage in terms of travel availability, access to meals etc;
- the accommodation will be at least consistent with the three (3) star rating used in RACQ accommodation directories;
- accommodation will be 'standard', as opposed to 'suite', 'executive' or similar. The councillor may upgrade their accommodation if they wish to, provided that they pay Council the difference between the upgraded rate and the standard rate;
- accommodation for any family members who are accompanying the councillor on a trip must be in accordance with Section 5.

Council may also pay for overnight accommodation in the Richmond Shire if it would be impractical or impossible for the councillor to return to their residence one day and then return to the town of Richmond the next day, because:

- their residence is located 80 kilometres or more from the Richmond township; or
- the road/s to their residence are impassable (e.g. due to rain); or [there is less than ten (10) hours before they need to be in the township of Richmond again.

If a councillor has concerns regarding the choice or standard of their accommodation they shall raise their concerns with the Chief Executive Officer.

If accommodation bookings need to be changed, the councillor must advise Council administration of this at the earliest opportunity. The cost of the change will be borne by Council unless as outlined in Section 5.

4.4.3 Meals

Council will reimburse the costs of main meals (i.e. breakfast, lunch and dinner) for councillors who are travelling outside the Richmond Shire for Council business, and where meals are not provided and paid for as part of the function/travel/accommodation arrangements. Reimbursement will be to the following limits:

- breakfast – \$23.65;
- lunch – \$26.55;
- dinner – \$45.60.

Reimbursement for meals will not be provided if the flight/conference/seminar/accommodation venue offers meals as part of a package that Council has paid for, and the councillor chooses to eat elsewhere instead (unless the councillor demonstrates to the Chief Executive Officer's satisfaction that it was appropriate to eat elsewhere e.g. to attend a meeting).

The meal entitlements outlined above include beverages. Councillors are not entitled to claim payment or reimbursement for any alcoholic beverages, unless the expense is for entertainment or hospitality purposes in accordance with Council's Entertainment and Hospitality Policy.

The meal entitlements outlined above will be reviewed on a regular basis, in accordance with the Queensland Public Service Directive for Domestic Travelling and Relieving Expenses.

If family members are accompanying a councillor on a trip, no meals can be claimed for the family members.

4.4.4 Incidentals

Councillors may claim up to \$17.30 per overnight stay, upon provision of receipts, to cover any personal incidental costs (e.g. telephone calls, newspapers, laundry/dry cleaning etc). Food and beverages cannot be claimed as part of this \$17.30 entitlement; the meal entitlement outlined in Section 4.4.3 covers food and beverages. .

4.4.5 Travel

All travel related to the performance of a councillor's responsibilities will be booked and paid for by Council, unless advance bookings and payment are not practical (e.g. taxi fares, train fares).

Councillors are to travel via the most direct route, using the most economical and efficient mode of transport. Travel will be 'standard' or 'economy' class only.

If family members are accompanying a councillor on a trip, no travel expenses can be claimed that relate to the family members, unless as allowed by Section 5.

If travel bookings need to be changed, the councillor must advise Council administration of this at the earliest opportunity. The cost of the change will be borne by Council unless as outlined in Section 5.

Public Transport

Council will reimburse for public transport used during the performance of a councillor's duties, upon provision of receipts (e.g. train fare, taxi fare, bus fare, ferry fare).

Council may approve the use of cab charge vouchers, provided a tax invoice/receipt is provided.

Parking

Council will reimburse the cost of parking incurred during the performance of a councillor's duties, upon provision of receipts.

Council will not reimburse the cost of valet services, unless that is the only option for the venue.

Private Vehicle Usage

Councillors may claim an allowance for use of their private vehicle for travel between their residence and the location of the business-related activity (including for General and Special Council Meetings, and otherwise where the travel has occurred as approved by Council resolution or submission of a Councillor Activity/Event Form). The vehicle allowance payable shall be the rate set by the Australian Taxation Office, amended from time to time, and which differs depending on the engine capacity of the vehicle used.

In order to be eligible to use their private vehicle for business purposes, a councillor must, before using the vehicle for business purposes, provide the Chief Executive Officer with:

- evidence of the engine capacity of the vehicle (e.g. listed on the insurance policy or in the vehicle manual); and
- a copy of a comprehensive or third party property damage insurance policy for the vehicle, endorsed to indemnify Richmond Shire Council. The cost of obtaining the indemnity shall be reimbursed by Council upon provision of a receipt and a copy of the policy. As the

councillor updates their insurance, they must provide the Chief Executive Officer with a copy of the new insurance policy.

To claim the vehicle allowance the councillor will complete and submit a Councillor Vehicle Allowance Claim to the Chief Executive Officer at each Council Meeting, so that the kilometres claimed for the period can be reimbursed. All claims must be submitted no later than **two (2) months** after the claim was due to be submitted.

The use of a private vehicle for business purposes should only occur where it is the most economic method of travel. Therefore where the total vehicle allowance for a trip exceeds the estimated cost of other travel options, the councillor may be invoiced for the difference. For instance, if a councillor chose to travel by private vehicle however the vehicle allowance amounted to more than the estimated cost of flights booked with reasonable notice, taxi fares/transfers, and accounting for accommodation not necessary with the quicker travel, the councillor will be invoiced the difference.

Should a councillor be involved in a vehicle accident while performing Council business, Council will reimburse the councillor for the cost of the insurance excess, provided that the councillor has previously provided Council with a copy of their insurance policy, and the councillor was not at fault during the accident due to:

- driving the vehicle at a speed above the mandated speed limit;
- being under the influence of alcohol above the breath alcohol limit/blood alcohol limit (e.g. 0.05% for operation of a C class vehicle); or
- being under the influence of a dangerous drug.

A councillor will be responsible for any fines incurred while operating a private vehicle for business purposes (e.g. parking fines, speeding fines).

Should a councillor claim the allowance from Council for private vehicle usage they must remember not to claim the same usage as a taxation deduction.

The councillor is responsible for all costs associated with their use of their private vehicle, including maintenance, repairs, insurance premiums, registration and fuel.

5. PERSONAL COMPONENT OF BUSINESS EXPENSES

In recognition of the remote location of Richmond, councillors may incorporate personal activities into the travel they undertake for business purposes – for instance, catching up with friends or family. However if the personal component results in expenses being incurred by Council which otherwise would not be, the councillor must declare this personal component **in writing** to the Chief Executive Officer as soon as practicable, and produce the relevant receipts (e.g. extra night/s of accommodation and extra meals; additional travel to a location away from the business activity). The Chief Executive Officer will determine the personal component and will arrange for Council's Debtors Officer to issue an invoice to the councillor.

If travel/accommodation bookings are changed by a councillor and additional expenses are incurred as a result of the change, Council will pay the additional expenses unless the Chief Executive Officer determines that the change was unnecessary or not related to Council business (e.g. if the booking was changed to assist the councillor in catching up with friends or family – the councillor would pay for the expense of making the change in that instance).

Accommodation for a councillor's business trip may cater for any family members who are accompanying the councillor on the trip (e.g. a family room instead of a single room), however the councillor will be required to pay or reimburse to Council the difference between the actual accommodation expense, and the expense that would have been incurred if the councillor accessed accommodation for themselves only.

Where travel costs are the same whether the councillor's family is there or not (e.g. taxi fare), the councillor can claim the full cost of the travel.

6. PAYMENT/REIMBURSEMENT PROCESS

6.1 General

Expenses that are paid on behalf of councillors or reimbursed to councillors will be processed through Council's creditor finance system. The expenses will be recorded separately to the remuneration that each councillor receives, and which must be reported in the Annual Report as outlined in Section 8.

6.2 Process for Arranging Payment

To request payment by Council to a supplier of a good/service, a councillor will attach the relevant tax invoice (if available) and/or the event program (if applicable) to:

- a Councillor Activity/Event Form (e.g. if the expense relates to travel to/attendance at a conference); or
- a Councillor Payment/Reimbursement Form (e.g. if the expense is for other purposes such as entertainment, hospitality or a gift)

and forward the form for approval.

Councillors are required to plan ahead for expenses so that payments can occur in Council's regular pay-runs. Where-ever possible the payment request should be submitted to the Chief Executive Officer so that Council's administrative staff has two (2) weeks to arrange payment.

Councillors are required to take advantage of 'early bird' discounts and similar offers where possible.

6.3 Process for Arranging Reimbursement

To claim reimbursement for an item that a councillor has paid for, the councillor will attach the relevant receipts to a Councillor Payment/Reimbursement Form and forward the form to the Chief Executive Officer for approval.

Reimbursement cannot be provided based on EFTPOS receipts. A tax receipt must be provided in order to be reimbursed. Tax receipts are necessary for information and auditing purposes (i.e. EFTPOS receipts do not give all relevant details of a purchase). The invoice/receipt must contain:

- the words "Tax Invoice" or "Tax Receipt" displayed prominently;
- the date of issue of the invoice/receipt;
- the name of the supplier;
- the Australian Business Number (ABN) of the supplier;
- a description – including quantity – of the items supplied (note – a general description such as "goods" is inadequate); and
- the price of the goods/services, including Goods and Services Tax (GST) if applicable, and which particular goods/services the GST relates to.

Once Council's administration staff has received the approved Councillor Payment/Reimbursement Form, the reimbursement to the councillor shall occur in the subsequent creditor payment run, barring any exceptional circumstances.

It is important that Council's administration staff receive claims for reimbursement promptly so that financial records can be reconciled promptly, and there can be no perception of poor governance processes or unethical use of public monies. Claims for reimbursement must be submitted by a councillor within **six (6) weeks** of the date that the expense was incurred. If a councillor regularly submits claims outside this timeframe, the Council staff shall report this to the Chief Executive Officer.

6.4 Councillor to Reimburse Council

Should a councillor need to reimburse an amount to Council (refer to Section 5), the Chief Executive Officer will advise Council's Debtors Officer to issue an invoice to the councillor.

7. FACILITY ENTITLEMENTS

7.1 General

Councillors are entitled to reasonable access and use of facilities to assist them in performing their responsibilities under the *Local Government Act 2009*. All facilities provided to councillors remain the property of Richmond Shire Council and must be returned to the Chief Executive Officer when a councillor's term expires, or another time as requested by the Chief Executive Officer (e.g. if the councillor is not performing their responsibilities due to extended illness).

The facilities provided to councillors are to be used only for public purposes, and not to benefit themselves or another person (e.g. family member, friend), unless otherwise approved by this Policy.

7.2 Councillor Facilities

All councillors will have access to the following facilities for the duration of their service as councillors (note – all use of these facilities **must** be used for business purposes only):

- laptop computer and/or tablet computer, with internet access;
- Council email account;
- mobile phones;
- name badge;
- business cards;
- postage for items of Council business (to be processed by Council administration);
- use of Council meeting rooms (to be booked via Council administration);
- an annual diary, and miscellaneous stationery as required (to be obtained from Council administration);
- access to Council's photocopiers, printers and facsimile machines;
- use of Council landline telephones, as available;
- administrative support as appropriate and in accordance with Council's Acceptable Requests Policy;

- access to a Council vehicle for official business (where available – to be booked with Council administration);
- fuel for a Council-owned vehicle used for official business;
- insurance cover for public liability and professional indemnity;
- councillor's liability and personal accident insurance; and
- safety equipment (where applicable and requested by the councillor).

Council's Policies and Procedures which relate to information technology and communications equipment, or to documentation management, shall also apply to councillors.

If mobile phone expenses or internet expenses appear to be excessive or unreasonable (e.g. exceed monthly limit), the Chief Executive Officer will investigate and a councillor may be required to reimburse Council for personal use.

7.3 Additional Facilities for the Mayor

A corporate credit card will be issued to the Mayor for the payment of expenses while travelling on business, and/or entertainment or hospitality in accordance with this Policy, the Corporate Credit Card Policy, and the Entertainment and Hospitality Policy. The Mayor's corporate credit card shall have a monthly limit of \$15,000.

The Mayor shall be entitled to rent a Council-owned three (3) bedroom dwelling, at a subsidised rental rate. The Mayor shall pay a rental of \$50.00 per week.

The Mayor shall have unlimited private use of a Council Landcruiser V8 200 series wagon or equivalent. All running costs shall be borne by Council. Bulk fuel will be supplied by the Council for the vehicle and made available from the Council Works depot during normal opening hours. The Mayor shall ensure:

- that the vehicle is properly and responsibly maintained and serviced in accordance with warranty requirements (including making appointments with Council's Workshop for regular servicing);
- that the provisions of the insurance policy that relates to the vehicle are observed (e.g. garaging); and
- compliance with the requirements of Section 7.4.

The insurance and registration costs for this vehicle shall be paid by Council.

7.4 Council Vehicle Requirements

A councillor who uses a Council vehicle must:

- take good care of the vehicle including keeping it clean;
- not smoke in a Council vehicle;
- only operate a Council vehicle if they have an appropriate current driver's licence;
- accept responsibility if the councillor allows another person to drive a Council vehicle. A councillor may only allow their family members to drive a Council vehicle, and only where the family member has an appropriate driver's licence;

- not operate a Council vehicle if they are experiencing the effects of medication, alcohol or a drug which may impact their ability to safely operate the vehicle (e.g. some prescription and non-prescription medication can cause drowsiness);
- perform pre-start checks of the vehicle as appropriate (e.g. tyres, oil and water levels etc);
- complete the log-book provided in the vehicle, for each use of the vehicle;
- not fit any accessories to the vehicle without prior written approval from the Chief Executive Officer;
- be responsible for any fines incurred while operating a Council vehicle (e.g. parking fines, speeding fines);
- ensure that the vehicle is securely locked when left unattended and that any alarm system fitted to the vehicle is turned on;
- ensure that the vehicle is properly garaged when not in use;
- when required by law, immediately report any accidents involving the vehicle to the police;
- immediately inform Council of any damage to the vehicle; and
- advise Council administration if items from the first aid kit has been used, so that it can be restocked.

Should a councillor be involved in a vehicle accident (Council vehicle) while performing Council business, Council will pay the costs associated with the accident. However, the councillor will be invoiced for the cost of the insurance excess and any amount not covered by the insurance if the councillor was at fault during the accident due to:

- driving the vehicle at a speed above the mandated speed limit;
- being under the influence of alcohol above the breath alcohol limit/blood alcohol limit (e.g. 0.05% for operation of a C class vehicle); or
- being under the influence of a dangerous drug.

A Council Workshop employee or the Chief Executive Officer or Director of Works may inspect a Council motor vehicle at any time without notice.

7.5 Maintenance of Facilities

Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council-owned equipment that is supplied to councillors for business use. This includes the replacement of any facilities which fall under council's asset replacement program.

Where it is determined by the Chief Executive Officer that the repairs or replacement of a Council asset is resulting from negligence by the councillor who used the asset, the councillor may be invoiced for the cost of repair/replacement.

Councillors must assist with the maintenance/upgrade of equipment as directed by an authorised Council staff member. For instance, councillors may be required to install updates on their Council computers, or may be asked to make an item available to a Council staff member or a service provider.

Information technology and communication issues are to be reported promptly to the Manager of Finance and Administration.

Issues with Council vehicles are to be reported promptly to the Workshop Supervisor.

The councillor must provide information on how any damage to a Council asset occurred.

8. DOCUMENTATION AND REPORTING

In accordance with Section 186 of the *Local Government Regulation 2012*, the expenses incurred by, and the facilities provided to, each councillor during the financial year under the Expenses Reimbursement Policy must be reported in the Annual Report.

In accordance with Section 251 of the *Local Government Regulation 2012*, as soon as practicable after a local government adopts or amends its Expenses Reimbursement Policy, Council must ensure a copy of the Policy may be inspected and purchased by the public at Council's public office, and must publish the Policy on its website.

Repeated failure by a councillor to submit reimbursement requests within an appropriate timeframe, or to otherwise adhere to this Policy, shall be reported by the Chief Executive Officer to a General Council Meeting.

9. POLICY/LEGISLATION BREACHES

Where a councillor has made a purchase or claimed reimbursement in a manner not as outlined in this Policy, the councillor may be personally liable for the cost of the purchase. Depending on the circumstances, investigation into the councillor's conduct may also be warranted as provided by the *Local Government Act 2009* and/or the *Crime and Corruption Act 2001*. Suspected criminal activity shall be reported to the Queensland Police Service.

A breach of this Policy or legislation by an employee may result in disciplinary action being taken against the employee in accordance with Council's Discipline Procedure.

10. DEFINITIONS

Councillor – an elected official under the *Local Government Act 2009*.

Conflict of Interest – a situation in which a public official's decisions are influenced by their personal interests (e.g. to bring benefit to themselves, or to intentionally choose to bring benefit or detriment to another person for their own gratification).

Employee – for the purposes of this Policy, "employee" will refer to those persons covered by the Scope of this Policy.

Management – for the purpose of this Policy, "management" refers to all supervisory staff.

Procurement – the purchase, hire, lease, rental, exchange or any other commercial transaction involving the outlay of funds in return for the provision of goods and/or services.

Supervisor – a person in control of a workplace and staff.

Facilities – facilities provided to councillors are the items and equipment which are reasonable to enable or directly assist them to perform their responsibilities (as per the *Local Government Act 2009*) with relative ease and efficiency.

Private Use of a Council Vehicle – for the purposes of this Policy, private use of a Council vehicle is use of the vehicle for other than Council business. Private use does not include travel between a councillor's residence and business activity, and any incidental deviations from the direct travel route where the distance travelled is not material.

11. REFERENCES

Local Government Act 2009.

Local Government Regulation 2012.

12. ASSOCIATED POLICIES/FORMS

Entertainment and Hospitality Policy.

Corporate Credit Card Policy.

Procurement Policy.

13. IMPLEMENTATION

This Policy will commence from the Approval Date (see Clause 14). This Policy replaces all other Councillor Expenses Reimbursement Policies or Procedures of Richmond Shire Council (whether written or not).

This Policy will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff at the Depot and via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will be reviewed if Policy changes have been identified as appropriate (e.g. following an audit), if related Policies/Procedures or references change, or when legislative requirements change. This Policy can only be amended by Council resolution, and the Council Meeting cannot be closed to discuss, amend or adopt the Policy.

14. APPROVAL

Adopted at the Council Meeting held on 18 June 2020.