

## **Payment of Expenses & Provision of Facilities for the Mayor & Councillors**

Detail of Policy

<b>Short Title</b>	Payment of Expenses & Provision of Facilities for the Mayor & Councillors
<b>Division</b>	Corporate Services
<b>Category</b>	Council & Councillors
<b>Date adopted by Council</b>	2 February 2009

### ***COUNCIL POLICY***

***(See over page for details)***



**Willoughby City Council**

**POLICY FOR THE PAYMENT OF EXPENSES  
AND THE PROVISION OF FACILITIES  
FOR THE MAYOR AND COUNCILLORS**

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## Part 1 INTRODUCTION

### 1.1 Title, Commencement etc of the Policy

The Policy is formally known as the “Policy for the Payment of Expenses and the Provision of Facilities for Councillors”.

The policy will be effective from the date of adoption by Council. It will be reviewed on a yearly basis prior to the 30 November each year.

### 1.2 Purpose of the Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by councillors. The policy also ensures that the facilities provided to assist councillors to carry out their civic duties are reasonable.

### 1.3 Objectives and Coverage of the Policy

The objective of the policy is to provide guidance to councillors about the type and extent of expenses that can be claimed as they carry out their elected duties. It will also serve to ensure that councillors do not seek to claim expenses outside the parameters set down in the policy.

The expenses policy will apply to the Mayor, Councillors and their partners.

The policy will also provide information about the provision of facilities that Council will provide for Councillors to carry out their elected duties.

### 1.4 Making and Adoption of the Policy

The policy will be based on the model template recommended by the Department of Local Government as amended by Council.

The Policy will be adopted by Council in accordance with the provisions of Section 253 of the Local Government Act. Any amendments to the Policy will also be subject to the same requirements.

Adoption and amendment of the policy will be dealt with in open council in accordance with Section 254 of the Local Government Act 1993.

### 1.5 Reporting Requirements

Section 428 of the Local Government Act 1993 requires councils to include in their annual report:

- The Policy on the Payment of Expenses and the Provision of Facilities for the Mayor and Councillors.
- The total amount of money expended during the year on providing facilities and paying expenses for the Mayor and Councillors.

The following detailed expenses will be reported:

- *The cost of telephone calls including mobiles, home located landlines, facsimile and internet services.*
- *Spouse / partner / accompanying person expenses*
- *Conference and seminar expenses*
- *Training and skill development expenses*

- *Interstate travel expenses*
- *Overseas travel expenses*
- *Care and other related expenses.*

With regard to the provision of facilities, Council will also report on:

- *The cost of the provision, including rental, of dedicated office equipment allocated to councillors on a personal basis such as laptop computers, mobile phones, telephones and facsimile machines and internet installed in the councillors' homes.*
- *Additional information as required by the Local Government (General) Regulation 2005.*

#### 1.6 Legislative Provisions

This policy satisfies the provisions of Section 252 of the Local Government Act 1993 and clause 403 of the Local Government (General) Regulation 2005.

Adoption and amendment of the policy will be in accordance with Section 253 of the Local Government Act.

#### 1.7 Other Government policy provisions

DLG Guidelines for payment of expenses and provision of facilities  
 Model Code of Conduct  
 DLG Circulars to councils  
 ICAC publications

### **Part 2 PAYMENT OF EXPENSES**

#### 2.1 General Provisions

This policy excludes the annual fees payable to the Mayor and Councillors under Sections 248 – 251 inclusive of the Local Government Act 1993.

#### 2.2 Payment of expenses generally

Reasonable out-of-pocket expenses incurred by the Mayor and Councillors, whilst on official business, will be met by Council.

Out-of-pocket expenses will be reimbursed to a maximum of \$100.00 per day. Expenses of a personal nature are excluded.

All expenses and costs must be in accordance with the provisions of this policy. No reimbursements will be made without the appropriate claim form and receipts to verify the expenditure.

Claims must be made within three (3) months of being incurred. All claims must be approved by the General Manager or his nominated officer.

### **Part 3 SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS**

#### 3.1 Attendance at Seminars and Conferences

The conferences to which this policy applies shall generally be confined to:

- Local Government Association (LGSA) and Australian Local Government;

- Association (ALGA) Conferences;
- Special “one-off” conferences called or sponsored by or for the LGSA and/or ALGA on important issues;
- Annual conferences of the major Professions in Local Government;
- Conferences, seminars or training courses which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council’s functions;
- Any Meetings or Conferences of organisations or bodies on which a Councillor of the Council may be elected, or appointed to be, a delegate or member of the Council or the LGSA.

Council will meet the following expenses incurred by Councillors attending conferences/seminars/training courses provided Council has resolved that the Councillor attend the conference/seminar/training course:

a) Registration Fees

Council will meet the registration fees for delegates attending conferences/seminars/training courses.

b) Accommodation

- Reasonable costs associated with accommodation and meals, including the night before and/or after the conference where this is necessary will be met by Council.
- Delegates will be accommodated in the hotel where the conference/seminar/training course is being held or the nearest hotel to the conference/seminar/training course of a similar standard or as authorised by the host organiser where the conference is not located within the Sydney Metropolitan Area.
- Council will provide accommodation for delegates at the rate of a double room.

c) Transportation

Delegates attending conferences/seminars/training courses will be transported via economy class air ticket or Council will reimburse the travelling expenses as detailed below:

- Council will reimburse Councillors as delegates with travelling expenses incurred by the delegate within his/her own vehicle up to the value of a full economy class air ticket including transfers, provided a claim as detailed by Part 2.1 of this policy is submitted.
- For travel within a Council-owned vehicle actual costs incurred by the delegate will be reimbursed.
- A Councillor who travels on Council business shall:
  - travel with all due expedition and any time incurred in anything other than Council business shall not be included in expenses paid by Council;

- travel by the shortest practical route;
  - be responsible for all traffic or parking fines incurred while travelling in their private motor vehicle on Council business.
- iv) Council will meet the cost of transferring delegates from their place of abode to the airport and return from the airport to their place of abode, such costs not to exceed the cost of a taxi fare.
  - v) Council will meet the cost of transferring delegates from the airport to the hotel and return at the conclusion of the conference/seminar/training course, such costs not to exceed the cost of a taxi fare.
  - vi) Should a delegate be accommodated in a hotel not being the site of the conference/seminar/training course, and the delegate is travelling in a non-Council-owned vehicle, Council will meet the cost of the delegate travelling from the hotel to the site of the conference/seminar/training course and return each day of the conference/seminar/training course, such costs not to exceed the cost of a taxi fare.
  - vii) Where as a result of attending a conference/seminar/training course a Councillor visits another Council in the course of his/her elected member duties or to further his/her knowledge of Local Government, and the Councillor is travelling in a non-Council-owned vehicle, Council will meet the cost of transfer of the delegate from his/her hotel to the Council visited and return, such costs not to exceed the cost of a taxi fare.
  - viii) All other transfers are to be met by the delegate.
  - ix) The rate of calculation of the amount payable for travel in a Councillor's own car shall be the rate payable as prescribed in the Willoughby City Council Notional Agreement Preserving the Local Government (State) Award 2004.

d) Meals

Council will meet the cost of breakfast, lunch and dinner for delegates where any of these meals are not provided as part of the conference/seminar/training course. Council will also meet the cost of reasonable drinks accompanying the meal.

e) Incidental Expenses

i) Telephone

Council will meet the cost of telephone calls from the delegate to his/her family and to Council during the period of the conference/seminar/training course. Other telephone expenses are to be paid for by the delegate.

ii) Laundry

Council will not meet the cost of laundry or dry cleaning services. Such services are to be met by the delegate.

iii) Tipping

Council will not meet the cost of any tips provided by the delegate.

iv) Bar Fridge

Council will not meet the cost of any expenses incurred from the use of the bar fridge provided in the hotel room.

v) Bar Service

Council will not meet the cost of any expenses incurred at the bar located within the hotel other than where special guests have been invited for drinks at the request of the Mayor or leader of Council's delegation.

f) Payment of Expenses by Delegates

- i) Council will, where possible, pay expenses directly to the hotel, either by account or through a Corporate Credit Card if possible.
- ii) Councillors should be aware that it may be necessary for them to pay unexpected expenses. In order to obtain reimbursement for such expenses a claim for reimbursement must be submitted to the General Manager on the appropriate form.
- iii) Once expenses of attending a conference/seminar/training course have been finalised, accounts will be forwarded to delegates for any expenses payable by them.
- iv) Such accounts are to be repaid in full within the Council's normal terms i.e. 30 days.
- v) Any arrangements to finalise an account by periodic payment must only be approved by Council.

g) Arrangements

Council may make all necessary arrangements for delegates and partners in accordance this policy, if requested.

3.2 Attendance at Overseas Conferences

Attendance by the Mayor or a Councillor at any conference, seminar, congress, forum, workshop, course, meeting, deputation, information or training sessions, events, etc. related to the industry of local government which are held overseas, must be authorised prior to departure by specific resolution of the Council and such resolution shall specify and detail the conditions of attendance.

3.3 Training and Educational Expenses

Council encourages Councillors to undertake relevant training and skills development to ensure they carry out their functions as effectively as possible.

An allocation is provided in each year's budget to cover the cost of Councillors attending training courses.

Approval to attend courses should be authorised by Council where possible. Where this is not practical, approval should be obtained from the General Manager.

3.4 Local Travel Arrangements and Expenses

- a) Claims for travelling expenses shall be submitted no later than 3 months after the expenses were incurred and shall be submitted to the General Manager for submission to Council for approval.
- b) Such claims shall state the following:
  - i) Time and place of departure.
  - ii) Time and place of arrival.
  - iii) Distance travelled.
  - iv) Fares and parking fees paid, attaching receipts where possible.

- v) Number of days and hours occupied in travelling to and from the conference/seminar/training course and attending Council meetings or on the authorised business of Council.
- vi) Amount claimed as conveying allowances.
- vii) Total amount of claim.

c) Travelling Expenses

The rate of calculation of the amount payable for travel in a Councillor's own car shall be the rate payable as prescribed in the Willoughby City Council Notional Agreement Preserving the Local Government (State) Award 2004.

3.5 Interstate Travel

Interstate travel will need to be approved by Council. Applications for approval to travel interstate should include full details of the travel, including itinerary, costs and the reasons for travel.

3.6 Telephone costs and expenses

Council will pay for the installation, line rental and usage and/or service fee for the telephone line used to provide modem access for their computer on the understanding that the line/service is dedicated for Council related activities.

3.7 Care and other related expenses

In accordance with the principles of participation, access and equity, Council will consider the reimbursement of reasonable expenses associated with carer arrangements, including childcare, care of the elderly, disabled and/or sick immediate family members of councillors, to allow councillors to undertake their Council business obligations.

Council will also consider meeting reasonable expenses associated with the special needs of councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities.

3.8 Insurance expenses and obligations

Council will provide for the following insurance cover for Councillors:

- Personal Injury

Personal injury or death whilst on Council business, worldwide, covering bodily injury caused by accidental, violent, external and visible means. Personal injury insurance also provides specified benefits for lost income and other expenses arising from permanent disablement, temporary total disability and temporary partial disability. The cover does not include medical expenses.

- Professional Indemnity

Professional indemnity insurance applies in relation to claims arising out of the Councillors' alleged negligent performance of civic duties or exercise of their functions as Councillors, provided the performance or exercise of the relevant civic duty is in the opinion of the Council reasonable and proper. This is subject to any limitations or conditions set out in the relevant Council insurance policy.

- Public Liability

Public liability insurance applies in relation to claims arising out of the Councillors' alleged negligent performance of civic duties or exercise of their functions as Councillors. This is subject to any limitations or conditions set out in the relevant Council insurance policy.

- Liability for Expenses

Applies to cover expenses incurred by Councillors in respect of claims made against them for any alleged wrongful acts arising out of their official capacities. This excludes any statutory fines or penalties incurred by Councillors.

### 3.9 Legal Expenses and Obligations

Council may consider meeting legal expenses that arise from:

- a councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers); or
- a councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act; or
- proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the councillor.

Council will not meet legal expenses incurred:

- in relation to an action in defamation taken by a councillor as plaintiff in any circumstances
- where a councillor seeks advice in respect of possible defamation, or seeks a non-litigious remedy for possible defamation.

## Part 4 ADDITIONAL MAYORAL EXPENSES

### 4.1 Car and Travel Expenses

Council has resolved to reimburse the Mayor for expenses incurred when using his/her private vehicle on Council duties in lieu of providing a Council-owned car. The amount to be reimbursed will be calculated in accordance with the rate payable as prescribed in the Local Government (State) Award.

Council will also provide the Mayor with a Cabcharge facility to be used when his/her vehicle is unavailable.

On important civic or ceremonial occasions, Council will permit the Mayor to hire a special vehicle to travel to and from the function. Approval for the use of such a vehicle will be authorised by the General Manager.

Claims for travel expenses by the Mayor shall be submitted monthly.

### 4.2 Mobile Telephone Expenses

The Mayor will be provided with a Council mobile telephone for use in conjunction with his/her Council duties. Council will pay for the monthly access charges and call charges.

## **Part 5 PROVISION OF FACILITIES**

### ***GENERAL PROVISIONS***

#### **5.1 Provision of Facilities Generally**

Council provides facilities, equipment and services to support the Mayor and Councillors in undertaking their role as elected members.

These facilities are provided on the basis that they will be used primarily for their councillor duties.

#### **5.2 Private Use of Equipment and Facilities**

Infrequent use of the equipment and facilities for private purposes is permitted. Councillors should bear in mind that the equipment is owned by the Council and is provided to enable them to carry out their Councillor functions.

Under no circumstances should Council facilities, equipment or services be used to produce election material or for any other political purposes.

### ***PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS***

Each Councillor will be provided with the following upon election to office:

#### **5.3 Office Equipment**

- 1 filing cabinet for Council Business Papers and other Council correspondence.
- A facsimile machine and the necessary toner refills.
- Various stationery for their elected member/civic office duties.

#### **5.4 Computer Equipment**

1.

- 1 laptop computer with home access to Council's internal computer system & an appropriate printer together with replacement toner cartridges as needed (to a maximum value of \$3,500). Council will be responsible for servicing and maintaining the computer and printer.
- or
- A personal computer with home access to Council's internal computer system and an appropriate printer together with replacement toner cartridges as needed (to a maximum value of \$3,000). Council will be responsible for servicing and maintaining the computer and printer.

and

2. Provision of a suitable device, selected by Council, to enable the remote receipt and dispatch of emails and provide remote access to the internet. Council will be responsible for payment of monthly rental and access plan costs (to a maximum of \$1200 p.a.). Councillors will be responsible for the payment of usage charges.

The above equipment will be located at the Councillor's place of residence and remains the property of Council.

## 5.5 Internet Access

Provision of a telephone line or broadband access in their place of residence for use with the computer modem. Council will pay for the installation, line rental and usage and/or service fee (to a maximum of \$700 p.a.) on the understanding that the line/service is dedicated for Council related activities.

## 5.6 Other Facilities and Equipment

Councillors will be provided with the following:

### Non-disposable

- i) A room suitably furnished for use by all Councillors including telephone, computer and printer and a fridge with refreshments.
- ii) 3 car parking spaces underneath the Victor Street building, except on Council meeting nights when further car parking spaces will be available.
- iii) A suitable name badge.

### Disposable

- i) Each Councillor will be supplied with 250 business cards and thereafter appropriate replacements for his/her role as an elected member of Willoughby City Council.
- ii) Corporate presentation gifts for use in connection with civic duties, e.g. tie, scarf, spoon etc.
- iii) Christmas cards for forwarding in their role as an elected member of Willoughby City Council. Council to meet the cost of postage for cards sent to local government colleagues and acquaintances including those arising from Council's Friendly City relationships (to a maximum of 100 cards).
- iv) Council will provide tea, coffee and refreshments to Councillors when carrying out their civic duties in the Council Chambers during office hours.
- v) Copy of most recent Electoral Roll for the Councillor's respective Ward.

## 5.7 Council Meetings

At the Council/Committee meetings the Mayor, Deputy Mayor and Councillors will be provided with a suitable meal including refreshments. The standard of the meal provided will be determined by the Mayor in consultation with the General Manager.

## 5.8 Access to Council Offices

Councillors will be provided with an access card that enables entry to sufficient of Council's offices to gain access to the Councillors' Room and a key to access the locked "Councillor" car parking spaces under the Central Library.

The above card and key remain the property of Council and must be returned to Council upon the person ceasing to hold office.

## 5.9 Postage

Council will post all correspondence on behalf of the Mayor, Deputy Mayor and Councillors relative to their elected member role.

## 5.10 Letterhead

Council will provide the appropriate letterhead for use by Councillors in replying to correspondence from constituents.

#### 5.11 Correspondence

- a) Council will not provide follow up procedures for correspondence by Councillors. Councillors must, if they so wish, follow up their own correspondence.
- b) Copies of all correspondence by Councillors will be placed in folders in the Councillors' Room for reference by all Councillors.
- c) Correspondence by Councillors, relative to the elected member role is NOT official correspondence of Willoughby City Council but correspondence between the Councillor and the correspondent.

#### 5.12 Car Parking

- a) The Mayor, Deputy Mayor and Councillors will be provided with official Council identification to identify their private vehicle.
- b) Councillors may use the designated "Councillor" car parking spaces under the Administration Building.
- c) Councillors may also use the "Councillor" car spaces under the Central Library utilising the key provided.
- c) The use by Mayor, Deputy Mayor and Councillors of other Council regulated car parks be on the same conditions as for other motorists.

### ***PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR THE MAYOR***

#### Returnable

- i) An office suitably furnished.
- ii) An allotted parking space in the Council Administrative Building.
- iii) Mayoral robes for official/civic/ceremonial use.
- iv) Mayoral Chain of Office for official/civic/ceremonial use.
- v) Mobile telephone for which Council will pay rent and call charges.
- vi) A suitable name badge.
- vii) A liquor cabinet located in the Mayoral office which will be maintained and stocked by Council.
- viii) Monthly reimbursement for the cost of private vehicle travel for Council business mileage.
- ix) Provision of a charge card for the purpose of using taxis and hire cars as required.
- x) Council will provide tea, coffee and refreshments to the Mayor when fulfilling his/her Mayoral duties as required.

The above facilities remain the property of Council and must be returned to Council upon the Mayor ceasing to hold office.

#### Disposable

- i) The Mayor will be supplied initially with 250 business cards and thereafter appropriate replacements for his/her role as Mayor of the City of Willoughby.
- ii) Corporate presentation gifts e.g. Council ties, scarves, spoons etc. for own use and presentations as appropriate.
- iii) Christmas cards for forwarding in his/her role as an elected member of Willoughby City Council.

iv) Copy of most recent Electoral Rolls for the City.

5.13 Executive Support

- i) The Mayor will be provided with a suitably qualified and experienced Secretary.
- ii) Provision of transportation for the Mayor and Mayoress to official/civic/ceremonial duties as required.

5.14 Access to Council Offices

The Mayor will be provided with a master key enabling access to all Council offices and a key to access the locked "Councillor" car parking spaces under the Central Library

5.15 Letterhead

Council will provide standard Mayoral letterhead for use by the Mayor for official correspondence.

***PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR THE DEPUTY MAYOR***

The Deputy Mayor will be provided with the same returnable and disposable facilities as those provided to Councillors.

In addition, when the Deputy Mayor is Acting in the position of Mayor due to the absence of the Mayor, the Deputy Mayor will have use of the following facilities provided for the Mayor:

Returnable

- i) Mayoral office.
- ii) A liquor cabinet located in the Mayoral office which will be maintained and stocked by Council.
- iii) Robes for official/civic/ceremonial use.
- iv) A suitable name badge.
- v) Council will provide tea, coffee and refreshments to the Deputy Mayor when fulfilling his/her duties as required.

5.16 Executive Support

The Deputy Mayor will be provided the same Executive Support as Councillors, however, in the absence of the Mayor, the Deputy Mayor will have use of the following:

- i) A suitably qualified and experienced Secretary.
- ii) Provision of transportation for the Deputy Mayor for their official/civic/ceremonial duties as Acting Mayor as required.

**Part 6 OTHER MATTERS**

6.1 Acquisition and returning of facilities and equipment by Councillors

A Councillor ceasing to hold office is required to return the equipment to Council. Alternatively, a Councillor may wish to purchase the equipment at its depreciated value as recorded in the Council's Books of Accounts.

## 6.2 Use of Council Equipment and Facilities during Re-Election Campaign

The interests of a Councillor in their re-election is considered to be a personal interest. Councillors may not claim reimbursement of travel expenses incurred on election matters.

Council letterhead, council crests and other information that could give the impression it is official Council material must not be used for these purposes.

## 6.3 Status of the Policy

Adopted - January 2007

Amended January 2008

Amended January 2009



**WILLOUGHBY CITY COUNCIL**

***CLAIM FOR EXPENSES***

Councillor

Conference

held on  
at

In accordance with Council's Policy for the Payment of Expenses and Provision of Facilities to Councillors under Section 252 of the Local Government Act 1993, I hereby apply for reimbursement of the following expenses incurred in connection with my attendance at the above Conference:

Travelling	_____ kms	\$
Sustenance		\$
Other (please provide details)		\$
		_____
TOTAL		\$ =====

\_\_\_\_\_  
Clr

(Please Note : Where possible receipts should be submitted with this claim)