

Mayor and Councillors Expenses and Facilities Policy

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Policy Summary



This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts listed in this policy are exclusive of GST.

Expense or facility	Maximum amount	Frequency
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional Development and Training Seminars/conferences includes registration and accommodation expenses (travel and meals comes under Other expenses)	\$5000 per Councillor \$7000 for the Mayor	Per year
Other expenses Includes meals and travel expenses in association with conferences, training, seminars, publication subscriptions and annual membership for professional bodies.	\$3000 per Councillor \$5000 for the Mayor	Per year
ICT expenses	Option 1 - Up to \$1600 per annum Option 2 - Nil Option 3 - \$1240 per annum Option 4 - \$360 per annum	Per year
Carer expenses	\$3000 per Councillor	Per year
Home office expenses	\$1000 per Councillor	Per year
Business Cards (Councillors and Mayor) and letterhead	Initially 250 then as required. 1 ream than as required	Not relevant
Vehicle – Private Use (includes mileage claims for private vehicle use for official business)	Allowances for the use of a private vehicle for official Council business will be reimbursed at the rate contained in the Local Government (State) Award	
Access to facilities in a Councillor common room	Provided to all Councillors	Per year
3 Reserved parking spaces at Council offices		Not relevant
Additional Expenses and Facilities for the Mayor	Refer to Section 10	Not relevant

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

Part A - Introduction



1. INTRODUCTION

- 1.1 The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Willoughby City Council.
- 1.2 The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3 The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4 Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5 Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.
- 1.6 In addition to the fees paid to the Mayor and Councillors, Council will also contribute to a nominated Superannuation Account a superannuation contribution required under the Commonwealth Superannuation Guarantee (Administration) Act 1992. As of 1 July 2022 the Superannuation Guarantee rate will be 10.5% and will increase annually by .5% until July 2025 when the rate reaches 12%. The payment will be made at the same intervals as the annual fee is paid to the Mayor and Councillors.
- 1.7 In accordance with the Australian Taxation Office Interpretive Decision 2007/05 Council may enter into an arrangement with a Councillor under which the Councillor agrees to forgo all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf. Any request by a Councillor must be in writing and cannot be retrospective.

2. POLICY OBJECTIVES

- 2.1 The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors
 - ensure facilities and expenses provided to Councillors meet community expectations
 - support a diversity of representation
 - fulfil the Council's statutory responsibilities.

3. PRINCIPLES

3.1 Council commits to the following principles:

- **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
- **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
- **Equity:** there must be equitable access to expenses and facilities for all Councillors
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. PRIVATE OR POLITICAL BENEFIT

4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

4.2 Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.

4.3 Such incidental private use does not require a compensatory payment back to Council.

4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.

4.5 Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:

- production of election material
- use of Council resources and equipment for campaigning
- use of official Council letterhead, publications, websites or services for political benefit
- fundraising activities of political parties or individuals, including political fundraising events.

Part B: Expenses



5. GENERAL EXPENSES

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. EXPENSES

Travel Expenses

- 6.1 All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2 Each Councillor may be reimbursed up to a total of \$3000 per year, and the Mayor may be reimbursed up to a total of \$5000 per year, for expenses incurred while undertaking official business or professional development, attending approved conferences and seminars within NSW and interstate including representing Council at official meetings and includes attending Council meetings or Boards or committees for which a Councillor has been appointed as Council's delegate. This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or authorised hire car
 - for parking costs for Council and other meetings
 - for tolls incurred on private E-tags
 - by Cabcharge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3 Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award. Such rate will deem to cover and include any claims for accidental damage or repairs to the Councillors private vehicle and any loss or no claim bonus and any excess not covered by any insurance policy.
- 6.4 Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.
- 6.5 The maximum allowance payable for any travel event (which is considered within a local or metropolitan proximity) under section 6.3 shall be capped at \$100 per day.

Sydney North Joint Regional Planning Panel

- 6.6 Any Councillor appointed as a Council delegate to the Sydney North Joint Regional Planning Panel has additional responsibilities in excess of their role as a Mayor/Councillor and in recognition of these responsibilities an additional fee of \$600 will be paid for their attendance at each decision making meeting of the planning panel. It is intended that this fee also covers the cost of transport to and from the meetings and any other incidental cost incurred as a consequence of attendance.

Interstate, Overseas and Long Distance Intrastate Travel Expenses

- 6.7 Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to Cities where diplomatic ties exist.
- 6.8 Long distance intrastate travel is considered to be travel that is estimated to take more than four (4) hours from the Councillors residence.
- 6.9 The maximum allowance payable for any long distance intrastate or interstate travel event where a private vehicle under section 6.3 is used shall be capped at \$200.
- 6.10 Councillors seeking approval for any interstate and long distance intrastate travel must submit a business case to, and obtain the approval of, the Chief Executive Officer or their delegate prior to travel.
- 6.11 Councillors seeking approval for any overseas travel must submit a business case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.12 The business case should include:
 - objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.13 For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.14 For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.15 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.16 Bookings for approved air travel are to be made through the Council's Governance Unit.
- 6.17 For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.
- 6.18 Where Councillors are travelling interstate or overseas, Council will meet the cost of telephone calls from the delegate to his/her family, and to Council for Council related business. Other telephone and data expenses are to be paid for by the delegate. Councillors undertaking private travel interstate or overseas, will be responsible for any private telephone calls or private data expenses when using Council issued/related technology.

Travel expenses not paid by Council

- 6.19 Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and Meals

- 6.20 Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside Metropolitan Sydney.
- 6.21 The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.22 The daily limits for accommodation and meal expenses (excluding alcoholic beverages) outside Australia are to be determined in advance by the Chief Executive Officer, being mindful of Clause 6.20.

Refreshments for Council Related Meetings

- 6.23 Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the Chief Executive Officer.
- 6.24 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the Chief Executive Officer must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional Development (including Conferences and Seminars)

- 6.25 Council will set aside \$5000 per Councillor annually in its budget to facilitate professional development of Councillors through conferences, programs, training, education courses and membership of professional bodies.
- 6.26 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.27 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.28 Approval for professional development activities, other than those identified and approved in each Councillors Professional Development Plan and identified in Clause 6.33, is subject to a prior written request to the Chief Executive Officer outlining the:
- details of the proposed professional development (including conferences)
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.

- 6.29 In assessing a Councillor request for a professional development activity not identified in each Councillors Professional Development Plan, the Chief Executive Officer must consider the factors set out in Clause 6.28, as well as the cost of the professional development in relation to the Councillor's remaining budget.
- 6.30 The Chief Executive Officer will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.31 Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the Chief Executive Officer. Council will also meet the reasonable cost of meals when they are not included in the conference fees. These costs will be met by the budget allocation for each Councillor.
- 6.32 The Mayor's attendance at the Australian Local Government Association Conference (National General Assembly) is authorised in keeping with the role of representing Willoughby City Council at the national conference. Approval for attendance by Councillors at the ALGA conference will be in accordance with Sections 6.28 to 6.31 and 6.33 of this policy.
- 6.33 The following conferences shall be included into Council's annual approved program of conferences. All Councillors will be entitled to attend these conferences subject to the availability of funds allocated to each Councillor. No written report is required to be provided by a Councillor attending these conferences.
- Local Government NSW (LGNSW) Annual Conference
 - Australian Local Government Association conference (ALGA)
 - Special "one-off" conferences called or sponsored by, or for the LGNSW and /or ALGA, on important issues.
- 6.34 Councillors may apply to attend "other conferences" not listed in section 6.33.

A Council report will be prepared upon receipt of the Councillor's written submission which will include: a full program of the conference; detail on the overall cost of attendance; the status of the Councillor allocation at the time of the report; and how the Councillor anticipates the conference topics and deliberations are:

- (a) Relevant to the Willoughby City Strategy, including reference to the specific goals in the Strategy.
- (b) Relevant to one or more of the goals in the Council's charter, as described in section 8 of the Local Government Act.
- (c) Related to the Councillor's role as a member of the governing body of the Council and their civic duties. Council will make a determination whether to approve the application, based upon the Councillor's written application and whether funds are available in the budget allocation.

Within four (4) weeks of returning from an "other conference", Councillors will provide a written report to the Chief Executive Officer or their delegate for circulation to other Councillors detailing the main points of interest or relevance to Council business or the local community if no conference summary is provided by the conference organiser.

Information and Communications Technology (ICT) Expenses

- 6.35 Each Councillor is provided with a Council email address, which is to be used for all Council related email correspondence. Councillors are subject to compliance with Council's record keeping policies and procedures, and the State Records Act 1998 provisions for all Council related correspondence.
- 6.36 Reimbursements will be made only for communications devices and services used for Councillors to undertake their civic duties, such as:
- receiving and reading Council business papers
 - relevant phone calls and correspondence
 - diary and appointment management.
- 6.37 Councillors will be provided with four (4) options in the provision of IT and communication equipment and services. No additional equipment beyond these options is provided for under this policy.
- Option 1 – Supply your own
- Councillors may supply their own mobile phone, computer and related equipment, and be entitled to receive a payment of \$1,600 per annum to cover all call and data costs and the amortised value of the equipment.
 - The Councillor will be responsible for the maintenance and servicing of their own equipment.
- Option 2 – Council supplies
- Council will supply all devices (smartphone, laptop and/or tablet device) and services at no cost to the Councillor.
- Option 3 – Council supplies Mobile phone and service only
- Council supplies Mobile Phone and service ONLY, Councillor supplies productivity devices (laptop and/or tablet device) and will be entitled to receive a payment of \$1240 per annum to cover all call and data costs and the amortised value of the productivity devices.
- Option 4 – Council supplies productivity devices only
- Council supplies Productivity Devices ONLY (laptop and/or tablet device). Councillor supplies mobile phone and service and will be entitled to receive a payment of \$360 per annum to cover all call and data costs and the amortised value of the mobile phone.
- 6.38 All reimbursement of ITC related costs referred to in Options 1, 3 and 4 will be payable every six (6) monthly interval of the anniversary of a Councillors appointment upon the lodgement of the appropriate expenses claim form. Claims for reimbursement must be made within three months of the end of each six (6) monthly claim period. Claims made outside the claim period will not be accepted.
- 6.39 All smartphones' productivity devices, services and other equipment (referred to in 6.37) provided by Willoughby City Council will be selected and purchased by Council's IT Department in accordance with Council's general business and security requirements.

Special Requirement and Carer Expenses

- 6.40 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 6.41 Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.42 In addition to the provisions above, the Chief Executive Officer may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.43 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$3000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.44 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.45 In the event of caring for an adult person, Councillors will need to provide suitable evidence to the Chief Executive Officer that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home Office Expenses

- 6.46 Each Councillor may be reimbursed up to \$1000 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

7. INSURANCES

- 7.1 In accordance with Section 382 of the *Local Government Act*, Council is insured against public liability, professional indemnity and personal accident claims. Councillors are included as a named insured on this Policy.
- 7.2 Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4 When requested, appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.

8. LEGAL ASSISTANCE

- 8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - 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 and the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2 In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the Chief Executive Officer to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4 Council will not meet the legal costs:
- of legal proceedings initiated by a Councillor under any circumstances
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

Part C - Facilities



9. GENERAL FACILITIES AND EQUIPMENT FOR ALL COUNCILLORS

Facilities

- 9.1 Council will provide the following facilities and equipment to Councillors to assist them to effectively discharge their civic duties:
- a room suitable furnished for shared use by all including telephone computer and printer, desks, computer terminals and a fridge with non-alcoholic refreshments.
 - access to three (3) shared car parking spaces while attending Council offices on official business under the Victor Street Administration Building except during Council meeting nights when additional car parking spaces will be available.
 - personal protective equipment for use during site visits
 - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
- 9.2 Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through the Mayor's Executive Assistant.
- 9.3 The provision of facilities will be of a standard deemed by the Chief Executive Officer as appropriate for the purpose.
- 9.4 An electronic access card that enables entry to Council's offices and carpark and to gain access to the Councillor's Room.

Stationery

- 9.5 Council will provide the following stationery to Councillors each year:
- letterhead, to be used only for correspondence associated with civic duties, up to 250 business cards (if required), up to 100 Christmas or festive cards per year (if required) and 1 ream of letterhead per year for use in replying to correspondence from constituents.
- 9.6 Council will post all Councillor correspondence and cards relative to their elected member role.

Administrative Support

- 9.7 Council may provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by staff in the Mayor's office or by a member of Council's administrative staff as arranged by the Chief Executive Officer or their delegate.
- 9.8 As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. ADDITIONAL FACILITIES FOR THE MAYOR

- 10.1 An office suitably furnished.
- 10.2 An allotted parking space in the Council Administration building.
- 10.3 Mayoral Robes and Chain of Office for official/civic/ceremonial use.
- 10.4 Mobile telephone (or fixed land line) for which Council will pay rent and call charges.
- 10.5 A suitable name badge.
- 10.6 Monthly reimbursement for the cost of private vehicle travel for Council business mileage.
- 10.7 The provision of cabcharge for the purpose of using taxis and hire cars as required
- 10.8 The provision of a suitably qualified and experienced employed Executive Assistant.
- 10.9 Provision of hired transportation for the Mayor and partner to official/civic/ceremonial duties as required.
- 10.10 Council will provide tea, coffee and refreshments to the Mayor when fulfilling his/her Mayoral duties as required.
- 10.11 Council will provide standard Mayoral letterhead for use by the Mayor for official correspondence.
- 10.12 As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.
- 10.13 Where an official invitation is extended to the Mayor and spouse or partner, the cost of the additional ticket for the spouse or partner will be covered under the Mayor's expenses allocation. This applies to attending dinners, non-Council functions, charity and fundraising events, community and corporate or industry events which are relevant to Council's interest and where Council's representation would be expected.
- 10.14 All facilities provided to the Mayor will also be available to the Deputy Mayor when acting in the capacity of Mayor.

Part D: Processes



11. APPROVAL, PAYMENT AND REIMBURSEMENT ARRANGEMENTS

- 11.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business
 - carer costs
 - ICT expenditure.
- 11.4 Final approval for payments made under this policy will be granted by the Chief Executive Officer or their delegate.

Direct Payment

- 11.5 Council may approve and directly pay expenses. Requests for direct payment must be submitted through the appropriate system for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.6 All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Chief Executive Officer or their delegate.

Notification

- 11.7 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 11.8 If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.9 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council will invoice the Councillor for the expense
 - the Councillor will reimburse Council for that expense within 14 days of the invoice date.
- 11.10 If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the Chief Executive Officer. The Chief Executive Officer may elect to deduct the amount from the Councillor's allowance.

Timeframe for Reimbursement

- 11.11 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. DISPUTES

- 12.1 If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the Chief Executive Officer.
- 12.2 If the Councillor and the Chief Executive Officer cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

13. RETURN OR RETENTION OF FACILITIES

- 13.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2 Should a Councillor desire to keep any equipment allocated by council, then this policy enables the Councillor to make application to the Chief Executive Officer to purchase any such equipment. The Chief Executive Officer will determine an agreed fair market price or written down value for the item of equipment.
- 13.3 The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's annual report.

14. PUBLICATION

- 14.1 This policy will be published on Council's website.

15. REPORTING

- 15.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- 15.2 Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

16. GIFTS GIVEN BY COUNCILLORS

- 16.1 Gifts that are presented by Councillors to constituents or visitors should be of token value and generally of a corporate nature. On occasions when an official delegation visits Council, the Mayor and Chief Executive Officer or their delegate may wish to present a gift on behalf of the Council as a whole. In these circumstances, a reasonably priced gift that is more than of token value may be purchased provided the gift is declared in Council's Gifts and Benefits Register. The cost of the gift will be approved prior to its purchase by the Chief Executive Officer or their delegate.

17. PAYMENT OF SPOUSE AND PARTNER EXPENSES

- 17.1 In limited circumstances, Council shall meet certain costs incurred by a Councillor on behalf of their spouse, partner or accompanying person that are properly and directly related to the role of the Councillor in the performance of his or her duties. By way of example, attendance at official Council functions that are of a formal and ceremonial nature when accompanying Councillors within metropolitan Sydney, including, but not limited to, Australia Day award ceremonies, citizenship ceremonies, civic receptions and charitable functions for charities formally supported by the council. The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above is confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing, parking and transport are not considered reimbursable expenses. In recognition of the importance of a good work and family balance, spouses, partners or accompanying persons are welcome to join Councillors whilst attending events away from home. In such circumstances, Council will not require reimbursement of costs if no additional travel and accommodation expenses are incurred over and above what would have been expended by the individual Councillor. For example, if the person/s travel as a passenger in the Councillor's vehicle and are able to be accommodated in the same room already provided as standard to the Councillor, it will be considered that no additional cost has been incurred by Council. Where a spouse, partner or accompanying persons do attend an event away from home with the Councillor, all additional costs of the person/s will not be met by Council. This includes social outings and tours which may be provided as part of a "partners program".

18. AUDITING

- 18.1 The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

19. BREACHES

- 19.1 Suspected breaches of this policy are to be reported to the Chief Executive Officer.
- 19.2 Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

Part E - Appendix



APPENDIX I: RELATED LEGISLATION, GUIDANCE AND POLICIES

Governing laws and standards	<ul style="list-style-type: none"> • <i>Local Government Act 1993, Sections 252 and 253</i> • <i>Local Government (General) Regulation 2005, Clauses 217 and 403</i> • Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009 • Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities • Local Government Circular 05-08 legal assistance for Councillors and Council Employees.
Related policies and other documents	<ul style="list-style-type: none"> • <i>Willoughby City Council Code of Conduct 2020</i>
Document History	<ul style="list-style-type: none"> • Adopted February 2007 • Amended February 2008 • Amended 2 February 2009 • Amended 9 November 2009 • Amended 22 November 2010 • Amended 12 September 2011 • Amended 6 February 2012 • Amended 8 October 2012 • Amended 14 October 2013 • Amended 25 August 2014 • Amended 22 September 2014 • Amended 23 November 2015 • Amended 28 November 2016 • Amended 25 September 2017 • Amended 13 August 2018 • <i>Amended 22 August 2022</i>
Next Review Date	<ul style="list-style-type: none"> • <i>November 2025</i>
Version	<ul style="list-style-type: none"> • 16
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Administration Reference	<ul style="list-style-type: none"> • 6580712

APPENDIX II: DEFINITIONS

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993 (NSW)</i>
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
Chief Executive Officer	Means the Chief Executive Officer of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> • meetings of Council and committees of the whole • meetings of committees facilitated by Council • civic receptions hosted or sponsored by Council • meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation 2005 (NSW)</i>
year	Means the financial year, that is the 12 month period commencing on 1 July each year