



northern
beaches
council

DRAFT
COUNCILLOR EXPENSES AND FACILITIES
POLICY

Contents

Policy Summary	4
Part A – Introduction	5
<ul style="list-style-type: none"> 1. Introduction 5 2. Policy Objectives 5 3. Principles 6 4. Private or Political benefit 6 	
Part B – Annual Fees, Mayor and Councillors	7
<ul style="list-style-type: none"> 5. Fees payable to Mayor and Councillors 	
Part C – Expenses	
<ul style="list-style-type: none"> 6. General expenses 7 7. Specific expenses 7 <li style="padding-left: 20px;">General expenses 7 <li style="padding-left: 20px;">Interstate, overseas and long distance intrastate travel expenses 8 <li style="padding-left: 20px;">Travel expenses not paid by Council 8 <li style="padding-left: 20px;">Professional development 9 <li style="padding-left: 20px;">Conferences and Seminars 9 <li style="padding-left: 20px;">Accommodation and meals while attending conferences, seminars and training courses 10 <li style="padding-left: 20px;">Refreshments for Council related meetings 11 <li style="padding-left: 20px;">Information Communication Technology (ICT) expenses 11 <li style="padding-left: 20px;">Special requirements and Child Care and/or Family Member care 12 <li style="padding-left: 20px;">Home office expenses 12 <li style="padding-left: 20px;">Health and Wellbeing services 12 8. Insurances 12-13 9. Legal assistance 13 	
Part D – Facilities	
<ul style="list-style-type: none"> 10. General facilities for all Councillors 14 <li style="padding-left: 20px;">Facilities 14 <li style="padding-left: 20px;">Stationery 14 <li style="padding-left: 20px;">Administrative support 14 <li style="padding-left: 20px;">Glen Street Theatre Complimentary Tickets 15 11. Additional facilities and or expenses for the Mayor 15 <li style="padding-left: 20px;">Provision & Use of a Mayoral Vehicle 15-16 <li style="padding-left: 20px;">Accommodation and office support 16 <li style="padding-left: 20px;">Attendance at official events 17 <li style="padding-left: 20px;">Subscriptions 17 	

Part E – Processes	17
12. Approval, payment and reimbursement arrangements	17
Direct payment	17
Reimbursement	18
Advance payment	18
Notification	18
Reimbursement to Council	18
Timeframe for reimbursement	18
13. Disputes	19
14. Return or retention of facilities	19
15. Publication	19
16. Gifts and Benefits	19
17. Reporting	20
18. Auditing	20
19. Breaches	20
Part F – Appendices	21
Appendix I: Related legislation, guidance and policies	21
Relevant legislation and guidance	21
Related Council policies	21
Appendix II: Definitions	21-22

Policy Summary

Council is required to adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to the Mayor, Deputy Mayor and Councillors. The provision of such facilities and expenses assists the Mayor and Councillors to undertake their respective roles under the *Local Government Act 1993* (the Act) and provides reasonable recompense for expenses they incur in undertaking 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](#) and [Local Government \(General\) Regulation 2005](#), 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 are exclusive of GST.

Expense or facility	Maximum amount (per councillor)	Frequency
Other Expenses (include - meals, travel expenses in association with conferences, training, seminars, cost of attending official non-council functions including the cost of the Mayor's guest as an official invitee where applicable, publication subscriptions and annual memberships for professional bodies)	\$5,000	\$5,000 per annum
Professional Development and Training Seminars / Conferences (within NSW) Seminars / Conferences (excluding NSW) Registration and Accommodation (travel and meals come under Other Expenses)	\$5,000	\$5,000 per annum
Professional Development and Training Fund for Director's Courses (must be undertaken within 12 months of election)	Up to \$10,000	First 12 months following Council election
Vehicle – private use (includes mileage claims for private vehicle use for official business)	Refer to Section 7.3 Allowances for the use of a private vehicle will be reimbursed at the rate contained in the Local Government (State) Award .	
Home Office Expenses	\$1,000	Per annum
Child Care and/or Family Member Care	\$2,000	Per annum
Information Communications Technology (ICT expenses)	\$75 per month – standard domestic phone service \$70 per month – domestic internet service	Total of \$1,740 per annum

Expense or facility	Maximum amount (per councillor)	Frequency
ICT equipment	Mobile phone and tablet (eg Ipad Air Pro) provided by Council	\$3,000 upon election

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 Northern Beaches 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. Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fee range a council may pay each Councillor is set by the Local Government Remuneration Tribunal in accordance with section 241 of the [Local Government Act 1993](#) and reviewed annually. Council must adopt its annual fees within this set range.
- 1.5. Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.

2. Policy objectives

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; and
- fulfil Council's statutory responsibilities.

3. Principles

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; and
- **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 Council.
- 4.5. Campaigns for re-election are considered to be a private interest. The following are examples of what is considered to be a private interest during a re-election campaign:
 - production of election material;
 - use of Council resources for campaigning;
 - use of official Council letterhead, publications, websites or services for political benefit; and
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B – Annual Fees, Mayor and Councillors

5. Fees payable to Mayor and Councillors

- 5.1. The minimum and maximum fee range within which a council may pay each Mayor and Councillor is set by the Local Government Remuneration Tribunal in accordance with Section 241 of the *Local Government Act 1993* and reviewed annually. Council must adopt its annual fees within the set range as outlined at www.remtribunals.nsw.gov.au. If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.
- 5.2. 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.

Part C – Expenses

6. General expenses

- 6.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office.
- 6.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

7. Specific expenses

General expenses

- 7.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 7.2. Each Councillor may be reimbursed up to a total of \$5,000 per year for expenses incurred in association with undertaking professional development, attending approved conferences and seminars within NSW and interstate including representing Council at official meetings. This includes reimbursement:
 - for public transport fares;
 - for parking costs for Council and other meetings;
 - for the cost of attendance at official non-council functions;
 - for tolls incurred on private E-tags;
 - for documented ride-share programs, such as Uber; and
 - by Cabcharge or equivalent.
- 7.3. Allowances for the use of a private vehicle to attend meetings on official business will be reimbursed at the rate contained in the [*Local Government \(State\) Award*](#). Such rate shall be deemed to cover and include any claims for accidental damage or repairs to the Councillor's own vehicle and any loss of no claim bonus and any excess not covered by any insurance.
- 7.4. Councillors seeking to be reimbursed for use of a private vehicle under Section 7.3 must keep a log book recording the date, distance and purpose of travel being claimed. The

relevant Council claim form (*Councillor Private Vehicle for Official Events Claim*) must be completed and submitted for reimbursement to the Mayor and Councillors Office.

- 7.5. The maximum allowance payable for any one travel event (which is considered within a local or metropolitan proximity) under Section 7.3 shall be capped at \$100.

Interstate, overseas and long distance intrastate travel expenses

- 7.6. This section includes reference to long distance intrastate travel. At Northern Beaches Council long distance intrastate travel is travel that is estimated to take more than four hours from the Councillor's residence.
- 7.7. In accordance with Section 4, 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.
- 7.8. 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 prior to travel.
- 7.9. The maximum allowance payable for any one long distance intrastate or interstate travel event where a private vehicle under Section 7.3 is used shall be capped at \$200.
- 7.10. Councillors seeking approval for any overseas travel must submit a request to, and obtain the approval of, a full Council meeting prior to travel.
- 7.11. The request 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; and
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 7.12. For interstate and long distance intrastate journeys by air of less than three hours the class of air travel is to be economy class.
- 7.13. For interstate journeys by air of more than three hours, the class of air travel may be premium economy where it is available.
- 7.14. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 7.15. Bookings for approved air travel are to be made by the Mayor and Councillors Office on behalf of the Councillor.
- 7.16. Councillors shall not be entitled to claim frequent flyer or other loyalty points relating to air travel or other expenses incurred by them under this policy. In circumstances where the Mayor or a Councillor has no option but to incur any expenditure for which loyalty points accrue to his/her personal account, the Mayor or Councillor must surrender the points to the airline or service provider before reimbursement of the expense by the Council.

Travel expenses not paid by Council

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

Professional development

- 7.18. Council will set aside \$5,000 per Councillor annually in its budget to facilitate professional development of Councillors through programs, training, education courses, conferences, seminars and membership of professional bodies.
- 7.19. Within the first 12 months of a new Council term, Council will provide a comprehensive induction program for all Councillors which consider any guidelines issued by the Office of Local Government (OLG). Council will cover the cost of the induction program and it will be in addition to ongoing professional development funding allocated to Councillors.
- 7.20. Within the first 12 months of a new Council term, Council will allocate funds up to \$10,000 under Professional Development and Training for Director's Courses offered by Local Government NSW or equivalent. As with all applications for training and development, the Mayor and the Chief Executive Officer must give approval.
- 7.21. 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. This will be deducted from the Councillor's general expenses budget.
- 7.22. Approval for professional development activities is subject to a prior written request to the Chief Executive Officer outlining the:
- details of the proposed professional development;
 - relevance to Council priorities and business; and
 - relevance to the exercise of the Councillor's civic duties.
- 7.23. In assessing a Councillor request for a professional development activity, the Chief Executive Officer must consider the factors set out in clauses 7.21 and 7.25 of this Policy, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 7.24. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council, the community and local government in NSW.
- 7.25. Provision for attendance at conferences and seminars is provided as part of Professional Development.
- 7.26. Approval to attend a conference or seminar is subject to a written request to the Mayor and Chief Executive Officer by way of the *Councillor Request to Attend Conference Form*. In assessing a Councillor request, the Mayor and Chief Executive Officer must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties; and
 - cost of the conference or seminar in relation to the total remaining budget.

- 7.27. Council will meet the reasonable cost of registration fees, transportation, out of pocket expenses and accommodation associated with attendance at conferences approved by the Mayor and Chief Executive Officer, and such expenses will be deducted from the Councillor's general expenses budget.

Conference Costs, Councillors/ Delegates or Accompanying Persons

- 7.28. Where a Councillor is accompanied at a conference all costs for, or incurred by, the accompanying person, including travel, any additional accommodation costs, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the Councillor/accompanying person and not by the Council. Council may by resolution, and in exceptional circumstances, pay the expenses of a spouse/partner/carer while travelling on Council business. Exceptional circumstances would only be where the Councillor is prevented by health reasons from travelling alone.
- 7.29. The registration and program fees of the accompanying person are to be paid directly to the conference organiser and paid at time of registration. The Council is prepared to receive reimbursement for such registration and payments and to forward them on to the conference organiser, etc. with any Council delegates' registration.
- 7.30. Where the Council meets, on account, any expenditure or cost on behalf of an accompanying person attending a conference, such expenditure must be repaid to the Council by the Councillor/accompanying person within seven (7) days of being invoiced for such expenditure following the conclusion of the conference.
- 7.31. In-house program expenses, including a Councillor induction program will be borne by Council outside of the allocated budget for Councillors outlined in this Policy.
- 7.32. On occasion Council will engage external providers (as appropriate) to undertake specific training in-house as part of Councillor's ongoing professional development program. Councillors will be invited to attend and the cost of engaging the provider will be covered by Council outside of the allocated budget for Councillors outlined in this Policy.
- 7.33. The only exception is for the Mayor who is also allowed to attend and represent Council at the Local Government NSW (LGNSW) and the Australian Local Government Association (ALGA) Conferences each year. The costs associated with attending both conferences will be covered by Council over and above the allocated \$5,000 per Councillor budget.

Accommodation and meals while attending conferences, seminars and training courses

- 7.34. Reasonable out-of-pocket or incidental expenses incurred by Councillors associated with attendance at a conference, seminars, training courses shall be reimbursed upon presentation of the appropriate claim form and original receipts within three (3) months of their attendance under general expenses for the following:
- any hotel/motel conference related charges associated with conferences/ seminars, other than accommodation;
 - all telephone, internet or facsimile calls related to Council business;
 - reasonable lunches, dinners and other meals incurred whilst travelling to or from the conferences, seminars, training courses and other lunches, dinners or meals occurring during the conference but not included in the conference registration fee up to a daily limit of \$100.00;

- incidental expenses including taxi fares, parking fees, bridge tolls, refreshments, newspapers, laundry and dry cleaning and
 - any optional activity in a conference program, but excluding any pre or post conference activities.
- 7.35. Where requested by a Councillor, consideration will be given to the provision of an advance payment of up to \$200 to cover anticipated out-of-pocket expenses. Following attendance at a conference (and no more than one (1) month after the conference concludes) the advance payment must be fully reconciled with receipts for costs associated as above.
- 7.36. Councillors will not be reimbursed for the purchase of alcoholic beverages.

Refreshments for Council related meetings

- 7.37. 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.
- 7.38. 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.

ICT expenses

- 7.39. Council will provide, or reimburse Councillors for expenses associated with appropriate ICT devices and services up to a limit of \$1,740 per annum for each Councillor. This includes:
- \$75 per month – standard domestic phone service
 - \$70 per month – domestic internet service
- 7.40. In addition, Council will provide a mobile phone and tablet/iPad which will both be on a standard monthly plan as arranged by Council for the purposes of receiving communications and business papers from Council by electronic means.
- 7.41. Council may provide appropriate ICT equipment up to a limit of \$3,000 per Councillor upon the commencement of their term of office (this is inclusive of tablets/iPads issued under 7.39). The determination as to what equipment will be provided will be made by the Chief Executive Officer based upon Council's general ICT program and identified business needs.
- 7.42. 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 and relevant phone calls and correspondence.
- 7.43. Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a Councillor, within the maximum limit.
- 7.44. Council may from time to time provide Councillors with upgraded equipment or new facilities where doing so will result in efficiencies and aligns to Council's general ICT program.
- 7.45. All equipment provided to Councillors by Council shall remain in the possession of the Councillor during their term of office, and shall remain the property of Council and returned in good operational order and condition upon ceasing to be an elected member of Northern Beaches Council.

Special requirements and Child Care and/or Family Member Care

- 7.46. 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.
- 7.45 Transportation provisions as outlined in this policy, such as access to Cabcharge, will also assist Councillors who may be unable or unwilling to drive a vehicle.
- 7.46 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.
- 7.47 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to re-imbusement of carer's expenses up to a maximum of \$2,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 7.48 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 7.49 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

- 7.50 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 and furniture.

Health and Wellbeing Services

Council aims to provide a working environment that promotes and supports the health and wellbeing of both staff and councillors.

- 7.51 Councillors will have access to Council's relevant Employee Assistance Program.
- 7.52 Councillors are also entitled to services and reimbursement under Northern Beaches Council's Health and Wellbeing Policy.

8 Insurances

- 8.1 In accordance with Section 382 of the [Local Government Act 1993](#), Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on the relevant insurance policies.
- 8.2 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.

- 8.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 8.4 Appropriate travel insurances will be provided for any Councillors traveling on approved interstate and overseas travel on Council business.

9 Legal assistance

- 9.1 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 1993](#);
 - 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
 - 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 [Local Government Act 1993](#) 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.
- 9.2 In the case of a 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 or conduct review panel to make formal enquiries into that matter in accordance with Council's [Code of Conduct](#).
- 9.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the [Local Government Act 1993](#) 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.
- 9.4 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; and
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 9.5 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 D – Facilities

10 General facilities for all Councillors

Facilities

- 10.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- a Councillor common room appropriately furnished that includes telephone, photocopier, printer, meeting space, letterboxes and appropriate refreshments (excluding alcohol);
 - Each councillor will receive security cards which provide access at the three central offices of Mona Vale, Dee Why and Manly, allowing them appropriate access as determined by the Chief Executive Officer.
 - free parking access to shared car parking spaces while attending Council offices on official business at both the Manly and Dee Why offices; and
 - 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; and
 - appropriate meeting spaces to allow Councillors to meet with community members as determined by the Chief Executive Officer. Meeting rooms can be booked through the Office of the Mayor and Councillors.
 - Daily media reports and updates on media releases issued by Council by email.
- 10.2 The provision of facilities will be of a standard deemed by the Chief Executive Officer as appropriate for the purpose.
- 10.3 Council may from time to time provide additional facilities for Councillor use such as protective equipment for use during site visits.

Stationery

- 10.4 Council will provide the following to Councillors:
- Electronic letterhead template, to be used only for correspondence associated with civic duties; and
 - Electronic Christmas or festive message
 - Business cards (cost will be deducted from the Councillor's general expenses)
- 10.5 Council may from time to time provide additional stationery or branded items for Councillor use.

Administrative support

- 10.6 Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by staff in the Mayor and Councillor's office.
- 10.7 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.

Glen Street Theatre Complimentary Tickets

10.8 Tickets to productions at Glen Street Theatre will be issued to Councillors in accordance with the Glen Street Theatre Complimentary Tickets Policy.

11 Additional facilities and/or expenses for the Mayor

Provision & Use of a Mayoral Vehicle

- 11.1 The Mayor has the option of using and maintaining a private vehicle in accordance with the provisions of clauses 7.3 to 7.5 of this policy or Council may provide the option to the Mayor of a suitable and appropriate vehicle for use by the Mayor for all official, executive and social duties connected with the Office of Mayor and for occasional or full private use.
- 11.2 The Council cannot make a motor vehicle, owned or leased by the Council, available for the exclusive or primary use or disposition of a particular Councillor other than a Mayor.
- 11.3 The Council will:
- provide servicing, maintenance, registration and insurance of a suitable vehicle,
 - provide all fuel, which may be charged against fuel card, whilst the vehicle is used for Council business
- 11.4 The vehicle will be registered and comprehensively insured by the Northern Beaches Council.
- 11.5 Special accessories where required, shall be provided, fitted, installed and removed at Council's cost.
- 11.6 The vehicle shall be available for the exclusive use of the Mayor, and where available by any Councillor attending council business and as approved by the Mayor subject to the conditions of this Policy.
- 11.7 Where private or personal use is on an occasional basis, the Mayoral Allowance will be reduced on a per kilometre basis, by the rate set by the Local Government (State) Award, and in accordance with a log submitted by the Mayor on a monthly basis. Where full private or personal use is chosen, the Mayoral Allowance will be reduced, in accordance with Council's *Management Standard for Provision of Private and Take Home Use Vehicles (amended)*.
- 11.8 The following restriction shall apply to the use of the Mayoral vehicle:
- (a) The vehicle shall only be driven by a properly licensed person, being:
 - The Mayor
 - Council employee
 - a Councillor of the Northern Beaches, with the Mayor's consent
 - a member of the Mayor's immediate family or nominated person so long as the Mayor is a passenger in the car.
 - (b) The Mayor shall not use, or allow the vehicle to be used, to compete in any car rally or competition.
 - (c) The vehicle is not to be used for any trading undertaking or for any activity where remuneration is received which is not directly related to Council business or activities of the office of Mayor.

- 11.9 The Mayor, if he/she intends to drive the vehicle, must show evidence of a current New South Wales driver's licence of an appropriate class, or equivalent, and be the holder of a licence for the duration of their use of the vehicle. If the Mayor loses his/her licence or is suspended from driving, they must immediately forfeit use of or access to the Mayoral vehicle, or provide evidence of a properly licensed person who will be the driver of the vehicle whenever used by the Mayor during such period.
- 11.10 Whenever the Mayor has the control of the vehicle, the Mayor must ensure that it is driven only by a responsible properly licensed person.
- 11.11 If the Mayor drives, or allows another person to drive the vehicle without a current driver's licence, or whilst disqualified for any reason, the Council may withdraw the vehicle from access by the Mayor.
- 11.12 All traffic fines and penalties incurred by the Mayoral vehicle will be paid by the driver. The Mayor must keep a record of any drivers of the vehicle, other than the Mayor, whom the Mayor permits to drive the vehicle.
- 11.13 If the Mayor or a properly licensed person, by their action, negates any motor vehicle insurance, that person will be responsible for the payment of costs as a consequence thereof.
- 11.14 The Mayor always remains responsible for ensuring proper and adequate care and usage of the vehicle at all times including garaging and vehicle maintenance
- 11.15 The Mayor must ensure all accidents /maintenance/repair issues are reported to Fleet Management without delay,
- 11.16 If the Mayor or a properly licensed person, whilst driving the vehicle, is convicted of drink-driving or an offence leading to licence suspension or loss in association with an accident involving the Mayoral vehicle, the Mayor will be required to pay the cost of associated repairs in the event that Council's insurers disclaim responsibilities on the grounds of such conviction, suspension or loss.

Accommodation and office support

- 11.17 A parking space at Council's offices will be reserved for the Mayor for use on official business, professional development and attendance at the Mayor's office.
- 11.18 Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and a meeting room.
- 11.19 In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the Chief Executive Officer.
- 11.20 The number of exclusive staff provided to support the Mayor and Councillors will not exceed the number of full time equivalents identified in the adopted organisational structure and as provided in the adopted budget.
- 11.21 As per Section 4, staff who are appointed to the Mayor and Councillor's office are required to work on official business only, and not for matters of personal or political interest, including campaigns.

Attendance at Official Events

11.22 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 general expenses. 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.

Subscriptions

11.23 The Mayor is entitled to digital subscriptions to two daily newspapers and/or delivery of those same newspapers to the Council office. Any additional subscriptions requested by the Mayor will be met within the Councillor budget for general expenses.

Part E – Processes

12 Approval, payment and reimbursement arrangements

- 12.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 12.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred where possible.
- 12.3 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; and
 - ICT expenditure.
- 12.4 Final approval for payments made under this policy will be granted by the Chief Executive Officer or their delegate.
- 12.5 All requests for reimbursement will be reviewed by two staff members and payment will be authorised by a staff member with the appropriate financial delegation.
- 12.6 The Chief Executive Officer will provide a system for the request of reimbursements for Councillors. This will include appropriate forms whereby Councillors will be required to provide the relevant details required.

Direct payment

12.7 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 appropriate Council forms, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

12.8 All claims for reimbursement of expenses incurred must be made on the prescribed forms, supported by relevant information, appropriate receipts and/or tax invoices and be submitted to the Mayor and Councillors Office for processing.

Advance payment

12.9 Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.

12.10 The maximum value of a cash advance is \$200 per day of the conference, seminar or professional development to a maximum of \$600

12.11 Requests for advance payment must be submitted to the Chief Executive Officer for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.

12.12 Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:

- a full reconciliation against the provisions of this policy of all expenses including appropriate receipts and/or tax invoices; and
- reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

12.13 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.

12.14 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

12.15 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; and
- the Councillor will reimburse Council for that expense within 14 days of the invoice date.

12.16 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 out of the Councillor's allowance.

Timeframe for reimbursement

12.17 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.

13 Disputes

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

14 Return or retention of facilities

- 14.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office.

15 Publication

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

16 Gifts and Benefits

- 16.1 A Councillor must not:
 - seek or accept a bribe or other improper inducement
 - by virtue of his or her position, acquire a personal profit or advantage which has a monetary value, other than one of a token value.
- 16.2 A Councillor must not seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence a Councillor or staff member to:
 - act in a particular way (including making a particular decision)
 - fail to act in a particular circumstance
 - otherwise deviate from the proper exercise of his or her official duties.
- 16.3 A Councillor may accept gifts or benefits of a nominal or token value that do not create a sense of obligation on his or her part or that may not be perceived to be intended or likely to influence him or her in carrying out their public duty.
- 16.4 A Councillor must never accept an offer of money, regardless of the amount.
- 16.5 No matter the value, all gifts and benefits must be declared and the appropriate Gifts and Benefit Form associated with this is to be completed and returned to the Manager, Governance.

For further information Councillors should consult Council's Code of Conduct

17 Reporting

- 17.1 Council will report on the provision of expenses and facilities to Councillors as required in the [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2005](#).
- 17.2 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.

18 Auditing

The operation of this policy, including claims made under the policy, will be included in Council's audit program with a regular audit to be scheduled within the Northern Beaches Council Strategic Internal Audit Plan.

19 Breaches

- 19.1 Suspected breaches of this policy are to be reported to the Chief Executive Officer.
- 19.2 In accordance with the Northern Beaches Council Code of Conduct this Councillor Expenses and Facilities Policy is a policy of Council and must not be contravened.
- 19.3 Alleged breaches of this policy shall be dealt with by the following processes outlined for breaches of the Northern Beaches Council Code of Conduct as detailed in the Code and in the Procedures for the Administration of the Code.

PART F – Appendices

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- [Local Government Act 1993](#), Sections 252 and 253;
- [Local Government \(General\) Regulation 2005](#), Clauses 217 and 403;
- Office of Local Government's [Guidelines for the payment of expenses and provision of facilities to Mayors and councillors in NSW](#).
- Office of Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities; and
- Office of Local Government Circular 05-08 legal assistance for Councillors and Council Employees.

Related Council policies:

- Northern Beaches Council Code of Conduct
- Northern Beaches Council Management Standard for Provision of Private and Take Home Use Vehicles (amended)
- Northern Beaches Council Glen Street Theatre Complimentary Tickets Policy
- Northern Beaches Council Health and Wellbeing (Operational) Policy

Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	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	food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	the Local Government Act 1993 (NSW)
Annual Conference	Local Government NSW Annual Conference
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	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	the person referred to in the <i>Local Government Act 1993</i> as the general manager of a council and, in the case of the Northern

	Beaches Council, means the person referred to as the Chief Executive Officer of the Northern Beaches Council and includes their delegate or authorised representative
ICT	telecommunications and Information Communications and Technology
incidental personal use	use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	travel to other parts of NSW of more than four hours duration by private vehicle
maximum limit	the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
Nominated Person	the holder of a current NSW driver's licence who is nominated by the Mayor, in writing to the Chief Executive Officer, as a person who may regularly drive the Mayoral Vehicle whilst the Mayor is a passenger in the vehicle.
official business	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; and • meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council.
professional development	a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	the Local Government (General) Regulation 2005 (NSW)
year	the financial year, that is the 12 month period commencing on 1 July each year

Version Control

Revision	Date	Version	Ref
1	22 November 2016	Northern Beaches Council Policy for Payment and Reimbursement of Expenses Incurred by, and the Provision of Facilities to the Mayor, Deputy Mayor and Councillors - adopted	2016/358418
2	26 June 2018	Draft Northern Beaches Council Councillor Expenses and Facilities Policy – Draft for Public Exhibition	2018/353965

DRAFT