

AMENDED REPORT

11 December 2013
To the Ordinary Council Meeting

General Manager's Report
General Manager's Unit

5.10 Facilities and Expenses Policy - Adoption of Annual Review and Proposal of Additional Amendments

TRIM REFERENCE: F2004/06505 - D04538281
MANAGER: Brian Glendenning, General Counsel
AUTHOR: Lesley Crawley; Manager Corporate Governance

SUMMARY

Reporting the results of exhibition of the Facilities and Expenses Policy for Councillors as a consequence of the annual review undertaken by Council. In addition Reporting additional amendments proposed from a further detailed review of the policy and associated processes.

RECOMMENDATION

- 1 ***That Council note that the exhibition period for annual review of its Facilities and Expenses Policy has concluded and no submissions were received.***
- 2 ***That Council adopt the Facilities and Expenses Policy for Councillors as endorsed at its meeting held on 23 October 2013 (Attachment 1).***
- 3 ***That Council endorse the additional proposed amendments to its Facilities and Expenses Policy for Councillors and place the further amended Policy on public exhibition for a period of 28 days in accordance with Section 252 of the Local Government Act, 1993 (Enclosure 1).***
- 4 ***That Council direct the General Manager to report the submissions received Council after the conclusion of the exhibition period.***

BACKGROUND

At its meeting held on 23 October 2013 Council considered a report concerning an annual review of its Facilities and Expenses Policy for Councillors. At that meeting Council resolved:

“RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor NAYNA:

- 1290/13 *That Council endorse the amended policy on Facilities and Expenses for Councillors as required by s.252 of the Act for the purposes of the public exhibition for the annual adoption of the policy.*
- 1291/13 *That Council advertise the Facilities and Expenses Policy for Councillors for a period of 28 days and report the results of the exhibition to Council.*
- 1292/13 *That Council amend the Policy to add “where an allowance is claimed for a mobile phone in accordance with Clause D52, the mobile number must be*

5.10 Facilities and Expenses Policy - Adoption of Annual Review and Proposal of Additional Amendments (contd)

published weekly in "Shire Wide" and be placed on Council's Website. In the case for the Mayor, the Mayor's Office number should be listed."

1293/13 *That Council amend Clause D52 to allow for replacement of a broken phone or tablet."*

Note: The policy was amended at both Clause D52 and Clause D55 to include the relevant amendment regarding the publishing of phone number in Shire Wide and the replacement of broken phones or tablets. Clause D52 applies to Council issued telecommunications equipment and Clause D55 applies to reimbursed items purchased by Councillors. The new amendments are appropriate to be applied to both clauses.

CURRENT STATUS

The exhibition period for the amendments to the policy proposed by Council on October 23 2013 will close on 11 December 2013, the day of the Council meeting. As of the date of preparing this report for the business paper, there have been no submissions received in relation to the proposal. Should any submissions be received between that time and the meeting day, staff will advise the Council prior to making its decision.

In the period the proposal was on exhibition staff have undertaken a more detailed review of the policy and now recommend further amendments to the policy to further improve clarity and assist with determination of claims. It is noted that the complex environment within which Councillors operate increasingly requires policy to be amended to match the needs of Councillors and to provide transparency and assurance to the community that Council expenditure is relevant to the role.

THE PROPOSAL

There are two proposals recommended for Council's Facilities and Expenses Policy for Councillors.

Firstly it is proposed to adopt the previous amendments adopted by Council on 23 October 2013. A table of those amendments is provided below. The proposed adopted policy with track changes is attached as Attachment 1.

Amendments Proposed to be Adopted – October 2013

Clause	Reason for Amendment	Amendment
D9 and D10	Move to General provisions section and renumber to D5 and D6	No change to wording
D16	Amend clause D16 to add in the LGMA Executive Certificate for Elected Members Course	WSC will pay for the attendance at training courses where the total expense for attendance of each Councillor is less than \$10,000, subject to Council Resolution or compliance with this policy. The monetary limit does not apply to the AICD

Clause	Reason for Amendment	Amendment
		Company Director's Course or the LGMA Executive Certificate for Elected Members Course and a maximum of three (3) Councillors may attend a course unless resolved by Council.
D52	Amend clause D52 to clarify the purchase of 1 item per financial year	<p>WSC will provide communications hardware (one of each item below), to use for WSC business:</p> <ul style="list-style-type: none"> i Laptop or Desktop PC ii Tablet computer iii Printer iv Facsimile v Scanner vi USB or WIFI broadband modem vii Digital camera viii Mobile phone or smart phone ix Mobile phone car kit <p>A Councillor can apply for a replacement mobile phone or tablet if the item has been deemed irreparable.</p> <p>Where an allowance is claimed for a mobile phone or a Council supplied mobile phone is issued the mobile number must be published weekly in "Shire Wide" and be placed on Council's Website. In the case for the Mayor, the Mayor's Office number should be listed.</p>
D55	Amend clause D55 to clarify the purchase of 1 item per financial year	<p>Councillors may provide some or all private equipment in lieu of WSC equipment and receive reimbursement for one of each item below including capital costs, cost of calls and internet access up to \$7,200 per financial year.</p> <p>This will cover:</p> <ul style="list-style-type: none"> • Laptop or Desktop PC • Tablet computer • Printer, Facsimile, Scanner, Digital camera • USB or WIFI broadband modem • Mobile phone or smart phone and car kit • Other related expenses. <p>A Councillor can apply for a replacement mobile phone or tablet if the item has been deemed irreparable.</p>

Clause	Reason for Amendment	Amendment
		Where an allowance is claimed for a mobile phone or a Council supplied mobile phone is issued the mobile number must be published weekly in "Shire Wide" and be placed on Council's Website. In the case for the Mayor, the Mayor's Office number should be listed.
E8	Insert new clause to describe Section 253 provisions in respect of amending the policy.	Section 253 of the Local Government Act prescribes that Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions and Council must consider any submissions before adopting any amendment.
E9	Insert new clause to describe Section 253 provisions' indicating that public notice is not required if Council deems proposed amendment is not substantial.	Section 253 further prescribes that Council need not give public notice of a proposed amendment to this policy if the Council is of the opinion that the proposed amendment is not substantial.
E10	Insert new clause to describe Section 252 requirements in relation to annual adoption. That is it requires readvertising and readoption of the policy regardless of whether there are any proposed amendments.	Section 252 requires that Council must within 5 months after the end of each year adopt a policy for the payment of expenses and provision of facilities to Councillors. If the policy is the same as the existing policy Council must still advertise and adopt the policy annually.
D50, D54, D55, D62, E27	Insert the word "financial" before each instance of the word "year". To provide greater clarity.	

5.10 Facilities and Expenses Policy - Adoption of Annual Review and Proposal of Additional Amendments (contd)

The second proposal is for Council to consider further amendments as a result of a further review during the time the policy has been on exhibition.

Given the recent media reports surrounding expenses for government officials at State and Federal level it is timely that Council has conducted a further review of its policy. The policy was examined having regard to the Guidelines issued by the Division of Local Government and feedback from Councillors in relation to administrative processes. Where necessary it is proposed to make changes to the policy to ensure that Council is providing an open and accountable system for the provision of facilities and the reimbursement of actual costs to Councillors.

The following documents are enclosed with this report in order to facilitate Council's assessment of the proposed amendments to the policy:

- Enclosure 1 – Draft Amended Facilities and Expenses Policy (December 2013) – track changes version.
- Enclosure 2 – Table indicating Clause that has changed, reason for amendment and the amendment.
- Enclosure 3 - Division of Local Government Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW

A copy of the amended policy that is proposed for exhibition is attached.

As part of the annual readoption process Council must advertise the proposed policy for a period of 28 days and consider a report after the readoption process which includes any submissions received. After Council has adopted the Code it must provide the Department of Local Government with a copy of the policy and a summary of the submissions received.

OPTIONS

Council may accept the recommendations put forward for the proposal and endorse the amended policy document for exhibition.

Council may make any further amendments and endorse the amended policy document for exhibition.

STRATEGIC LINKS

Budget Impact

Amendments proposed to the policy may be accommodated in existing budgets.

CONSULTATION

Section 253 of the Act provides details of the policy adoption process including:

5.10 Facilities and Expenses Policy - Adoption of Annual Review and Proposal of Additional Amendments (contd)

- Section 253 (1) requires a council to give public notice if its intention to adopt or to amend a policy.
- Section 253 (2) says Council must consider submissions before adoption or amendment.
- Section 253 (3) “Despite sub-sections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial. “
- Subsection 253 (4) requires councils to forward the adopted policy together with the public notice and details of all submissions received to the Division.
- Section 253 (5) requires a council to comply with section 253 when proposing to adopt a policy each year even if the council proposes to adopt a policy that is the same as its existing policy.

The first amended policy document was exhibited from November 13 until December 11 2013. No submissions were received at the time of preparing the business paper. Council will be advised if any submissions are received up till 11 December 2013.

If endorsed for exhibition the second amended document will be placed on exhibition during January 2013 and the results of the exhibition will be reported to Council for final consideration.

GOVERNANCE AND POLICY IMPLICATIONS

A facilities and expenses policy is the only means by which Councillors may be reimbursed for expenditure incurred while undertaking Council business. The policy recognises that elected members and senior management staff often expend considerable personal time and inconvenience in conducting WSC business away from the Shire in the best interests of the community. It is also recognised that Councillors are remunerated with an allowance as set by the NSW Remuneration Tribunal.

The purpose of the Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner.

MATERIAL RISKS AND ISSUES

Nil

CONCLUSION

This report contains two proposals in relation to Council’s Facilities and Expenses Policy for Councillors.

The Act requires Council to adopt a policy for Facilities and Expenses for Councillors by 30 November each year. Council has finalised its annual review and placed the policy on exhibition. This November version is proposed for adoption (Attachment 1).

5.10 Facilities and Expenses Policy - Adoption of Annual Review and Proposal of Additional Amendments (contd)

There has also been a further, more detailed review undertaken in December and further substantial amendments are proposed (Enclosure 1). Should Council support those further amendments the amended policy will be required to be exhibited and the results reported to Council.

ATTACHMENTS

- | | | | |
|----------|--|-----------|-----------|
| 1 | Adopt as at 11 Dec Version on Exhibition Facilities and Expenses for Councillors Policy - Annual Review - Proposed Amendments November 2013[1] | | D04666769 |
| 2 | New Amendments Proposed for Exhibition December 2013 - Facilities and Expenses for Councillors Policy | Enclosure | D04666719 |
| 3 | Table of Proposed Amendments Facilities and Expenses Policy for Councillors (distributed under separate cover) | Enclosure | D04739758 |
| 4 | DLG - Councillor Expenses and Facilities Guidelines | Enclosure | D04666674 |
| 5 | Comparison Table of Proposed Amendments Facilities and Expenses Policy 2013 | Enclosure | D04739758 |

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
A2	New clause inserted to define the objectives of the policy. Defining the objectives establishes the criteria against which claims, payments and the provision of facilities can be assessed by the staff, public and external agencies.	<p>The objectives of the policy are to:</p> <ul style="list-style-type: none"> • ensure Council provides adequate facilities and services to the Mayor and Councillors of Wyong Shire for them to carry out their civic duties; and • reimburse councillors for fair and reasonable expenses incurred whilst undertaking Council business such that they sustain neither loss nor profit as a result of their claim; and • ensure that all claims and payments made under this Policy can be justified, appropriately accounted for and validated as relating to council business
B8	Insert additional clause to acknowledge the DLG Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW. The guidelines are issued under 23A of the Local Government Act. Section 23A requires that Ministers guidelines must be taken into consideration when Council is exercising any of its functions. This clause acknowledges that Council has taken the guidelines into consideration when making its policy.	The Division of Local Government has issued guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW. These guidelines have been prepared under the provisions of section 23A of the Local Government Act 1993 as Director General's Guidelines. A council must take any relevant guidelines issued under this section into consideration before exercising any of its functions. Council has taken these guidelines into consideration in making this policy.
B9	Insert clause to ensure Council addresses its obligations for Responsible service of alcohol.	Council in providing sustenance for Councillors and their guests must observe Responsible Service of Alcohol legislation and will bear no liability in the event that injury or harm should occur as a result of the consumption of alcohol on Council premises.
C3 and C4	The General Counsel has advised that these clauses should be combined. "Council is both the organisation and the elected body." All other references to "WSC" in the	Council means the elected members who form the governing body (Council) of the Wyong Shire Council and the organisation established to administer Councils affairs, operations, policies and strategies.

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
Former C8	<p>policy now changed to "Council".</p> <p>Delete definition for Functions of Civic office/civic functions and add to definition of Council business</p>	<p>Delete definition Functions of Civic Office/civic functions means functions that Councillors are required to undertake to fulfil their legislated role and responsibilities for Council that should result in a direct benefit for WSC and/or for the Wyong Shire community.</p>
C5	<p>Council Business Definition</p> <p>A key area for confusion in the existing policy is in relation to the definition and application of the term "Council Business". This term is used in many clauses to trigger the authorisation of claims for reimbursement.</p> <p>The definition is also used as the determining criteria by Councillors to make a decision as to whether to attend any of the many functions they are invited to.</p> <p>It is necessary that the Clause clearly indicates which meetings/events and functions are defined as Council business and which are not identified as Council business. In many cases it is reasonable that the event be reported to Council for its determination.</p> <p>This provides transparency and accountability to the community for the expenditure of its monies while protecting the attendees from a perception that attendance at the event or function is inappropriate.</p>	<p>Council Business or functions of civic office means attendance by the Mayor and Councillors that results in a direct benefit for the Council or the Wyong Shire Community at:</p> <ul style="list-style-type: none"> • Council and Committee meetings • Council Advisory Group meetings • Council Working Party meetings • Council Statutory Committee meetings • Council Precinct Forums • Regional Organisation of Council meetings • As Council's delegate or alternate delegate to external bodies • Civic Receptions authorised by Council resolution • Councillor Briefings • Councillor Inspections • Citizenship Ceremonies • Attendance at conference, seminars, workshops and professional development courses authorised by Council resolution • Attendance at non-Council functions which provide briefings to Councillors from key members of the community, politicians and business authorised by Council resolution. • Meetings with Federal and State Ministers, Members of Parliament and their staff

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		<ul style="list-style-type: none"> • Other events, functions or meetings as authorised by Council resolution <p>Council business does not include:</p> <ul style="list-style-type: none"> • Meetings with residents, ratepayers, developers or stakeholders held offsite from the Civic Centre unless authorised by Council resolution • Events, functions or meetings not authorised by Council resolution. <p>Note: a separate provision in this policy provides a means where the Mayor and General Manager may approve attendance on behalf of the Council if time does not permit the reporting to Council prior to the event occurring and the matter being reported to the next available meeting.</p>
C9	<p>Move "Facilities" clause to place in alphabetical order.</p> <p>Include wording into definition of 'Greater Significance' to link it with relevant clause in the Policy. Inserted words adjacent in italics.</p>	<p>NA</p> <p>Greater Significance means (<i>in terms of conference session non-attendance</i>) meetings with State or Federal Parliamentarians, networking with other Councillors or special interest groups, inspection of a public works or facility, attendance at urgent Council meetings and/or any other incident of WSC business considered urgent or more important.</p>
C10	<p>Insert the definition of a Registered Carer</p>	<p>Registered Carer means:</p> <ul style="list-style-type: none"> - an organisation or individual registered with the National Quality Framework (Australian Children's Education and Care Quality Authority) or; - registered business for the purposes of care services (holding an

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
C11	Insert definition for Travel Expenses	<p>ABN for the purposes of child or adult care services.) eg Nanny, carer for the elderly.)</p> <p>Travel Expenses means motor vehicle costs, tolls, parking fees, taxi, train , bus and plane fares. Travel expenses do not include fines associated with travel such as toll and parking fines. Food and beverages and insurance associated with travel are dealt with separately in this policy.</p>
C12	Define "year" to provide clarity for limits.	Year means from October to September or as determined by the election cycle.
D3	Amend clause to include a more detailed explanation of "General Expenses"	In accordance with Clause 403 of the Regulation Councillor expenses and facilities policies must not include provision for a No payment or allowance will be made for general expenses. A general expense allowance is a sum of money paid by a council to a Councillor to expend on an item or a service that is not required to be received and/or otherwise reconciled according to a set procedure and within a specific timeframe. There is no other lawful mechanism to provide facilities or reimburse expenses to a Councillor other than this policy.
D4	Amend D4 to include "Council Business	D4 Reimbursement will only be paid for expenses incurred by Councillors for the conduct of Council business.
D5	New clause to ensure limits for reimbursement are included for all items as per DLG guidelines.	Each expense in this policy will have a limit as to the maximum reimbursed in each financial year.
D6	New clause regarding private benefit. As per DLG guidelines.	Councillors should not obtain private benefit from the provision of equipment and facilities nor from travel bonuses such as 'frequent flyer' schemes or any other such loyalty programs while on Council business. It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment back to Council. Councillors

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
D7, D8 and D10	DLG guidelines recommend policy includes details on approval and documentation arrangements, reimbursement and advance payments and gifts.	<p>are responsible to reimburse Council if more than incidental private use is received.</p> <p>D7 All claims for reimbursement must be accompanied by evidence that the costs have been incurred by the Councillor and shall be made on the relevant form.</p> <p>D8 All claims for reimbursement must be made within the financial year during which the expenditure has been incurred.</p> <p>D9 Councillors may request a payment in advance, up to a maximum of \$100 per day, in anticipation of expenses being incurred in attending conferences, seminars and training outside the Shire. The advance payment will be reconciled against receipts for actual costs within 7 days of return.</p> <p>D10 Council's Gifts and Benefits Policy sets out requirements in relation to Gifts and Personal benefit.</p>
D11	Provide detailed scope and limit for expenses in relation to Conferences, Workshops, Seminars Professional Development and Training Courses	<p>Attendance at Conferences, Workshops, Seminars, Professional Development and Training Courses</p> <p>WSC will reimburse expenses for attendance at conferences, workshops and seminars as follows</p> <ul style="list-style-type: none"> •Each event must be authorised by Council resolution. •Each event must relate to the business of the Council •A combined total of six attendances, per Councillor, per year. •The limit of six will only include those events occurring over one or more consecutive days. •Total reimbursement of attendance cost per event, per Councillor is limited to \$5,000 with a maximum total cost per year of \$10,000. •The maximum number of Councillors authorised to attend an event is 3 with the exception of the Local Government NSW annual conference and National General Assembly of Local Government or as resolved by

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		<p>Council.</p> <ul style="list-style-type: none"> •Where Council has incurred costs and a replacement is not nominated by the Mayor/Deputy Mayor and the elected member's non-attendance is not a family or employment or medical emergency, all costs incurred by Council will be charged to the elected member. •Before requesting attendance Councillors must satisfy themselves: <ol style="list-style-type: none"> a. that the program is likely of benefit to WSC, the Community and/or to his/her professional development as an elected member b. that he/she is able to commit the time necessary to attend the conference sessions in the terms of this policy. <p>With respect to Professional Development and Training Courses:</p> <ul style="list-style-type: none"> • Each event must be authorised by Council resolution. • Each event must be aligned with a Councillor's professional development plan. • A combined total of three professional development or training courses per Councillor, per year. • The monetary limit does not apply to the AICD Company Director's Course or the LGMA Executive Certificate for Elected Members Course • No spouse or partner costs will be reimbursed under this section.
D12	To provide details of expenses reimbursable and limits for attendance at Conferences, Workshops, Seminars Professional Development and Training Courses	<p>The attendance costs that will be paid up front to the event organiser or reimbursed to the Councillor under this section are identified as follows:</p> <ul style="list-style-type: none"> • Registration costs – costs charged by organisers including official luncheons dinners and tours which are relevant to the interests of this Council. • Travel costs (actual costs as detailed in the travel section of this policy)

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		<ul style="list-style-type: none"> • Accommodation (actual costs for accommodation as detailed in the accommodation section of this policy) • Sustenance (food and beverage) limit of \$100.00 per day per Councillor and verified by receipts • Out of pocket expenses such as Internet and phone access, laundry limit of \$50.00 per day per Councillor and verified by receipts. • Cost of mandatory textbooks or other supporting documentation if separate to course fees limit \$500 per course • Spouse and Partner Costs (as detailed in the Spouse and Partner Section of this Policy).
D13	To exclude costs in relation to Personal business as per DLG guidelines regarding no private gain.	A Councillor may choose to extend the stay at the place where the conference is held for personal pursuits. Council will not be responsible for any costs associated with the extended stay (for example additional flights and accommodation) and any return trip will be calculated from the original conference venue.
D14 & D15	Amended wording for clarity	<p>WSC will meet sustenance and attendance expenses for Councillors' attendance at non-Council functions related to Council business which provide briefings to Councillors. from key members of the community, politicians and business. Approval for reimbursement will be by Council resolution. The maximum reimbursement of total attendance costs is \$200 per Councillor per event. Councillors may attend a maximum of 6 of these events in a year. The total maximum expenditure is \$1200.</p> <p>No expenses will be paid for functions that are:</p> <ul style="list-style-type: none"> i not relevant to Council business ii where expenses incurred would be directed towards any political fundraising event

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		iii for any donation to a political party or candidate's electoral fund iv for any other private or personal benefit
D17, D18, D19 D20	Setting out the terms under which Spouses, Partners, Carer and Accompanying Persons reimbursement will occur.	See amended policy
Former D7 and D8	Delete Motor vehicle costs. Covered in Travel section of policy	
D21- D37	Insert and amend clauses in relation to travel	<p>D21 Council will reimburse Councillors for travel undertaken on Council business or where necessary make and pay for travel arrangements up front.</p> <p>D22 Council will not reimburse travelling expenses where a Councillor attends a community meeting or undertakes an inspection that has not been formally approved by Council or defined in this policy as Council business.</p> <p>D23 Councillors may choose the mode of transport which is most appropriate to the circumstances, subject to overall economy and convenience. All travel should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical conditions.</p> <p>D24 A Council vehicle is available for use by Councillors for Council business. Councillors shall comply with Councils Motor Vehicle Policy when using the Councillor vehicle.</p> <p>D25 The use of a staff member as a driver for the Council's motor vehicle will be determined by the General Manager where there is clear</p>

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		<p>cost benefit in provision of a driver versus external costs (eg airport parking for a number of vehicles) and staff availability.</p> <p>D26 Private Vehicle - If a Councillor uses his/her private vehicle, reimbursement will be equivalent to the per kilometre rate as specified in the NSW Local Government (State) Award. This allowance takes into account the use, maintenance and depreciation of the vehicle.</p> <p>D27 WSC will reimburse costs for tolls associated with travel on WSC business.</p> <p>D28WSC will reimburse parking fees associated with travel on WSC business.</p> <p>D29 Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors whilst travelling on Council related business.</p> <p>D30 Overseas travel by a Councillor must be approved by Council resolution which shall include clear and tangible benefits to the community and an estimate of costs for travel, accommodation, transfers, hire cars, gifts and ancillary items.</p> <p>D31 Approval by the Council for overseas travel by a Councillor will be on an individual trip basis.</p> <p>D32 Economy class air travel will be provided as standard for all air travel unless identified otherwise by a Council resolution. The cost of any upgrade shall be the responsibility of the Councillor. The Mayor</p>

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		<p>and General Manager may approve business class travel for long flights (exceeding 3 hours).</p> <p>D33 Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.</p> <p>D34 Council will pay for air travel insurance.</p> <p>D35 Council shall meet the cost of transfers between a Councillor's residence and a transport interchange (ie airport) and between the transport interchange and a hotel or venue.</p> <p>The Council may enter into its own corporate loyalty program arrangements and any benefits arising will be used toward corporate costs (eg accumulated travel points may be used to defray costs of future flights made on Council business).</p> <p>D36 Council will pay for use of a rental car (standard model) at locations where air travel is undertaken for WSC business.</p> <p>D37 All air travel arrangements and bookings will be made by Council staff on behalf of the Councillor, including flights, insurance and transfers. Councillors are not to book their own travel.</p>
D40	Include a limit for daily sustenance as per DLG guidelines	Council will reimburse sustenance costs of up to \$100 per day, per Councillor.
D41	Clarify accommodation in relation to spouses, partners and accompanying persons as per DLG guidelines.	Any additional accommodation costs incurred as a result of the attendance of partners, spouses or accompanying persons shall be borne by the Councillor.

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
D42	Identify process for booking.	Accommodation arrangements and bookings shall be made by Council staff on behalf of the Councillor. Councillors are not to book their own accommodation.
D44	Include clause to prohibit payment to family members for care.	Reimbursement does not apply where the care is provided by immediate family members including family, spouse or partner.
D45	Insurance – note that staff are responsible for all insurance arrangements.	Council staff will arrange all insurances. Councillors are not to arrange insurances or extend their private insurance coverage for Council business. There will be no reimbursement of expenses to Councillors associated with insurance coverage.
D46	Includes limits as per DLG guidelines	<p>Council has the following policies and limits in place that cover Council activities and include cover for the Councillors :</p> <ul style="list-style-type: none"> • Public Liability (limit of protection - \$400M) & Professional Indemnity (limit of protection \$300M) with Statewide Mutual Liability Scheme • Personal Accident policy with ACE Insurance Limited & includes a travel component (various limits) • Property insurance with Statewide Property Mutual Scheme as per schedule provided to Statewide Property Mutual (various limits)
D48	Legal - Include statement regarding legal provisions as per DLG guidelines	Legal expenses will only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.
D55	Set yearly limit in accordance with DLG guidelines	The total amount that may be claimed per Councillor in any one year for the above clauses in this section is \$5,000.

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
D57	Define and set limits for Mayoral expenses	The Mayor may provide reasonable hospitality to Councillors, , politicians, dignitaries, community leaders in relation to Council business, up to \$30,000 per year. Reasonable hospitality includes: <ul style="list-style-type: none"> - light refreshments – food and beverages provided onsite at the Civic Centre - meals and beverages at local establishments up to \$100 in total per meal - WSC themed token gifts for visiting dignitaries up to a total of \$200 per delegation.
D60-62	Insert clauses to include Mayoral facilities already provided but not previously included in the policy.	Council will provide a parking space reserved for the Mayoral vehicle. Council will provide a furnished Mayoral office. Council will provide secretarial support for the Mayoral office.
D63	Communications clause updated to provide more specific detail and give clarity around inclusions, exclusions and limits.	See amended policy document
Former D39	Delete postal expenses clause facilities already provided but not previously included in the policy.	This clause not required based on history of claims.
D73 & 74	Insert clauses to include facilities already provided but not previously included in the policy.	A Councillor Lounge is provided at the Civic Centre for the specific use of Councillors. The lounge provides Councillors with an informal area to meet and has facilities such as tea and coffee making, beverage fridge and shower. Two interview rooms are provided at no cost for the exclusive use of Councillors. The rooms contain desk and chairs and a computer. The

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		rooms may be used by Councillors to conduct Council business for example review of meeting papers or meeting with residents. Rooms must be booked through the Civic Centre receptionist.
D76	Amend clause to clarify electricity costs and limits	WSC will reimburse Councillors up to \$500 per annum for electricity charges (eg heating, cooling and lighting associated with use of private facilities to conduct WSC business. Up to 20% of each electricity account may be claimed.
D78	Insert clause indicating administrative service for allowance deductions	Council will provide a deduction administrative service for up to a maximum of two monthly deductions from a Councillor allowance for nominated payments which incur no external costs to Council. For example: political party donations, union fees, superannuation, health insurance.
D79	Clarify costs of late fees not to be reimbursed	The cost of credit card processing and late fees will not be reimbursed by Council.
E3	Approval process for attendance at events with limited time	The Mayor and General Manager may approve attendance on behalf of the Council if time does not permit the reporting to Council prior to the event occurring. The General Manager will report the authorisation to the next available meeting.
E4	Evidence required for reimbursement	Payment of expenses will only occur on the production of proper receipts that contain ABN numbers or documentation acceptable to Council
E16	Insert clause concerning annual statements	Councillors will be provided with an annual statement at the end of each financial year which lists the type and amount of all reimbursements made and facilities given to each Councillor.

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
E17-E24	Reconciliation – insert various clauses to provide clarity around processing and supporting evidence for claims.	<p>Claims for reimbursement of expenses will include receipts with ABN number or via a statutory declaration and be made in the year in which the expense has been incurred, unless otherwise specified in this Policy.</p> <p>Statutory declarations are only to be used to support claims for expenses already occurred where receipts are unable to be provided or have been lost. (ie cannot be used to claim for items in advance such as estimates of travel).</p> <p>In respect of Claims for reimbursement of travel costs Council may accept either a statutory declaration claiming an amount of travel undertaken or a log book detailing the claim for travel. It will be the responsibility of a Councillor to justify the content of any statutory declarations to any authorised third parties</p> <p>The level of supporting documentation should be commensurate with the nature of expenditure. For example expenditure on parking, tolls, refreshments and the like may only require a signed statement listing the payments.</p> <p>Council will only accept evidence of claims in the name of a Councillor. Council will not reimburse accounts in the name of a business or company associated with the Councillor.</p> <p>Approval, reconciliation and reimbursement for all expenses and facilities must occur in accordance with this policy. Any claims made outside this policy will be determined by Council.</p> <p>Amounts owing by an elected member relating to fees or expenses for reimbursements and/or accompanying partner's expenses are to be deducted from amounts due to the elected member under this Policy.</p>

New Proposed Amendments to Facilities and Expenses Policy for Councillors – December 2013

Clause	Reason for Amendment	Amendment
		All expenses paid by Council to Councillors will be reported to the Australian Tax Office.
Schedule 1	A table which summarises the limits and processes for a particular type of claim	See amended policy