

1. Purpose and Intent

The *Local Government Act 2020* (the Act) includes a specific requirement for Council to adopt and maintain an expenses policy in relation to the reimbursement of out of pocket expenses for Councillors and members of Delegated Committees.

This Policy intends to establish clear expectations in the:

- reimbursement of expenses for both Councillors and members of Delegated Committees; and
- resources and support that are necessary for Councillors, to enable the effective performance of their Council duties and functions.

2. Scope

This Policy applies to all Councillors and members of Delegated Committees in relation to the reimbursement of out of pocket expenses incurred in performing their duties and functions and to all Councillors in relation to resources support.

3. Definitions

<p>Care Relationship</p>	<p>means a person who provides another person, or receives from another person, care because one of the persons in the relationship has a disability, is older, has a mental illness, has an ongoing medical condition (including a terminal or chronic illness or dementia). It also means a relationship where an individual has custody and guardianship of a child under a permanent care order, a relationship where a child is placed with an individual who provides care to that child under a child care agreement, a relationship where a child is placed with an individual who provides care to that child under a protection order under the various parts of the Children Youth and Families Act 2005. It <u>does not</u> apply to another person merely because he or she is the spouse, or the domestic partner within the meaning of the Children Youth and Families Act 2005, is the parent, child or relative of the other person, lives with the other person, is under a contract of service or a contact for the provision of services, under an employment contract or in the course of doing voluntary work for a community organisation or as part of the requirements of an education course or training.</p>
<p>CEO delegate or</p>	<p>means the Chief Executive Officer of Council, or another council officer who has been given the responsibility for performing the particular duty or function on the CEO's behalf.</p>

CFO or delegate	means the Chief Financial Officer of Council, or another council officer who has been given the responsibility for performing the particular duty or function on the CFO's behalf.
Civic Function	means a function or event convened by Council which involves a guest or guests of honour and invited guests.
Council	means Frankston City Council
Council business	means activities and matters relevant to Council's objectives, roles and functions, as described in the Local Government Act 2020.
Councillor	means a person who holds the office of a member of a Council, as described in the Local Government Act 2020.
Delegated Committee	means a delegated committee established by Council under Section 63 of the Local Government Act 2020.
Electioneering	means activities likely or intended to influence voting, or connected with a campaign for the success of a particular candidate or political party for election or re-election to public office, whether as a Councillor or as a State or Federal member. It includes a Councillor's or Delegated Committee members own campaign, and the campaign of another person or party.
Event	means a function or event that is organised, hosted and/or fund by Council or another organisation. It includes a gathering of internal and/or external stakeholders to acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevant to the Council, another organisation or the community.
Formal study	means training or education provided by a recognised tertiary education provider that leads to a formal qualification that is relevant to the Councillor's performance of their role as a Councillor or as Mayor or the role of a member of a Delegated Committee.
Official duties and functions	<p>Councillors</p> <p>means activities consistent with the role of a Councillor as defined in s.28 of the Local Government Act 2020. It includes Council business, civic and statutory duties and activities conducted on behalf of Council to further the achievement of Council's objectives. Examples include preparing for, attending and participating in Council meetings, including joint Council meetings, Councillor briefings, committee meetings, workshops and inspections; attending civic functions, representing Council at ceremonies and community events where formally invited as Councillor to undertake an official duty; attending public meetings, annual meetings or presentation dinners where invited as a Councillor; and attending meetings of community groups where invited to speak about Council programs or initiatives; private meetings with residents, ratepayers, community groups, developers etc., where arranged through official Council channels and details of discussions are documented in official records or diaries.</p> <p>Members of a Delegated Committee</p>

	means Council business or duties and activities conducted on behalf of Council or the Committee to further the achievement of Council's or the Committee's objectives. Examples include preparing for, attending and participating in Delegated Committee meetings, including joint Delegated Committee meetings, workshops and inspections; attending civic functions, representing the Delegated Committee at community events to undertake an official duty, attending public meetings, annual meetings, presentation dinners where invited as a member of the Delegated Committee, private meetings with organisations that relate to the activities of the Committee, which are documented in official records or diaries.
Out of pocket expenses	means expenses that have been met by the Councillor or member of a Delegated Committee, using their own funds, which may later be reimbursed. Examples include meals and refreshments, apparel, training and education, travel, accommodation, registration fees, formal study, memberships, house seats and carer expenses.
Partner	means a Councillor's or Delegated Committee members spouse, wife, husband, domestic partner or companion.
Personal use	means activity that is conducted for purposes other than Council business.
Reasonable	in relation to expenses and costs for Delegated Committee members, means expenses and costs incurred in performing official duties and functions which, in amount and nature, are consistent with public expectations. When determining whether an expense or cost is reasonable, relevant factors will include whether the expense or cost is necessary, cost-conscious and capable of withstanding public scrutiny.
Reasonably required	in relation to expenses, costs, resources and equipment for Councillors, means requirements for performing and conducting official duties and functions or Council business which, in amount and nature, are consistent with public expectations. When determining whether an expense, cost, resource or equipment is reasonably required, relevant factors will include whether it is necessary, cost-conscious and capable of withstanding public scrutiny.
Refreshments	means a light snack or drink and does not include alcohol.
Travel expenses	means costs for travelling by car, taxi, bus, train, tram or air, in relation to Council business or business related to the Delegated Committee.

4. Authorisation

This Policy is managed by the Governance and Information Department, and is approved by Frankston City's Mayor and Council's Chief Executive Officer (CEO):

S. Mayer

[Signature]

Mayor, Frankston City

CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Ordinary Council meeting of 31 August 2020.

5. Policy

5.1. Supply of Communications Equipment and Stationery for Councillors

- 5.1.1 Each Councillor is entitled to be provided with such communications equipment and stationery as is reasonably required to facilitate the effective performance of their official duties and functions.
- 5.1.2 The particulars of the Council supplied communications equipment and stationery will be determined by the CFO or delegate, or as determined by Council, and will be issued to the incoming Councillors at the commencement of each Council term, and may include any or all of: a mobile telephone or 'smart phone' with email access; a laptop computer and/or a tablet (e.g. iPad); data allowance; stationery including paper, writing implements, envelopes, diaries, business cards (in batches of 250), a name badge; a Councillor email account (managed through Council's administration) and a Councillor profile page on Council's website (managed through Council's administration).
- 5.1.3 Council will meet the reasonable costs associated with the purchase, installation, service connection, maintenance, rental and usage of Council supplied communications equipment.
- 5.1.4 A request for replacement of Council supplied communications equipment that has been lost or irreparably damaged must be accompanied by documentation to substantiate the loss or damage. Equipment will generally be replaced on a like-for-like basis, rather than on a new-for-old basis.
- 5.1.5 Council supplied communications equipment is intended to be used for Council business purposes.

However, minimal personal use is acceptable, provided that the use is legal and appropriate; and does not interfere with Council business; and involves minimal additional expense.
- 5.1.6 Where significant personal use has occurred, the additional costs must be repaid to Council.
- 5.1.7 Council will not meet or reimburse the cost of private interstate calls and international use of mobile devices unless a prior arrangement has been made with the Mayor and CFO, or as determined by Council.
- 5.1.8 Any use of Council supplied communications equipment may be monitored or recorded, read, copied and disclosed in accordance with applicable laws, regulations and policies.
- 5.1.9 The use of Council supplied communications equipment is subject to Council's 'Information Security Guidelines' and Council's 'Email and Internet Systems Use Guidelines'.

5.1.10 Councillors should make use of existing Council resources where possible.

If a Councillor elects to use their own equipment, reimbursement for communication expenses incurred in the performance of their duties as a Councillor may be declared and approved by the CFO or delegate, or as determined by Council.

Council may reimburse an amount less than the amount claimed, where the actual expense incurred is not considered to be reasonable.

5.1.11 The use of Council supplied equipment to maintain or support a personal private business or for electioneering purposes is strictly prohibited.

5.2. Councillors' Facilities

5.2.1 Councillors have access to a shared office space at the Civic Centre, which is equipped with a computer, a telephone, stationery and desk space. Limited administrative support can also be provided during business hours, upon request.

5.2.2 Meeting rooms in the Civic Centre can be booked for use by Councillors when required.

5.2.3 There are three (3) designated Councillor car parking spaces available at all times at the Civic Centre. An additional four (4) car parking spaces is made available after 3pm each day.

5.2.4 Councillors are entitled to claim reimbursement for the cost of such assistive devices, personnel and associated expenses, as are reasonably required to enable the Councillor to perform their official duties and functions.

5.3. Mayor's Facilities

5.3.1 A fully equipped office and administrative support will be provided to assist the Mayor to effectively undertake mayoral duties. The level of support is determined by the CEO or delegate, or as determined by Council, in consultation with the Mayor.

5.3.2 For the purpose of civic functions and ceremonies, the Mayor will be provided with ceremonial clothing including mayoral robes and chains of office. Council will meet the costs of laundering, cleaning and maintaining the ceremonial clothing. The ceremonial clothing must be returned to the CEO or delegate, or as determined by Council, two weeks prior to the conclusion of the mayoral term, so that appropriate laundering and any necessary repairs can be completed in time for the commencement of the incoming Mayor.

5.3.3 A mayoral vehicle is provided, which may be used by the Mayor for both official Council duties and private use.

- 5.3.4 The vehicle is associated with the office of the Mayor, rather than the incumbent Mayor. The mayoral vehicle is passed from one Mayor to the next. The commencement of a new Mayor does not necessitate the purchase of a new mayoral vehicle.
- 5.3.5 The mayoral vehicle is changed over in accordance with Council's Motor Vehicle Policy. The vehicle type will be of the same standard provided to the CEO, the Executive Management and Management Team.
- 5.3.6 Council will meet the costs associated with the mayoral vehicle including registration, insurance, maintenance and fuelling. Council will not meet the costs associated with cleaning or detailing the mayoral vehicle, except at the end of each mayoral term prior to handover of the vehicle to the incoming Mayor.
- 5.3.7 The mayoral vehicle may be driven by the Mayor; the Mayor's partner; or a Councillor or Council officer on the Mayor's behalf.
- 5.3.8 A designated car parking space is provided for the mayoral vehicle at the Civic Centre.
- 5.3.9 The mayoral vehicle must be returned to the CEO or delegate, or as determined by Council, 48 hours prior to the conclusion of the mayoral term, so that it can be serviced, cleaned and detailed in time for the commencement of the incoming Mayor.

5.4. Meals and Refreshments

- 5.4.1 Council will provide suitable refreshments during planned meetings regarding Council business for Councillors and members of a Delegated Committee.
- 5.4.2 Council will provide meals where Council meetings or Councillor Briefings are scheduled to be held at times which extend through normal meal times, or over an extended period, or are likely conclude at a late hour.
- 5.4.3 The type of refreshments and meals provided by Council will be determined by the CEO or delegate, or as determined by Council, in consultation with the Mayor. Factors relevant to the determination will include the type of meeting, the invitees, and the start and finish times.
- 5.4.4 Where a Councillor or member of a Delegated Committee is undertaking Council business that requires them to be away from home during normal meal times, or over an extended period, they are entitled to be reimbursed for the actual cost incurred for suitable refreshments and meals. Council will not

A tax invoice must be provided to substantiate the claim, and the amount reimbursed will not exceed the amount actually incurred.

The amount reimbursed will not exceed the meal allowance expense amounts in the most recent determination of the Australian Taxation Office, which is currently set at: Breakfast (\$28.15); Lunch (\$31.65) and Dinner (\$53.90). This also applies to members of a Delegated Committee.

Any meals that exceed this amount will be borne by the Councillor or member of a Delegated Committee. These amounts are current as at 1 July 2019 and will increase by CPI each year.

Reimbursement will not be made in circumstances where a meal was provided.

- 5.4.5 Where a Councillor has been formally invited to attend an event and there is an entry fee associated with that event, a tax invoice will need to be provided and paid by Council, which will be reflected in the Councillors expense.

5.5. Apparel for Councillors

- 5.5.1 Council will, upon request, provide to each Councillor once each term such protective clothing as is required to carry out the duties of office, comprising any or all of: a high visibility vest; hard hat; safety glasses; gumboots; and wet weather jacket.
- 5.5.2 The CEO or delegate, or as determined by Council, is responsible for determining any request for additional apparel.

5.6. Return of Council Supplied Equipment for Councillors

- 5.6.1 Councillors must return all Council supplied communications equipment to the CEO or delegate, or as determined by Council, one week prior to a general Council election.
- 5.6.2 Any stationery, apparel or other items which bear the Council's logo must be returned to the CEO or delegate, or as determined by Council, one week prior to a general Council election.
- 5.6.3 In the event of the resignation, retirement, suspension or disqualification of a Councillor, the Councillor must return to the CEO or delegate, or as determined by Council, all Council supplied communications equipment and any items which bear the Council's logo. Following the suspension, the equipment will be returned to the Councillor.

5.7. Training and Education Expenses and Events for Councillors

It is desirable that Councillors undertake appropriate training and professional development throughout their terms in office. Whilst some training is provided in-house, it is important that Councillors are able to attend other relevant forums, to further develop their understanding of the many issues faced within local government, and to network with other Councillors. Accordingly, Councillors are entitled to reimbursement of expenses incurred through attending recognised and industry approved conferences, seminars, events, study and training courses that are relevant to their role, and which provide a significant professional development opportunity to the benefit of Council.

5.7.1 Annual Budget Allocation

- 5.7.1.1 A specific Councillor training and education allocation may be made in the Council's annual budget, to meet or reimburse Councillors' reasonable costs associated with relevant training, education and professional development.

- 5.7.1.2 Each Councillor will be entitled to an equal share of the training and education allocation and the annual budget allocation for each Councillor cannot be exceeded, unless Council resolves to fund the additional amount.
- 5.7.1.3 No Councillor may spend more than the total projected professional development allowance for their term of office.
- 5.7.1.4 Councillors must not personally pay for any training or development and seek reimbursement of expenditure. All training providers are required to invoice Council and will be paid by Council following confirmation that the requirements for accreditation and registration have been met.

5.7.2 Conferences, Seminars, Events and Training Courses

- 5.7.2.1 A Councillor attending a conference, seminar, event or training course as an authorised representative of Council, is entitled to have all reasonable expenses for travelling / transport, accommodation, registration fees, meals and other necessary associated out of pocket expenses reimbursed or paid on their behalf.
- 5.7.2.2 Councillors' attendance at conferences, seminars, events and training within the state of Victoria must be approved by the CFO, or as determined by Council, in order for reimbursement of associated expenses to be claimable.
- 5.7.2.3 Councillors' attendance at conferences, seminars, events and training outside the state of Victoria is subject to prior approval by Council, after consideration of an officer's report.
- 5.7.2.4 Matters relevant to the approval of a Councillor's attendance at a particular conference, seminar, event or training course are:
 - a) course topic, content, location, date and duration;
 - b) relevance of conference to Council business and the Councillor's personal development requirements;
 - c) analysis of the costs including the course, course material, travel and accommodation for the Councillor; and
 - d) benefits expected to result from attendance.
- 5.7.2.5 All claims for reimbursement of out-of-pocket expenses for meals, any required transport or other necessities related to attendance at the conference, seminar, event or training course must be substantiated by the production of a tax invoice.
- 5.7.2.6 Where overnight accommodation is required, the CFO or delegate, or as determined by Council, will arrange booking and payment for a Councillor's accommodation at the conference hotel (or appropriate nearby venue, in accordance with Council's Procurement Policy, if the cost is less than that promoted by the conference organiser).

5.7.2.7 Councillors wishing to make their own arrangements for transport or accommodation will have reasonable expenses reimbursed, as determined by the CFO or delegate, or as determined by Council.

5.7.2.8 After attending a conference, seminar, event or training course, a Councillor will provide a written summary to Council, which outlines the purpose of the conference, learning outcomes, matters of relevance to the Frankston municipality, issues for consideration by Council and any recommendations.

5.7.3 Attendance of Partner at Events

5.7.3.1 Generally, Council will not meet or reimburse any of the costs associated with the attendance of a partner at seminars or conferences (i.e. registration fees, entry fees, meals and other necessary associated out of pocket expenses). Such costs must be met by the Councillor.

5.7.3.2 Payment or reimbursement of expenses associated with the attendance of a Councillor's partner at a civic function or event is subject to prior approval by the CFO and Mayor, or as determined by Council, or by Council.

5.7.3.3 Matters relevant to the approval of a payment or reimbursement of the costs associated with the attendance of a Councillor's partner include:

- a) the additional cost to Council through the attendance of the partner and the availability of funds in the relevant budget;
- b) whether there is an expectation or agreement for partners to attend (for example, if other attendees are generally accompanied, or if the partner is specifically included in the invitation; and
- c) equity amongst all Councillors.

5.7.4 Formal Study

5.7.4.1 Where relevant to the role of the Mayor or a Councillor, and subject to annual budget limits, Councillors are entitled to be reimbursed for costs incurred for formal study.

5.7.4.2 Evidence of the successful completion of each unit of study must be produced in order to claim reimbursement of course or tuition fees.

5.7.4.3 Course or tuition fees may be paid by Council up-front, subject to a resolution of Council. Such payment must be refunded back to Council in the event that the unit of study is not successfully completed.

5.7.5 Memberships

5.7.5.1 Councillors are entitled to reimbursement of membership fees paid to any recognised organisation operating within Victoria, which provides access to information, training, seminars or networking directly relevant to the role of Mayor or Councillor.

5.7.5.2 Where a membership extends beyond the current term of the Councillor, reimbursement will be provided on a pro rata basis.

5.7.6 Frankston Arts Centre House Seat Tickets

- 5.7.6.1 Councillors are entitled to complimentary double House Seat tickets for a maximum of eight (8) theatre performances per year at the Frankston Arts Centre. These tickets are for use by the Councillor and one guest only, and cannot be transferred.
- 5.7.6.2 Requests for House Seat tickets will be determined by the CFO or delegate, in accordance with relevant policies and procedures.
- 5.7.6.3 Councillors must declare all House Seat tickets they have received on Council's Gifts Register, within one month of the performance to which the tickets relate.
- 5.7.6.4 The CFO or delegate will monitor and record Councillor usage of House Seat tickets, and the value of the tickets will be reported as Councillor expenses in accordance with clause 5.15 of this policy.

5.8. Training and Education Expenses and Events for Delegated Committee Members

5.8.1 Annual Budget Allocation

- 5.8.1.1 Subject to a resolution of Council, a specific Delegated Committee training and education allocation may be made in the Council's annual budget, to meet or reimburse members of a Delegated Committee reasonable costs associated with relevant training, education and professional development.
- 5.8.1.2 Subject to a resolution of Council, each member of a Delegated Committee will be entitled to an equal share of the training and education allocation and the annual budget allocation for each member, which cannot be exceeded, unless Council resolves to fund the additional amount.
- 5.8.1.3 Subject to a resolution of Council, members of a Delegated Committee may not spend more than the total projected professional development allowance for their term of office.
- 5.8.1.4 In the event Council makes provision in the annual budget for training and education, Delegated Committee members must not personally pay for any training or development and seek reimbursement of expenditure. All training providers will be required to invoice Council. This will be paid by Council following confirmation that the requirements for accreditation and registration have been met.

5.8.2 Conferences, Seminars, Events and Training Courses

- 5.8.2.1 A member of a Delegated Committee attending a conference, seminar, event or training course as an authorised representative of the Delegated Committee, is entitled to have all reasonable expenses for travelling / transport, registration fees and other necessary associated out of pocket expenses reimbursed or paid on their behalf.
- 5.8.2.2 Members of a Delegated Committee who wish to attend a conference, seminar, event or training within the state of Victoria, must seek approval by the CFO, or by Council, in order for reimbursement of associated expenses to be claimable.
- 5.8.2.3 Members of a Delegated Committees attendance at conferences, seminars, events and training outside the state of Victoria, is subject to prior approval by the CEO.
- 5.8.2.4 Matters relevant to the approval of a member of a Delegated Committees attendance at a particular conference, seminar, event or training course are:
- a) course topic, content, location, date and duration;
 - b) relevance of conference to Council business and the Delegated Committee members personal development requirements;
 - c) analysis of the costs including the course, course material, travel and accommodation for the Delegated Committee member; and
 - d) benefits expected to result from attendance.
- 5.8.2.5 All claims for reimbursement of out-of-pocket expenses for any required transport or other necessities related to attendance at the conference, seminar, event or training course must be substantiated by the production of a tax invoice.
- 5.8.2.6 Where overnight accommodation is required, the CEO or delegate, or as determined by Council, will arrange booking and payment for the Delegated Committee members accommodation at the conference hotel (or appropriate nearby venue, in accordance with Council's Procurement Policy, if the cost is less than that promoted by the conference organiser).
- 5.8.2.7 Members of a Delegated Committee wishing to make their own arrangements for transport or accommodation will have reasonable expenses reimbursed, as determined by the CFO or delegate, or as determined by Council.

5.8.3 Attendance of Partner at Events

- 5.8.3.1 Generally, Council will not meet or reimburse any of the costs associated with the attendance of a partner at seminars or conferences (i.e. registration fees, entry fees, meals and other necessary associated out of pocket expenses). Such costs must be met by the Delegated Committee member.

- 5.8.3.2 Payment or reimbursement of expenses associated with the attendance of a Delegated Committee member's partner at a civic function or event is subject to prior approval by the CEO and/or Mayor, or as determined by Council, or by Council.
- 5.8.3.3 Matters relevant to the approval of a payment or reimbursement of the costs associated with the attendance of a Delegated Committee member's partner include:
 - d) the additional cost to Council through the attendance of the partner and the availability of funds in the relevant budget;
 - e) whether there is an expectation or agreement for partners to attend (for example, if other attendees are generally accompanied, or if the partner is specifically included in the invitation; and
 - f) equity amongst all Delegated Committee members.

5.9. Travel Expenses

- 5.9.1 Councillors and members of a Delegated Committee are entitled to reimbursement of travel expenses incurred in performing their duties and functions.
- 5.9.2 When travel costs are to be paid or reimbursed from Council funds, it is expected that, wherever practicable:
 - a) Travel must be undertaken as efficiently as possible, using the shortest practicable route, and by the most cost effective means of transport. Public transport should be used wherever feasible. Examples where it may not be feasible to use public transport include performing official duties and functions at events scheduled late into the evening or at venues located outside the public transport network, or where the use of a private vehicle would be more costly than travel by taxi or uber, such as travel to and from the airport which would also involve parking fees.
 - b) If in doubt about the appropriate form of transport, a:
 - Councillor should, if practicable, consult with the Mayor or CFO; and
 - Member of a Delegated Committee should, if practicable, consult with the appropriate Council officer nominated by the Chief Executive Officer.
 - c) Where more than one Councillor or Delegated Committee member attends the same function outside the municipal boundaries, a vehicle should be shared.
 - d) Where a Councillor or Delegated Committee member elects to use their own private vehicle to attend a seminar, event, training or a conference, a log book should be maintained to show the odometer record from the start and end of the period the private vehicle was used for, with a note to validate that it was for Council business related purposes. A photocopy of the logbook, along with tax receipts for petrol and/or e-tag use, should accompany the claim form.

- 5.9.3 Any proportion of the travel costs that relate to activities other than the Councillor's or Delegated Committee members official duties and functions, will be excluded from the calculation of expenses to be paid.
- 5.9.4 The standard form of travel outside the state of Victoria will be economy class air. If a Councillor or Delegated Committee member chooses instead to use their own vehicle for interstate travel, the maximum amount for which they are entitled to be reimbursed is equivalent to the cost of the cheapest available return airfare to the destination.
- 5.9.5 Travel expenses associated with the use of a private vehicle within Victoria for the performance of a Councillor's or Delegated Committee members official duties and functions will be reimbursed in accordance with the rates specified in Council's Enterprise Agreement, upon submission of a completed Councillor Expense Claim Form (see **Attachment A**) or Delegated Committee Expense Claim Form (see **Attachment C**). This form includes a declaration to verify that the travel claimed was undertaken in the performance of the Councillor's or Delegated Committee members' official duties and functions and in compliance with this Policy.
- 5.9.6 Travel expenses will not be reimbursed in instances where the Councillor or Delegated Committee member is entitled to a sitting fee or payment from another organisation for their attendance.

5.10. Carer Expenses

- 5.10.1 The cost of care for a dependent child aged under 14 years, or a person who is in a care relationship pursuant to section 4 of the *Carers Recognition Act 2012*, may be claimed by a Councillor or Delegated Committee member where:
 - a) the expense is incurred to enable the Councillor or Delegated Committee member to perform their official duties and functions; and
 - b) the child or person who requires care:
 - (i) resides in the Councillor's or Delegated Committee member's household and the Councillor or Delegated Committee member is the primary carer; or
 - (ii) is a person in respect of whom the Councillor or Delegated Committee member is entitled to a Commonwealth Carer Payment or Allowance; or
 - (iii) is a person for whom the Councillor's or Delegated Committee member's partner is the primary carer, when the partner is accompanying the Councillor or Delegated Committee member to a Council business function;and
 - c) the care is provided by:
 - (i) a registered care provider; or
 - (ii) a person who does not reside with the Councillor or Delegated Committee member, and who does not have a familial or similar relationship with the

Councillor or Delegated Committee member (eg. partner, mother, father, sister, brother, aunt, uncle, cousin, niece, nephew, grandparent, sister-in-law, brother-in-law).

- 5.10.2 A claim for reimbursement of carer expenses must include the details of the meeting or Council business that was undertaken during the period of care, and must be substantiated by a tax invoice or receipt from the care provider which includes the dates and times when the care was provided, the care provider's signature and ABN (where relevant).
- 5.10.3 Where care is provided by a registered care provider, Council will reimburse the amount on the official tax invoice.
- 5.10.4 Care that is not provided by a registered care provider will be reimbursed at a maximum rate of \$25 per hour.

5.11. Claiming Expenses

- 5.11.1 Expenses must be claimed within 60 days of being incurred, or within 60 days from the date of return from the conference, event or study tour (whichever date is later).
- 5.11.2 An expense claim must be:
 - a) made on the appropriate claim form (see Attachments to this Policy);
 - b) accompanied by proof of expenditure, such as a tax invoice; and
 - c) signed by the Councillor or Delegated Committee member, to declare the nature of the Council business and to verify that the claim is accurate and complies with the relevant legislative provisions and Council policy; and
- 5.11.3 An expense claim which complies with clause 5.11.2 may be submitted to the CFO or delegate, or as determined by Council, for processing.
- 5.11.4 An expense claim that does not comply with clause 5.11.2, will be returned to the Councillor or Delegated Committee member, with a memorandum by the CFO or delegate explaining why the claim has not been accepted.
- 5.11.5 Councillors' and Delegated Committee member's expense claims will be assessed by the Governance Team and processed as quickly as possible, so that Councillors and Delegated Committee members receive rapid reimbursement for all reasonable out-of-pocket expenses incurred as a result of performing their official duties and functions.
- 5.11.6 Late claims will not be accepted.

5.12. Legal fees for Councillors

- 5.12.1 Legal fees for Councillor matters may be paid from Council's budget only where prior approval has been obtained from the CFO and Mayor, or as determined by Council, or by Council resolution.
- 5.12.2 Legal fees for Councillors will be paid from Council's budget if Council resolves that the actions taken were in good faith and part of the Councillors official duties.
- 5.12.3 The situations in which the CFO or delegate, or as determined by Council, or the Council by resolution, may approve payment from Council's budget of legal fees relating to a Councillor or Councillors include, but are not limited to:
- a) Defending proceedings brought against a Councillor in relation to activities undertaken in good faith while carrying out official duties.
 - b) Responding appropriately to a Councillor conduct investigation, or to any other investigation by a regulatory body such as the Victorian Office of Local Government, the Independent Broad-based Anti-corruption Commission or the Victorian Ombudsman, which relates to activities undertaken in good faith while carrying out official duties.
 - c) Effective management of a complaint or dispute under the Councillor Code of Conduct.
 - d) Responding appropriately to an investigation conducted by Victoria Police in relation to the Councillor's duties and responsibilities (excluding criminal investigations).
 - e) A circumstance where the CFO or delegate, or as determined by Council, or the Council by resolution determines that external legal advice is required in relation to a Councillor's pecuniary interests or a potential conflict of interest.

5.13. Insurance

- 5.13.1 In accordance with section 43 of the Local Government Act 2020, Councillors and members of a Delegated Committee are indemnified against all actions or claims, as long as the acts giving rise to the action or claim were done in good faith and related to the Councillor's or Delegated Committee members official duties and functions.
- 5.13.2 Council holds a range of insurance policies including public liability and professional indemnity insurance, Councillors', Delegated Committee members, Community Asset Committee members and officers' liability insurance, travel insurance which includes cover for personal accident and illness, and motor vehicle insurance which covers the insurance excess or minor damage to a comprehensively insured personal vehicle damaged while being used for Council business.

5.14. Appeals

- 5.14.1 A Councillor or member of a Delegated Committee is entitled to make a complaint or appeal in writing to the CFO against any decision regarding a reimbursement.
- 5.14.2 In the event of a complaint or appeal against a decision regarding a reimbursement under this policy, the CFO or delegate, or as determined by Council, will advise the Mayor of the reason or reasons for refusal of the claim.
- 5.14.3 If the matter remains unresolved, it will be reported to Council for determination. Council's decision on the matter will be final.

5.15. Reporting

- 5.15.1 In the interests of transparency and accountability, details of Councillor expenditure are published on Council's website as soon as practicable after the information is available.
- 5.15.2 All Councillor and Delegated Committee expenses paid are included in a register which is available upon request..
- 5.15.3 Details of expenses paid and reimbursed are also required to be included in Council's annual report.
- 5.15.4 Prescribed details in relation to overseas and interstate travel, comprising the Councillor's or Delegated Committee members name, the date, destination, purpose and total cost of the travel, are required to be included in a register that is available for public inspection. (Local Government (General) Regulations 2015).

5.16. Audit

- 5.16.1 Expenses paid or reimbursed under this policy will be subject to:
- regular review by Council's internal auditors; and
 - a half yearly review by Council's Audit and Risk Management Committee, in accordance with Section 40(2) of the Local Government Act 2020.

5.17. Register of Expense Claim Forms

- 5.17.1 A register consisting of the following Councillor and Delegated Committee members expense documents will be available for inspection by any Councillor upon request:
- a) All Councillor and Delegated Committee member Expense Claim Forms submitted to the CFO or delegate, or as determined by Council, for processing;
 - b) All Corporate Credit Card Charge Reconciliation Forms submitted by (or on behalf of) the Mayor or any Councillor; and
 - c) Documents regarding expenses attributable to any Councillor or Delegated Committee member, paid directly by the Council (eg. phone and internet charges, communications equipment and office supplies, conferences and training, memberships etc).

5.17.2 The register will include Councillor and Delegated Committee member expense documents from:

- the date on which Councillors were declared elected, being the commencement of the current Council term; and
- the date the Delegated Committee member joined the Committee.

5.17.3 The register will be maintained by the Governance Team.

5.18. Exclusions

The following expenses cannot be funded or reimbursed by Council:

- 5.18.1 any expense arising from a breach of road, traffic, parking, or other regulations or laws;
- 5.18.2 stationery, furniture or equipment additional to that provided for in this Policy;
- 5.18.3 damage to or loss of personal possessions;
- 5.18.4 expenses for a Councillor's or Delegated Committee's partner which are not expressly provided for within this Policy;
- 5.18.5 donations, tips or gratuities, gifts, the purchase of raffle tickets, unless endorsed by Council resolution;
- 5.18.6 tickets or entry fees to events, that are in addition to that provided for in this Policy;
- 5.18.7 hotel mini bar, room movies, room service and similar;
- 5.18.8 expenses incurred by third parties;
- 5.18.9 expenses claimed by a Councillor or Delegated Committee member as a tax deduction;
- 5.18.10 expenses which are fully or partly recoverable from a third party; and
- 5.18.11 expenses associated with the election campaign of any Councillor.

6. Roles and responsibilities

Each Councillor and member of a Delegated Committee is responsible for ensuring that they are familiar with the requirements of this Policy and is accountable for managing their own compliance. This includes the accurate completion and timely submission of a Councillor Expense Claim Form (see **Attachment A**), Corporate Credit Card Charge Reconciliation Form (see **Attachment B**) and Delegated Committee Expense Claim Form (see **Attachment C**), in accordance with this Policy.

Clarification or advice about the interpretation of this Policy may be sought in the first instance from the Chief Financial Officer (CFO) or the Manager Governance and Information.

Duties and functions that are ascribed in this Policy, may be performed by the CFO or delegate with an appropriate level of training relevant to the performance of the particular duty or function, or as determined by Council.

7. Policy non-compliance

Failure to comply with this Policy may constitute a breach of the Councillor Code of Conduct and/or the Local Government Act 2020.

Non-compliance with this Policy also has the potential to negatively impact on the reputation of individual Councillors, members of the Delegated Committee and of the Council.

8. Related documents

Carer's Recognition Act 2012;
Charter of Human Rights and Responsibilities Act 2006;
Children Youth and Families Act 2005;
Councillor Code of Conduct;
Councillor Expense Reimbursement Protocol;
Councillor Training and Development Policy;
Election Period Policy;
Email and Internet Systems Use Guidelines;
Equal Opportunity Act 2010
Frankston City Council Enterprise Agreement;
Freedom of Information Act 1989
Gender Equity Act 2020;
Governance Rules;
Information Security Guidelines;
Information Services Guidelines for the Disposal of Redundant IT Equipment;
Instrument of Delegation by Council to the Frankston Arts Board;
Local Government Act 2020;
Mobile Device Guidelines;
Procurement Policy;
Public Transparency Policy.

9. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be published on Council's website and intranet so it can be used by Council officers when responding to queries in relation to the reimbursement of out-of-pocket expenses for Councillors and members of Delegated Committees, in addition, to queries relating to the resources and support necessary for Councillors to perform the duties and functions.

10. Document History

Date approved	Change Type	Version	Next Review Date
31 August 2020	New	1	August 2024



Councillor Expense Claim Form

This form must be used within 60 days to claim reimbursement for travel in a Councillor's own vehicle or other reasonable expenses incurred performing **official duties and functions***, in accordance with the Council Expenses Policy. Proof of expenditure (e.g. tax invoice) must accompany this form.

Name of Councillor			
1. Expense Category			
<input type="checkbox"/> Travel <input type="checkbox"/> Child Care <input type="checkbox"/> Conference and training <input type="checkbox"/> Information & communication tech <input type="checkbox"/> Car mileage (please go to section 2) Other (specify): _____			
Date	Details of Expense: <i>please clearly link the expense to your official duty or function</i>	GST	Cost (inc GST)
2. Car Mileage (note: all car mileage claims are GST free)			
Vehicle make and model		Vehicle Registration	
Number of cylinders of the vehicle	4 cylinder = \$1.01 per km 6 cylinder = \$1.23 per km <i>These rates are based on the Enterprise Bargaining Agreement No 9 (2019). Confirmation of current rates can be obtained from Payroll.</i>		
Date	Purpose	Odometer	
	Origin: Destination:	Start	End
Total kms			
Total cost (i.e. total kms x cylinder per km)		\$	



Date	Purpose	Odometer	
		Start	End
	Origin: Destination:		
Total kms			
Total cost (i.e. total kms x cylinder per km)		\$	
Declaration:			
I hereby declare that the expenses claimed on this form were incurred in the performance of my official duties and functions* as a Councillor and that this claim complies with the Council Expenses Policy.			
_____		____/____/____	
Signature of Councillor		Date	

* **Official duties and functions** as a Councillor means activities consistent with the role of a Councillor as defined in s.28 of the Act. It includes Council business, civic and statutory duties and activities conducted on behalf of Council to further the achievement of Council's objectives. Examples include preparing for, attending and participating in Council meetings, Councillor briefings, committee meetings, workshops and inspections; attending civic functions, representing Council at ceremonies and community events where formally invited as Councillor to undertake an official duty; attending public meetings, annual meetings or presentation dinners where invited as a Councillor; and attending meetings of community groups where invited to speak about Council programs or initiatives; private meetings with residents, ratepayers, community groups, developers etc, where arranged through official Council channels and details of discussions are documented in official records or diaries.

**Office Use Only**

Councillors Office:	
<input type="checkbox"/> Calendar invite attached	<input type="checkbox"/> Tax invoice attached
<input type="checkbox"/> No receipt, proof of expenditure (i.e. bank statement) and statutory declaration attached	
Governance Unit:	
Officer Name:	
<input type="checkbox"/> The expense complies with the Council Expenses Policy <input type="checkbox"/> The expense does not comply with the Council Expenses Policy. Memorandum prepared and forwarded to Chief Financial Officer with details as to the reasons why. <input type="checkbox"/> Register updated.	
Manager Signature:	Date: ____ / ____ / ____
Chief Financial Officer Recommendation:	
<input type="checkbox"/> I hereby determine that the expenses claimed on this form are suitable for reimbursement in accordance with the Council Expenses Policy. <input type="checkbox"/> I hereby determine that the expenses claimed on this form do not comply with the Council Expenses Policy and will not be approved.	
_____ Signature of Chief Financial Officer	_____ Date
Returned to Councillors Office: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date ____ / ____ / ____



Corporate Credit Card Charge Reconciliation

This form is to be completed and signed by the holder of a Council corporate credit card (except for the Accounting Services Credit Card which is subject to a separate process), approved and submitted to the Assistant Accountant, within 2 days of receiving the monthly credit card statement.

Statement Period: _____

Card Holder: _____

Purchase Date	Ledger Account	GST Code	Amount (incl GST)	Name of Supplier	Details of expense (what was purchased?)	Council business to which expense relates (please be specific and include details to clearly link the expense to Council business*)
		G				

Card holder declaration:
 I hereby declare that the charges detailed on this form were incurred in the course of conducting Council business* in compliance with the following relevant Council policies:
 Councillor Expense Reimbursement Policy (for Mayor, CEO and Directors only)
 Corporate Credit Card Policy and Procedures
 Procurement Policy
(tick all that apply)

Name: _____
 Signature: _____
 Date: _____

Approval:
 Note: the CEO or delegate is responsible for approving purchases by the Mayor and Directors; the Mayor is responsible for approving purchases by the CEO; other approvals are in accordance with the financial delegations.
 I hereby determine that the charges detailed on this form appear to comply with relevant Council policies.

Name: _____
 Signature: _____
 Date: _____

Reconciliation Completed By: _____

* Council business means activities and matters relevant to Council's objectives, roles and functions, as described in the Local Government Charter (Part 1A of the Local Government Act 1989).

Please return the completed form along with your credit card statement, receipts / tax invoices and any other supporting documentation to the Assistant Accountant.



Delegated Committee Member Expense Claim Form

This form must be used within 60 days to claim reimbursement for travel in a Councillor's own vehicle or other reasonable expenses incurred performing **official duties and functions***, in accordance with the Council Expenses Policy. Proof of expenditure (e.g. tax invoice) must accompany this form.

Name of Committee Member			
1. Expense Category			
<input type="checkbox"/> Travel <input type="checkbox"/> Child Care <input type="checkbox"/> Conference and training <input type="checkbox"/> Car mileage (please go to section 2) Other (specify): _____			
Date	Details of Expense: <i>please clearly link the expense to your official duty or function</i>	GST	Cost (inc GST)
2. Car Mileage (note: all car mileage claims are GST free)			
Vehicle make and model		Vehicle Registration	
Number of cylinders of the vehicle	4 cylinder = \$1.01 per km 6 cylinder = \$1.23 per km <i>These rates are based on the Enterprise Bargaining Agreement No 9 (2019). Confirmation of current rates can be obtained from Payroll.</i>		
Date	Purpose	Odometer	
	Origin: Destination:	Start	End
Total kms			
Total cost (i.e. total kms x cylinder per km)		\$	



Date	Purpose	Odometer	
		Start	End
	Origin: Destination:		
Total kms			
Total cost (i.e. total kms x cylinder per km)		\$	
Declaration:			
I hereby declare that the expenses claimed on this form were incurred in the performance of my official duties and functions * as a member of a Delegated Committee and that this claim complies with the Council Expenses Policy.			
_____		____/____/____	
Signature of Delegated Committee Member		Date	

* **Official duties and functions** includes Council business or duties and activities conducted on behalf of Council or the Committee to further the achievement of Council's or the Committee's objectives. Examples include preparing for, attending and participating in Delegated Committee meetings, including joint Delegated Committee meetings, workshops and inspections; attending civic functions, representing the Delegated Committee at community events to undertake an official duty, attending public meetings, annual meetings, presentation dinners where invited as a member of the Delegated Committee, private meetings with organisations that relate to the activities of the Committee, which are documented in official records or diaries.

**Office Use Only**

xx xx (need to determine who will do this):	
<input type="checkbox"/> Calendar invite attached	<input type="checkbox"/> Tax invoice attached
<input type="checkbox"/> No receipt, proof of expenditure (i.e. bank statement) and statutory declaration attached	
Governance Unit:	
Officer Name:	
<input type="checkbox"/> The expense complies with the Council Expenses Policy <input type="checkbox"/> The expense does not comply with the Council Expenses Policy. Memorandum prepared and forwarded to Chief Financial Officer with details as to the reasons why. <input type="checkbox"/> Register updated.	
Manager Signature:	Date: ____ / ____ / ____
Chief Financial Officer Recommendation:	
<input type="checkbox"/> I hereby determine that the expenses claimed on this form are suitable for reimbursement in accordance with the Council Expenses Policy. <input type="checkbox"/> I hereby determine that the expenses claimed on this form do not comply with the Council Expenses Policy and will not be approved.	
_____ Signature of Chief Financial Officer	_____ Date
Returned to xx :	<input type="checkbox"/> Yes <input type="checkbox"/> No Date ____ / ____ / ____