

# Councillor Expenses and Facilities Policy

## Purpose

The purpose of this policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors related to their Council duties.

The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

## Scope

The policy applies to all Councillors and covers any expenses and facilities provided by Council to support a Councillor in the performance of their duties, including:

- Superannuation,
- Travel,
- Professional development,
- Work-related functions,
- Insurance,
- Legal expenses (in relevant circumstances), and
- Provision of equipment and facilities.

The policy does not cover Councillor annual fees as these are set by the Local Government Remuneration Tribunal, however it does address superannuation contributions

For the purpose of this policy, the word Councillor or Councillors is taken to mean the Mayor, the Deputy Mayor and/or other Councillors unless otherwise explicitly stated.

## Principles

Council commits to the following principles:

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

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Effective Date: Xx Month xxxx	V1	Councillor Expenses and Facilities Policy	DOC22/105449	Page 1 of 19
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## Legislative Provisions

This policy is made in accordance with sections 23A, 252 to 254 of the Act, together with clause 403 of the *Local Government (General) Regulation 2005*.

The Act includes requirements that Council must review and adopt a policy within the first 12 months of each term of Council for the payment of expenses and the provision of facilities for the Mayor, the Deputy Mayor and Councillors. Section 252(3) prevents a Council from paying any expenses or providing any facilities otherwise than in accordance with the provisions set out in this policy.

Provision under the Regulation includes those under Clause 403 which disallows the payment of a general expense allowance, and for a vehicle to be made available for the exclusive use of a Councillor other than the Mayor.

### 1. Payment of Expenses

Allowances and reimbursements are for actual expenses incurred upon the presentation of official receipts and the completion of the Reimbursement of Expenses form (Attachment 2 of this policy). This policy does not include provision for general expense allowances. Consideration will be given by the Mayor and the Deputy Mayor to the payment of reasonable expenses associated with the special requirements of Councillors such as disability and access needs to allow performance of normal civic duties.

#### 1.1 Reimbursement and Reconciliation of Expenses

When requested by a Councillor, payment in advance can be made for the cost of service associated with their civic duty. The payment will be reconciled against the actual expense incurred. This reconciliation must be completed within two weeks of the completion of the civic duty. For Councillors, the payment in advance request is to be presented to the Mayor for approval. The Mayor's payment in advance request is to be presented to the Chief Executive Officer.

Reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses, that Councillors incur may be reimbursed upon the presentation of official receipts and the completion of the necessary claim forms to the Mayor. The Mayor's claim forms are to be presented to the Chief Executive Officer.

Incidental expenses could reasonably include refreshments, laundry and dry cleaning, newspapers and parking fees. In addition, the cost of meals not included in the registration fees for conferences or similar functions may be reimbursed after reconciliation. All advanced payments are required to be reconciled with substantiating documentation.

## 1.2 Spouse and Partner Expenses

Spouse and partners expenses at conferences will not be reimbursed.

However, there may be limited instances where certain costs incurred by the Councillor on behalf of their spouse, partner or accompanying person are properly those of the Councillor in the performance of his or her functions (hence they are properly incurred by, and reimbursable to the Councillor). An example of this is an accompanying person providing carer support to the Councillor.

Refer to Attachment 1 of this policy - 'Monetary Limits for Expenses'.

## 2. Superannuation contributions

Under section 254B of the Local Government Act 1993, and by resolution of Council, Councillors are entitled to superannuation contributions. The amount of the payment is to be the amount the council would have been required to contribute under the *Commonwealth Superannuation Guarantee (Administration) Act 1992* as superannuation if the councillors were employees of the council. As of 1 July 2022, the superannuation guarantee rate will be 10.5%. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12%.

The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to councillors. To receive a superannuation contribution payment, each councillor must first nominate a superannuation account for the payment before the end of the month to which the payment relates. The superannuation account nominated by councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth Superannuation Guarantee (Administration) Act applies. Councils must not make a superannuation contribution payment for a councillor if the councillor fails to nominate an eligible superannuation account for the payment before the end of the month to which the payment relates.

Individual councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments. Councillors must do so in writing.

Council **will not** make superannuation contribution payments for councillors during any period in which they are suspended from their civic office or their right to be paid any fee or other remuneration, or expense, is suspended under the Act. Councillors are also not entitled to receive a superannuation contribution payment during any period in which they are not entitled to receive their fee under section 254A of the Act because they are absent.

### 3. Specific Expenses for the Mayor and Councillors

#### 3.1 Travel

All travel by Councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport, subject to any personal medical considerations.

Overseas travel must be approved by a meeting of the full Council prior to a Councillor undertaking the trip. The report to Council should indicate the purpose of the trip and expected benefits, the duration, itinerary and approximate costs of each proposed visit.

Upon returning from the trip, Councillors or an accompanying member of staff will provide a detailed written report to Council.

Council agrees to cover the following expenses and facilities that are associated with work-related travel:

- a. Council will pay actual travelling expenses incurred (airfares, hire car and fuel) and accommodation expenses that are associated with travelling to and from, and during Council approved conferences, seminars, training or business of the Council.
- b. Council will pay actual costs incurred for meals and other incidental expenses when travelling to and from, and during Council approved conferences, seminars, training or business of the Council, subject to the production of satisfactory documentary evidence.
- c. All Councillors are issued with a Cab Charge card for payment of taxi fares for approved Council conferences, seminars, training or business of the Council.
- d. Council will provide a vehicle for Councillor use on authorised, official Council business.
- e. Council will pay Councillors a set allowance for personal vehicle kilometres travelled to official Council business outside the Albury local government area, in accordance with the rates set out in clause 16(x)(i) and Table 2 of Part B of the Local Government (State) Award 2020.
  - The driver is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

#### 3.2 Professional Development Program and Expenses

##### *Statutory requirements*

Part A of the Office of Local Government (OLG) Councillor Induction and Professional Development Guidelines (Guidelines) states;

‘Amendments have been made to the *Local Government Act 1993* (the Act) Section 232 that state a Councillor has ‘responsibility to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor’.

In support of this, Section 23A of the Act now requires councils to provide induction training and ongoing professional development for mayors and councillors.

Under the OLG Guidelines, councils' induction and professional development programs are to consist of three elements:

- **Pre-election candidate sessions**
- **Induction program**
- **Professional development program**

#### *Pre-election candidate sessions*

AlburyCity refers to the OLG Guidelines Part B which provide information about how each council can develop and deliver candidate information sessions.

AlburyCity will hold at a minimum one candidate information session for people considering nominating for election prior to the election. These sessions are to be designed to ensure potential candidates are fully aware and informed of what will be expected of them if they are elected.

#### *Induction Program*

AlburyCity refers to the OLG Guidelines Part C for guidance in the development of the Induction Program which should take place within six months of the new council being elected but after Councillors have completed their Oath or Affirmation of Office.

An Induction Program aims to equip mayors and councillors with the knowledge they need to perform their role effectively over the first few months and long term, and has a particular focus on building positive, collaborative relationships between councillors and with staff.

AlburyCity maintains compliance with the OLG Guidelines recommended content (refer to Appendix E. of the OLG Guidelines) in the development of its Councillor Induction Program. AlburyCity use appropriate expert resources from internal and external 3rd party suppliers for the delivery of the content.

#### *Professional Development*

AlburyCity refers to the Office of Local Government Guidelines Part D which provide information on the development of a robust Councillor Professional Development Program.

A professional development program is any program which involves a deliberate and ongoing process of improving and increasing the professional knowledge, competence, skill and effectiveness of people in the workplace through professional development activities specific to their needs. In local government, an effective professional development program can ensure mayors and councillors fill any skills or knowledge gaps they have that may otherwise prevent them from making the best possible contributions to their communities.

A Professional Development Program is developed in consultation with all councillors and delivered over the term of the council to build the skills, knowledge, and personal attributes necessary to be an effective mayor or councillor.

AlburyCity use appropriate expert resources from internal and external 3rd party suppliers for the delivery of any development programs. A program cycle is annual and aligned to the financial year calendar. The professional development cycle involves:

#### Step 1. Self-assessment

AlburyCity refer to the Local Government NSW 'self-assessment tool' released in 2022 as a capability development framework for elected members. This describes the knowledge, skills and personal attributes needed by mayors and councillors to represent their communities on council and to deliver community outcomes. Self-assessment against this framework is an annual requirement of the AlburyCity professional development cycle undertaken by Councillor's and the Mayor to understand individual learning and development needs

#### Step 2. Identify learning needs

AlburyCity recommend councillors access the LG NSW Mentor Program for Councillors, and schedule time with the CEO to discuss their self-assessment reflections and learning needs. Through this process, priority areas of development can be identified and a variety of learning activities can be brainstormed to meet development needs.

#### Step 3. Develop Professional Development Plan

Drawing on the individuals self-assessed learning needs, an annual professional development plan will be developed by the mayor and each councillor to address any gaps in the capabilities (i.e. the knowledge, skills and attributes) needed to effectively fulfil their role through identified professional development activities. AlburyCity will provide a Professional Development Plan template modelled from LG NSW. The Mayor and councillors are expected to complete all the activities they include in their professional development plan.

Professional Development Plans are discussed with the CEO and submitted for review and endorsement where council training budget is to be used.

#### *Reporting Requirement*

Mayors and councillors are ultimately accountable to the community that elects them for the performance of their duties. To facilitate this accountability, councils are required under the Regulation to report each year in their annual reports on the participation of the mayor and each councillor in the induction and professional development program during that year.

The information to be reported includes:

- the name of the mayor and each individual councillor that completed council's induction program (where an induction program has been delivered during the relevant year)
- the name of the mayor and each councillor who participated in any ongoing professional development program during the year
- the number of training and other activities provided to the mayor and councillors during the year as part of a professional development program, and

- the total cost of induction and professional development activities and any other training provided to the mayor and councillors during the relevant year.

#### *Budget Requirements*

AlburyCity will allocate a budget that supports induction and professional development activities to be undertaken across the entire Council term. A term-based budget (as opposed to an annual budget) accounts for higher expenditure in Year 1 due to induction and increased training requirements for new councillors, and will be expected to taper off as the councillor term nears completion.

Progress against expenditure of the budget allocation will be reported on a quarterly basis as part of the budgetary cycle. The delivery program financial estimates and the Long-Term Financial Plan will reflect the varying training and development budget requirements over the term of the council of individual Councillors and the Mayor.

Councillors can undertake any professional development outside of the council budget allocation at their own expense and discretion. Council will not pay for any expenses related to formal education, for example, TAFE or university courses where this does not relate to the role of a Councillor. All Councillor requests for training are to be presented to the Chief Executive Officer for approval.

### **3.3 Attendance at Dinners and other Non-Council Functions**

Consideration may be given at a full Council meeting to meeting the cost of Councillors attendance at dinners and other non-Council functions which provide briefings to Councillors from key members of the community, politicians and business. Approval to meet expenses should only be given when the function is relevant to the Council's interest. Only the cost of the service provided should be met.

No payment should be reimbursed for any component of a ticket that is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit. An additional payment to a registered charity may be acceptable as part of the cost of the function.

The cost of attending fundraising activities of political parties will not be met.

### **3.4 Civic Duty Related to Matters of a Community or Charitable Nature**

When Councillor's spouses/partners are invited guests within the local government area or a neighbouring local government area and the Mayor or Council is invited to host a table at a dinner or similar event, for fundraising, community or charitable purposes, attendance costs for Councillors and their spouses/partners will be paid by Council. Individual Councillor requests for specific events must be approved by the Mayor (or the Deputy Mayor in the Mayor's absence).

### 3.5 Printer Expenses

Council will print Council related documents on request on Council's economical laser printers and forward to Councillors. A printer is also provided in the Councillor Office.

### 3.6 Care and Other Related Expenses

Council will pay carer expenses when a Councillor is required to attend meetings, seminars, training and conferences of the Council, where such attendance is in the course of the Councillor performing their civic duties. This includes childcare expenses and the care of the elderly, disabled and/or sick immediate family members of Councillors.

Consideration will be given to payment of other related expenses associated with the special requirements of Councillors, such as disability and access needs, to allow them to perform their normal civic duties and responsibilities.

Councillors' reimbursement requests for carer expenses are to be provided to the Mayor, or to the Chief Executive Officer for the Mayor.

### 3.7 Executive Membership

Council expects that expenses incurred as a result of a Councillor being an executive member of a local government related group or association are met by that entity.

Council will pay expenses directly incurred by the Councillor over and above the amount paid for by the entity in accordance with this policy.

### 3.8 Approval Arrangements

Councillor attendance at conferences will be approved jointly by the Mayor and the Chief Executive Officer based on the following criteria:

- benefit of conference to the Council and community;
- appropriateness of attendance by Councillors;
- costs involved in attendance at the conference, including travel; and
- the number of Councillors (if any) to attend.

If approval is sought by the Mayor, then approval may be given jointly by the Deputy Mayor or another Councillor and the Chief Executive Officer.

The Executive Support Team will provide information about forthcoming conferences relevant to local government to all Councillors. The Mayor, Deputy Mayor and **two** other Councillors (**4** Council **voting** delegates in total) will represent Council at the annual Local Government NSW Conference.



Each Councillor who attends a conference is to provide a separate report to Council for noting, however, no report is required for Local Government NSW annual conferences. Executive Support Staff will provide a report to Council every six months (in the months of February and July) on conference attendance by Councillors. This report will include conference name, dates, Councillors attending, costs of the conference, accommodation and travel.

Travel and accommodation for Councillors for Council approved business will be arranged, and wherever possible payment made, by the Executive Support Team. Council will book accommodation at the conference/function venue where possible, or reasonably close to the venue.

Expenses incurred outside this policy will only be approved by Council resolution (with the individual Councillor the subject of the expenses to be excluded from the vote).

Disputed reimbursements or payments are to be reviewed by a full Council Meeting that is open to the public.

Reimbursement of reasonable expenses to Councillors is to be approved by the Mayor or Chief Executive Officer in accordance with this policy.

Reimbursement of reasonable expenses to the Mayor is to be approved by the Chief Executive Officer in accordance with this policy.

Reimbursement should be sought within two weeks of incurring the expenses.

Refer to Attachment 1 of this policy - 'Monetary Limits for Expenses'.

#### **4. Insurances and Councillor Obligations**

Council maintains insurance policies which extend benefits to Councillors where they are engaged in or on any activity directly or indirectly connected with Council including travelling to and from such activity. These insurances are:

##### **4.1 Personal Accident Insurance**

This insurance provides some conditional coverage for Councillors and their accompanying partners for:

- personal accident (specifically provisions for lump sum payments and weekly benefits);
- payment of indirect medical related expenses not covered by Medicare or private health;

- payment of additional expenses such as cancellation and curtailment fees; and
- travel (domestic and overseas) including general loss of personal and business property, overseas medical expenses and other incidental travel related issues.

#### **4.2 Motor Vehicle Insurance**

This insurance provides some conditional coverage for damage to privately owned vehicles whilst being used on authorised and official Council business. The cover offered is on the following basis:

- the cover applies to vehicles owned by Councillors and their spouses only and not registered to any other entity;
- in all cases, claims for damage involving personal vehicles must first be lodged on the owner's personal motor vehicle insurance policy; and
- the benefits payable under this policy are capped at not more than \$75,000 for the privately owned vehicle.

#### **4.3 Councillors Liability**

This insurance provides some conditional coverage for Councillors against claims they have committed a wrongful act resulting in harm or damage to a third party when acting in good faith in the course of their duties for Council.

This includes personal financial loss associated with defamation proceedings, the costs of attending formal statutory inquiries (such as the Independent Commission Against Corruption) and general claims or prosecutions of breach of duty or corruption, legal defence costs, the costs of properly investigating any allegations as well as the financial cost of any judgement or settlement made against the insured person.

Councillors shall notify the Chief Executive Officer as soon as reasonably practicable of any intention to make a claim or incur any legal or other expenses under Council's insurance policies.

### **5. Legal Expenses and Obligations**

The reasonable legal expenses of a Councillor may only be met for legal proceedings being taken against a Councillor in defending an action arising from the performance in good faith of a function under the Act or any other Act (as per section 731 of the Act) or defending an action of defamation, provided that the outcome of the legal proceedings is favourable to the Councillor.

Reasonable legal costs will also be available for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including:

- i. Local Government Pecuniary Interest and Disciplinary Tribunal
- ii. Independent Commission Against Corruption
- iii. Office of the NSW Ombudsman
- iv. Office of Local Government, Department of Premier and Cabinet
- v. NSW Police Force
- vi. Director of Public Prosecutions
- vii. Council's Conduct Review Committee/Reviewer.

In addition, legal costs may 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.

In the event of any dispute as to whether specific expenses are covered by this policy, a decision will be made by Council, in its absolute discretion, by resolution of Council (with the individual Councillor the subject of the expenses to be excluded from the vote).

Any reimbursement of costs to a Councillor will be capped at the amount specified in the Councillors liability insurance policy and the claim approved by the insurer. Should any costs be incurred in excess of these amounts Council may, in its absolute discretion, approve payment by resolution of Council (with the individual Councillor the subject of the expenses to be excluded from the vote).

Council will not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.

Council will not meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Legal costs will not be met for legal proceedings that do not involve a Councillor performing their role as Councillor.

Where doubt arises in relation to any of these points of the policy, the Council may seek its own legal advice.

Councillors shall inform the Mayor and the Chief Executive Officer of their intention to lodge a claim for expenses relating to legal expenses.

## 6. Provision of Facilities

Council facilities, equipment and services are not to be used to produce election material or for any other political purposes. Councillors should not obtain more than incidental private benefit from the provision of equipment and facilities. Travel bonuses such as 'frequent flyer' schemes or any other loyalty programs are not to be used while on Council business. Any benefits obtained whilst on Council business remain the property of AlburyCity and are not to be used in private circumstances.

In situations where private use (beyond an incidental amount) of facilities occurs, Council will establish a suitable rate for the reconciliation and reimbursement by Councillors of that private use.

### 6.1 Provision of Equipment and Facilities for Councillors

Council provides the following equipment and facilities to Councillors:

- a. Access to an office adjoining the Council Chambers, which contains office furniture, a telephone (for local and national calls only), computer, printer, fax machine and photocopier.
- b. A tablet computer in accordance with Council's IT platform standards and monthly data allowance to support Councillor needs in order to undertake Council business. Costs of any data usage over this limit will be required to be met by the relevant Councillor. Usage of IT equipment supplied by Council is in accordance with Council's IT policies, including:
  - i. IT Acceptable Use Policy
  - ii. Communication and Data Device Policy
  - iii. Blogging and Social Networking Policy
  - iv. Copyright and Intellectual Property Policy
- c. A smart phone, if requested, in accordance with Council's IT platform standards and monthly data and call allowance to support Councillor needs in order to undertake Council business. Costs of any data and call usage over this limit will be required to be met by the relevant Councillor. Where a Councillor chooses to use their own mobile phone, the Councillor will be provided with an additional monthly allowance to cover call costs. Usage of IT equipment supplied by Council is in accordance with Council's IT policies including those listed in 7.1(b).
- d. Business cards and Councillor letterhead, if requested.
- e. Vehicle parking in the basement for the use of Councillors.
- f. Meals on evenings of Council meetings, Community Forums and Councillor Workshops.
- g. Appropriate protective clothing and equipment when Councillors are required to go onto work sites as part of their civic duty.
- h. Councillors travelling overseas at their own expense are eligible for reimbursement of internet access costs for Council related matters only, up to an amount equivalent to

the monthly data allowance. For telephone calls, Councillors will be reimbursed for communication costs associated with Council business only. Councillors shall seek IT advice prior to travel, if it is intended to seek reimbursement. International roaming is not available on Council supplied communications and IT equipment.

## **6.2 Provision of Additional Equipment and Facilities for the Mayor**

Council will provide the Mayor:

- a. an office in the Council administration building;
- b. secretarial support, including telephone and reception duties, word processing, organisation of receptions including catering, preparation of speeches, media releases and correspondence;
- c. a Mayoral reception suite for the purposes of conducting civic receptions for visiting dignitaries. The suite contains office furniture, a television and electronic recording media;
- d. an executive-style vehicle for use associated with approved Council business. The vehicle may also be used by the Mayor for private purposes. In this regard, any such private use will be in accordance with AlburyCity's Motor Vehicle Policy and Motor Vehicle Private Lease Back Terms and Conditions. Private use other than incidental private use will be determined by recorded log book and provided to Council's Governance section each month or as required. The cost of any private fuel will be reimbursed to Council by the Mayor directly or by way of reduction in the monthly Mayoral allowance. Other Councillors may use the Mayoral vehicle while on approved Council business. A dedicated vehicle parking space in the basement is provided for the Mayoral vehicle;
- e. ceremonial clothing including Mayoral robes, and chains of office;
- f. a corporate credit card to be used only for Council-related business to a maximum value of \$5000; and
- g. airport lounge membership.

The Deputy Mayor is entitled to an additional fee when acting in the office of the Mayor. The fee will be the equivalent daily rate payable to the Mayor and will be deducted from the Mayor's annual fee.

## **6.3 Access to IT Assistance and Support**

In the case of Councillors requiring assistance or support within business hours, contact should be made with the Chief Executive Officer or Executive Support team to arrange assistance. Outside normal business hours, contact should be made with the Chief Executive Officer. Assistance will be provided remotely where possible, however may require a device to be brought into the Council office.

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

In accordance with the Code of Conduct, Council equipment and facilities must not be used for private purposes unless lawfully authorised by the Mayor (for Councillors) or the Council (for the Mayor) and proper payment is made where appropriate. An appropriate commercial rate will be determined depending on the equipment being used.

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 compensatory payment.

The interest of a Councillor in their re-election is considered to be a personal interest and as such the reimbursement of travel and other expenses incurred on election matters is not appropriate. Council letterhead, Council crest and logo and other information that could give the impression it is official Council material must not be used for these purposes.

## **7. Advisory Services of a Conduct Reviewer**

There may be times when Councillors would benefit from obtaining independent, confidential advice about Code of Conduct issues, particularly in regard to conflicts of interest. Councillors can access the informal advisory service of the nominated Conduct Reviewer by telephone. Council will select this nominated Conduct Reviewer for the term of the Council from the Council's Panel of Conduct Reviewers.

Councillors will not need to seek approval of the Mayor or the Chief Executive Officer to use the service. To provide a transparent audit trail the invoice to Council will note the name of the Councillor. The content will not be noted.

When the annual Code of Conduct statistics report is provided to Council the number of times this advisory service had been used will be reported to Council along with the cost. The service will be provided at the reviewer's advertised hourly rates, or pro rata where applicable.

## **8. Recognition of Councillor service**

To recognise Councillor Service, the Chief Executive Officer may apply to Local Government NSW to grant an award for long-serving elected member as follows.

Presentation of awards shall take place at either the last Council meeting of the Council prior to a local government general election, or at a Council meeting which is convenient to Council and the award recipient. Where the departure from Council is as a result of an election, the attendance at and the timing of the formal presentation will be set at a time convenient to Council and the award recipient.

## 8.1 Recognition of Outstanding Service

A Certificate of Service to acknowledge the work of retiring or long-serving elected members.

### ***Eligibility criteria***

Long and loyal service and notable contribution to a local government and/or the local government sector.

### ***Description of award***

A rhodium medal featuring LGNSW's logo with the recipient's name and the year of presentation engraved on the reverse side, presented in an embossed presentation case.

### ***Value of award***

\$330 including GST.

## 8.2 Merit award

A Merit Award acknowledges the work of retiring or long-serving elected members.

### ***Eligibility criteria***

- Retired elected members who have completed two terms (eight years).
- Currently serving elected members who have completed three terms (twelve years).
- Committed and dedicated to the pursuit of achievement for the community of a local government.

### ***Description of award***

A4 certificate presented in a black frame.

### ***Value of award***

\$120 including GST.

## 8.3 LGNSW medal

### ***Eligibility criteria***

Exceptional service, outstanding achievement and/or significant contributions which advance the goals of the local government sector; or personal contributions given in pursuit of benefits for the community within the concept of local government.

### ***Description of award***

Medal

### ***Value of award***

\$440 including GST.

## 9. Acquisition and Returning of Facilities and Equipment by Councillors

Upon completion of their term, when on extended leave of absence or at the cessation of their civic duties, all Council provided equipment is to be returned by Councillors, and access to the Councillor facilities will no longer be available.

Councillors have the option to purchase Council IT equipment previously allocated to them at the cessation of their duties. This will be at a fair market price determined by the Chief Executive Officer. Any devices purchased or returned will be wiped to Council's security standards.

Where the residual value on a particular piece of equipment is determined to be zero, the equipment may be retained by the Councillor for no cost at the cessation of their duties. Any ongoing costs incurred in using such equipment will be met by the Councillor.

Upon the election of a new Mayor, the outgoing Mayor will retain access to all the nominated equipment and facilities applicable for Councillors. All Mayoral equipment is to be returned to Council and access to the Mayoral facilities will no longer be available.

## Documentation

### Reference Documents

- *Local Government Act 1993* – sections 23A, 252-254.
- *Local Government (General) Regulation 2005* – clause 217, clause 403.
- *Local Government (State) Award 2020*

### Relevant Government Policy

- Office of Local Government (OLG) *Guidelines for payment of expenses and provision of facilities for Mayors and Councillors in NSW* – October 2009, and OLG Councillor Expenses and Facilities Policy Suggested Template
- Relevant ICAC Publications including 'No Excuse for Misuse'
- OLG Circular 05/08 'Legal Assistance for Councillors and Council Employees'
- OLG Circular 17/17 'Findings from review of councillor expenses and facilities policies'
- OLG Circular 22/04 'Payment of councillor superannuation'

### Relevant Council Policy/Registers

- Delegations of Authority.
- Code of Conduct

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Effective Date: Xx Month xxxx	V1	Councillor Expenses and Facilities Policy	DOC22/105449	Page 16 of 19
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- Councillors Gift Register – all gifts must be reported to the Executive Support Team for inclusion in the Councillors Gift Register. For further information refer to AlburyCity Code of Conduct.

## Administrative processes

### Policy Review Requirements

Within the first 12 months of each term, Council must adopt this policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to Councillors in relation to discharging the functions of civic office. Council may amend the policy at any time under section 252 of the *Local Government Act 1993* (the Act).

Council must give public notice of its intention to adopt or amend the policy allowing at least 28 days for the making of public submissions. Before adopting or amending the policy, Council must consider any submissions made during the notice period and make any appropriate changes to the draft policy or amendment.

Council need not give public notice of a proposed amendment to the policy if it considers the proposed amendment is not substantial.

Council must comply with the above requirements when proposing to adopt a policy in accordance with Section 252 (1) of the Act even if Council proposes to adopt a policy that is the same as the existing policy.

### Reporting Requirements

Council's annual report includes a website link to this policy.

The annual report is to include the following information:

- a. details (including the purpose) of overseas visits undertaken during the year by Councillors, Council staff or other persons while representing the Council (including visits sponsored by other organisations);
- b. details of the total cost during the year of the payment of expenses and the provision of facilities to Councillors in relation to their civic functions (as paid by the Council, reimbursed to the Councillors or reconciled with the Councillors). Separate details are to be included for the total cost of each of the following:

- i. provision during the year of dedicated equipment allocated to Councillors; such as tablet computers, mobile telephones (including equipment and internet access costs);
  - ii. telephone costs from mobile telephones provided by the Council;
  - iii. attendance of Councillors at conferences and seminars, and any spouse/partner/accompanying person expenses paid;
  - iv. training of Councillors and the provision of skill development for Councillors;
  - v. interstate visits undertaken during the year by Councillors while representing the Council, including the cost of transport, accommodation and other out-of-pocket travelling expenses. Travel to surrounding Councils in Victoria would be considered local travel;
  - vi. overseas visits undertaken during the year by Councillors while representing the Council, including the cost of transport, accommodation and other out-of-pocket travelling expenses;
  - vii. expenses of any spouse, partner or other approved person who accompanied a Councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for payment of expenses and provision of facilities for Mayors and Councillors in NSW* prepared by the Chief Executive (Office of Local Government); and
  - viii. expenses involved in the provision of care for a child of, or an immediate family member of a Councillor, to allow the Councillor to undertake his or her civic functions; and
  - ix. any other significant expenses.
- c. Councillor attendance at section 355 Committee meetings and Council meetings.

## Authorisation

<b>Owner</b>	<b>Directorate</b>	People and Culture – Governance and Executive Support
	<b>Responsible Officer</b>	Team Leader Governance and Executive Support
<b>Authorisation</b>	Council endorsement for public exhibition 23 May 2022	
<b>Review Date</b>	~ <b>September 2024</b> (within first 12 months of a new Council term)	
<b>Register</b>	This policy is included in the Public Policy and Procedure Register.	
<b>Record of Amendments</b>	28 September 2009	Revised by Council – annual review in accordance with the Local Government Act.
	28 June 2010	Revised by Council – annual review in accordance with the Local Government Act.
	November 2010	Revised after public exhibition late 2010 and adopted at Council Meeting.
	September 2011	Revised after public exhibition and adopted by Council. Reimbursement of Expenses Form is an attachment to this Policy.
	26 November 2012	Revised after public exhibition and adopted by Council
	28 October 2013	Placed on public exhibition prior to adoption by Council
	27 October 2014	Placed on public exhibition prior to adoption by Council
	6 February 2017	Placed on public exhibition prior to adoption by Council
	12 April 2021	Placed on public exhibition prior to adoption by Council
	23 May 2022	Council endorsement for public exhibition

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Effective Date: Xx Month xxxx	V1	Councillor Expenses and Facilities Policy	DOC22/105449	Page 19 of 19
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