



Glamorgan Spring Bay Council

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# **Councillor Allowances & Expense Reimbursement Policy**

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## Document Control

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<b>Related policies</b>	<ul style="list-style-type: none"><li>• <i>Local Government Act 1993</i></li><li>• <i>Local Government (General) Regulations 2015</i></li><li>• Councillor Allowances Information Sheet (LGAT)</li><li>• Australian Tax Office (TD 2017/19)</li><li>• Use of Electronic Devices Policy</li></ul>
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# 1 Introduction

## 1.1 Purpose

This policy aims to provide a clear framework around Councillor allowances in accordance with the legislative requirement for a policy under Schedule 5 of the *Local Government Act (Tas) 1993* and entitlement to expense reimbursement.

## 1.2 Objectives

The objective of this policy is to:

- Ensure prescribed allowances are compliant under the *Local Government Act 1993 (Tas)* and under Schedule 4 of the *Local Government (General Regulations) 2015 (Tas)* and;
- Ensure expenses claimed for reimbursement are appropriate for the support of Councillors in fulfilling their duties of office.

## 1.3 Scope

This Policy applies to current standing Councillors who have been elected to the Glamorgan Spring Bay Council and applies to assist them with discharge of duties relevant to the role of Councillor.

## 1.4 Definitions

**Dependent:** A person can be considered your dependant if they meet the criteria for one of the categories below:

- your spouse
- your child
- any other person you are in an interdependent relationship with
- a person who is substantially financially dependent on you.

## 1.5 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as legislation, including:

- *Local Government Act 1993 (Tas)*
- *Local Government (General) Regulations 2015 (Tas)*
- Councillor Allowances Information Sheet 21 October 2020 (LGAT)
- Australian Tax Office (TD 2017/19)
- Glamorgan Spring Bay Council - Use of Electronic Devices Policy

## 1.6 Policy Review and Update Cycle

This policy is to be reviewed every four years or as required.

## 2 Policy

### 2.1 Councillor Allowances

Councillor allowances consist of a Prescribed Allowance, provision of communication devices and insurances to assist in the performance of their duties at Council.

#### 2.1.1 Prescribed Allowances

Council shall pay allowances for elected members in accordance with Regulation 42 and Schedule 4 of the *Local Government (General) Regulations 2015* for them to perform their duties

Allowances will be paid on a monthly (in arrears) basis as per Regulation 42(3) of the *Local Government (General) Regulations 2015* and Section 340A (2A) of the *Local Government Act 1993*.

Regulation 42(2A) of the *Local Government (General) Regulations 2015* states if a Deputy Mayor is appointed to act in the role of Mayor for a period of 4 consecutive weeks or more, the Deputy Mayor is entitled to receive, for that period, the allowance payable to the Mayor.

A Councillor may determine not to receive all or part of a prescribed allowance. Notification of such a decision is to be provided in writing to the General Manager as per Section 340A (3) (4) of the *Local Government Act 1993*.

#### 2.1.2 Communication Devices

The Mayor, if requested, will be provided with a mobile phone for the purpose of discharging the Council functions of Mayor. Whilst the phone is for Council related activity, reasonable personal use of the phone is allowable, and excess use will be monitored in line with all Council mobile phones usage.

If travelling overseas the Mayor is requested to put appropriate measures in place to avoid excessive Council related phone costs and arrangements shall be agreed with the General Manager. The phone provided to the Mayor is to be returned to Council at the conclusion of his/her term of office.

Councillors can be provided with a mobile phone number (SIM chip) that can be used in their own personal phone handset device. The mobile number and associated phone bill will be paid for by Council and is for the purpose of discharging the functions of a Councillor. The mobile number (SIM chip) provided is to be returned to Council at the conclusions of his/her term of office.

Councillors will be provided with a laptop and internet access device. This equipment is to be used for the purpose of discharging the functions of a Councillor and are to be used in accordance with Council's Use of Electronic Devices Policy and other relevant Council policies. The laptop and internet access device are to be returned to Council at the conclusion of a Councillors term of office.

Laptop and internet equipment will be updated from time to time as part of the Council IT fleet and Councillors must ensure the security and currency of the hardware and software is maintained.

Information technology support will be provided for all Council equipment. This includes remote login and phone support, includes updates of security. Council IT support is not required to support personal devices.

### 2.1.3 Insurance

Council will provide the following insurance cover for all Councillors, for liability arising out of or in the course of carrying out the function of a Councillor:

- Personal Accident / Injury Insurance
- Workers Compensation Insurance
- Directors and Officers Insurance
- Fidelity Guarantee Insurance
- Business Travel Insurance (conditions apply)
- Motor Vehicle Insurance on Council fleet cars (Councillors must insure their own private vehicles)

## 2.2 Reimbursement Claims for Expenses

Councillors are entitled to be reimbursed for the following expenses under Section 43 of the *Local Government (General) Regulations 2015*. Such expenses must be exclusively for Council business and be incurred by and for the claimant only.

### **43. Expenses for councillors**

*A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under Schedule 5 to the Act in relation to –*

- (a) telephone rental, telephone calls and use of the internet; and*
- (b) travelling; and*
- (c) care of any person who is dependent on the councillor and who requires the care while the councillor is carrying out his or her duties or functions as a councillor; and*
- (d) stationery and office supplies.*

Claims for reimbursement of out-of-pocket expenses incurred in accordance with this policy shall be made to the General Manager not later than three (3) months after the expense has been incurred and shall be submitted on the *reimbursement claim form* (attached). Claims are preferred on a monthly basis. Claims older than three (3) months will only be accepted at the discretion of the General Manager.

Where, in the opinion of the General Manager, a question arises as to whether a claim for reimbursement of expenses is eligible under this policy, or the claim appears unreasonable or does not serve the interests of Council, the General Manager shall refer the matter to Council in closed session for decision and policy guidance.

A Councillor shall not claim travel or other expenses where the expense would otherwise have been incurred as a result of private business.

### 2.2.1 Meal & Accommodation Expenses

A meal expense is claimable for reimbursement for the following situations

- When attending Council business such as a conference, function or event.
- For attendance at meetings of Council, Council Workshops or meetings of any committee of Council, which commences after 5pm, an evening meal can be claimed.

- When attending a Council event that requires overnight stay and meals are not provided at the venue.

Meal expenses will be reimbursed upon presentation of a claim for payment on the prescribed claim form, up to the following values:

- Breakfast \$30.00
- Lunch \$35.00
- Dinner \$60.00

Meal allowances exclude alcoholic beverages.

Accommodation expenses required for Council business will be arranged and paid for by Council. Where meals are provided at the accommodation, it is preferred that meals are taken at the accommodation venue. Where this is unreasonable, and at the discretion of the General Manager, the meal allowance will apply. No incidental costs are paid for overnight stays, if claimed.

### 2.2.2 Use of Vehicles & Travelling Expenses

The Mayor will be provided with a Council vehicle for the purpose of undertaking the duties of Mayor.

Councillors may arrange to use the Mayor's vehicle if required to attend meetings, seminars, function on behalf of the Council subject to availability. Arrangements for the use of the Mayor's vehicle are to be made with the Mayor. All policies adopted by Council in relation to use of Council vehicles apply to Councillors when driving Council vehicles.

Travel expense claims shall only be for kilometres incurred relevant to Council business and adjustments must be made for non-Council business kilometres. The travel allowance payable will be at the Australian Tax Office rate per kilometre x valid kilometres claimed.

Standard Travel Distances (Guide Only):

<b>Glamorgan Spring Bay – Travel Allowance Claim Distance (Km's)</b>						
	<b>Bicheno</b>	<b>Coles Bay</b>	<b>Swansea</b>	<b>Triabunna</b>	<b>Orford</b>	<b>Buckland</b>
<b>Bicheno</b>	-	38	44	93	99	117
<b>Coles Bay</b>	38	-	59	108	115	132
<b>Swansea</b>	44	59	-	49	56	73
<b>Triabunna</b>	93	108	49	-	7	24
<b>Orford</b>	99	115	56	7	-	17
<b>Buckland</b>	117	132	73	24	17	-
<b>Hobart</b>	177	194	135	86	79	62
<b>Launceston</b>	160	175	136	186	193	172

### 2.2.3 Dependent Person Care Expenses

Council will reimburse a Councillor for necessary, reasonable expenses incurred in carrying out the duties of office in relation to care of any dependent that the Councillor cannot perform themselves due to Council duties.

Reimbursements made will be net of any entitlement to government subsidies, such as childcare.

At the General Manager's discretion, a contribution towards childcare expenses may be paid at an hourly rate of up to \$20/hour when no licensed provider is available (evenings for example).

Dependent person expenses are not eligible for reimbursement if the payment for that care is made to a person who normally or regularly lives with the Councillor or is a member of the Councillor's family.

All claims must detail the date and time care was provided, the business of Council that it related to, and attach a receipt or invoice from the provider (whether licensed or unlicensed).

#### 2.2.4 Facilities and Administrative Expenses

The Mayor is to be provided with a dedicated office for the carrying out of his/her duties as Mayor. Councillors are permitted to use the Mayor's office and telephone for calls and appointments in discharging the function of a Councillor subject to availability as advised by the Mayor.

Council will provide Councillors with administrative support in relation to discharging the function of a Councillor including provision of business cards and magnetic name tags of the same quality and design provided to Council staff, postage, journals, diaries, stationery, etc to assist in discharging the functions of a Councillor. Requests are to be submitted to the General Manager.

Where all meeting materials are provided in electronic format to Councillors prior to each meeting or workshop, hard copies can also be provided of any document on request with reasonable notice to the General Manager.

A small black and white desktop printer can be supplied to a Councillor by Council if requested to assist to self-manage printing tasks. Associated toner and paper will be provided by Council. The printer is to be returned to Council at the conclusions of the Councillors term of office.

#### 2.2.5 Conferences & Seminar Expenses

The Council encourages Councillors to attend conferences, seminars and training relevant to Local Government. When held within Tasmania, Councillors are encouraged to attend at least one relevant training session or forum annually which is hosted by an approved organisation. Attendance at such training or forums must be approved by the Mayor and is subject to budget availability.

The Council supports the practice of the Mayor and General Manager attending the LGAT Annual Conference annually.

Attendance at any other conference, seminar or training outside of Tasmania requires a resolution of Council.

The Council will pay on behalf of Councillors registration and out-of-pocket expenses, other than those paid in accordance with this policy, in respect of attendance at any seminar or conference, in compliance with a resolution or policy of Council and/or Clause 2.10.1 of this Policy.

#### 2.2.6 Functions & Events Expenses

Council may cover reasonable out of pocket expenses for attendance to functions or events to which either:

- a) The Mayor is invited to represent Council; or

- b) One or more Councillors are appointed by the Mayor to attend on behalf of Council; or
- c) All Councillors are invited to attend in an official capacity, subject to the discretion of the Mayor.

#### 2.2.7 Partners Expenses

Where additional costs are incurred for the Mayor and/or Councillor's partners to attend functions, dinners, events or similar, these costs will be at the personal expense of the Councillor and their partner. For practicality in booking arrangements, this may be undertaken by deduction from the Councillor's allowance.

#### 2.2.8 Privacy and Transparency

The total expenses claimed by each Councillor will be published in the Annual Report of Council. The total expense figure will include expenses claimed in accordance with this Policy. This Policy serves as a public document to provide an open and fair framework of expense and allowance entitlements within which Councillors are entitled to claim.

### 3 Implementation

Implementation of this Policy rests with the General Manager.

### 4 Attachments

- Reimbursement claim form

