



# Policy

---

## **PAYMENT OF COUNCILLOR ALLOWANCES, EXPENSES AND THE PROVISION OF FACILITIES POLICY**

Responsible Officer: GENERAL MANAGER

Date: 19 September 2023

Review Date: 19 September 2027

---



KING ISLAND COUNCIL

## 1. Purpose

---

- 1.1** This policy aims to provide clear expectations in relation to support and reimbursement of expenses available to Councillors and to avoid confusion in relation to the claiming of expenses and access to facilities.

It seeks to ensure accountability and transparency in relation to expenses claimable by Councillors and is consistent with the requirements of all Councillors under Council's Councillors Code of Conduct, Entertainment Expenses and Travel Expenses policies.

## 2. Background

---

### 2.1 Compliance Obligations

Section 340A of the Act entitles councillors to allowances as prescribed in the regulations.

Regulation 42(2) of the Regulations specifies the allowances payable to councillors, mayors and deputy mayors following the last review in 2008. The allowances payable from 1 November 2014 are set out in Schedule 4 of the Regulations.

Regulation 42(2) establishes an indexation process so that allowances are adjusted from 1 November each year.

Regulation 43 enables councillors to be reimbursed for reasonable expenses in relation to telephone and internet usage, travelling, stationery and office supplies, as well as *'the 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'* in accordance with Council's policy under Schedule 5 of the Act.

Section 72(1)(cb) of the Act requires Council to include in its annual report, a statement of the total allowances and expenses paid to the mayor, deputy mayor and councillors.

### 2.2 Legislation

This policy articulates Council's determination of payment of expenses and allowances as well as provision of facilities to elected members as provided for in Schedule 5 of the *Local Government Act 1993* [Tas] (the Act) and within *Local Government (General) Regulations 2015* [Tas] (the Regulations) and their subsequent amendments.



KING ISLAND COUNCIL

## 3. Policy

---

### 3.1 Policy Statement

#### Councillor Allowances

Council shall pay the annual allowance in accordance with Schedule 5 of the Act. This shall be payable monthly in arrears by electronic transfer.

The Mayor and Deputy Mayor are entitled to allowances in addition to those payable to them as Councillors. Where the Deputy Mayor is appointed to act in the role of Mayor for four consecutive weeks or more, the Deputy will be paid the mayoral allowance in lieu of the deputy mayoral allowance.

The annual allowance shall be such amount as may be determined from time to time by the Local Government Elected Members Allowances Board of Inquiry.

Section 340A(3) of the Act enables a Councillor, Mayor or Deputy Mayor to decide not to receive part or all of an allowance. Where this prerogative is exercised, the General Manager is to be notified in writing. As the allowances are annual allowances, payable monthly or fortnightly in arrears, any such notification is not revokable retrospectively.

#### Travelling Expenses

Travel expenses are expenses incurred in the course of authorised work-related travel. They include accommodation, transport, meals and expenses incidental to travel. Please refer to Council's Travel Expenses Policy for more detailed information.

Council will pay to, or on behalf of Councillors, a reimbursement of necessary out of pocket travel expenses, when supported by tax invoice and/or log books as appropriate, incurred when discharging their function as a Councillor. This covers travel:

- to and from meetings Council meetings or meetings of any committee of Council, or any other function or meeting that is arranged by, or is attended as, a duly authorised representative of Council;
- upon approved business of Council outside the King Island municipality;
- to and from meetings of the Local Government Association of Tasmania, TasWater, or to any municipal organisations to which Council sends a delegate; and
- to and from any seminar/ conference in compliance with a resolution of Council.



KING ISLAND COUNCIL

The above shall not apply to travel where alternative arrangements are made for travel.

Mileage claims for the use of a private vehicle will be paid at the Australian Tax Office (ATO) rate under the cents-per-kilometre method. Council will review and align vehicle mileage rates to the current ATO rates on an annual basis.

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

A claim for reimbursement of vehicle travelling expenses must be made on the approved form and must contain sufficient details of each trip to justify reimbursement under this Policy. Minimum details required are:

- Date of travel;
- Start and End kilometres;
- Total kilometres travelled;
- Purpose (refer to dot points in paragraph 1 – Travelling Expenses); and
- Driver's name.

#### For travel outside the municipality of King Island

Council will meet the cost of commercial airfares and hire car expenses for travel that is approved under this Policy.

Where a Councillor chooses another mode of transport, Council will subsidise out of pocket expenses. This will be determined as the lesser amount of:

- The actual costs incurred, or
- an amount up to the equivalent cost of the typical mode of transport Council would have arranged in the circumstances, including commercial air travel, private car kilometre rates as provided, or hire car expenses.

When costs or circumstances justify, Council may authorise an aircraft charter for transport to legitimate Council business as covered in this Policy. Council will meet the cost of such travel. When considering aircraft charter, Council will be guided by its assessment of risk and bound by the terms of its relevant insurance policies.

#### Accommodation and Meal Expenses

Where it is necessary for a Councillor to stay overnight in the course of Council business authorised under this Policy, Council will provide overnight accommodation and meet the cost of meals and other out of pocket expenses.

Councillors must complete a claim form, substantiated by receipts and/or tax invoice/s for the expenses incurred.



KING ISLAND COUNCIL

Where documentation by way of receipts and/or tax invoice/s is not readily available for meals and incidental expenses the following limits as derived from the current year's Taxation Determination shall apply.

These amounts are amended annually in which case the Determination applicable at the time of claim will apply.

Council will meet the reasonable cost of travel to and from the airport and venues within the destination city as well as highway road tolls.

For Council-sponsored dinners, receptions or similar organised functions within the municipality, Council will meet the actual cost of meals for the Councillor. Please refer to Council's Entertainment Expenses Policy for more information and further detail.

#### Carer Expenses

Upon presentation of a claim form supported by a relevant tax invoice, the Council will reimburse a Councillor for the cost of reasonable care by a registered carer *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.* This includes any child or adult person under the legal care of the Councillor when alternative care is necessitated by the Councillor carrying out activities approved under this Policy.

#### Provision of support for electronic devices

If any Councillor wishes to use personal electronic devices and tablets to receive Council papers and documents, Council will provide a small budget to cover the purchase of relevant applications or software (apps) to assist Councillors to administer and notate electronic papers and documents.

When using personal electronic devices for Council business, Councillors will be subject to Council's cyber security and related policies.

#### Provision of facilities

Council will meet reasonable phone rental charges, equipment costs and call costs per annum as per Council's approved budget.

Where not otherwise indicated in this Policy or the Act, all other expenses (eg postage, home office and telephone etc) or facilities not specifically mentioned in Council policy or the Act are deemed to be met by the individual Councillor's annual allowance.

Council will provide the Mayor with access to a computer in Council's offices for the purposes of fulfilling duties as Mayor.



### Insurance

Council will arrange suitable *Councillors and Officers* (also known as *Directors and Officers*) Insurance policy each year to provide appropriate cover for Councillors in the performance of their duties.

Council will provide Group Personal Accident Insurance cover for Councillors while travelling to and from meetings and carrying out authorised duties on behalf of Council. Some cover under these insurance policies may be reduced or limited depending of the age of the insured persons.

Councillors are entitled to ask for a copy of these insurance policies at any time.

### Conferences and Seminars

On behalf of Councillors, Council will pay registration and reimburse out of pocket expenses for attendance at any seminar or conference, within Tasmania that is approved by the Mayor and General Manager.

A claim form must be submitted to Council for reimbursement. Where the claim is for amounts not being claimed in accordance with Travelling Expenses and Meal Expenses in this Policy, it must be supported by appropriate tax invoices.

Any expenses of a personal nature, such as mini bar, laundry or dry cleaning, will not be eligible for reimbursement and shall remain the responsibility of the Councillor.

### Professional Development

Council encourages all elected members to attend induction or professional development opportunities provided at the commencement of their term of office. Subject to budgetary constraints, Councillors are further encouraged to attend approved professional development opportunities where applicable throughout their term of office.

Council recognises the National General Assembly of Local Government / Local Government Association of Tasmania as the official voice of Local Government. Council also recognises the benefits in providing ongoing professional development to Councillors and employees through attendance at conferences and seminars conducted by these bodies. Council encourages Councillors to attend such conferences during their term of office.

Subject to constraints, Council will budget to cover registration for the attendance of up to two Councillors and the General Manager at the annual National General Assembly and the annual Local Government Association of Tasmania Conference.



Council will provide an annual budget allocation for Councillors for professional development purposes that provides equitable opportunities for each Councillor to attend relevant professional development over their four-year term.

Priority is given to professional development opportunities organised by local government affiliated entities, for example:

- Australian Local Government Association (ALGA)'s National General Assembly of Local Government; and
- The Local Government Association of Tasmania (LGAT).

*Reporting* - To keep all Councillors better informed a written report should be submitted to Council, where appropriate, on professional development activities and deputations attended by Councillors.

The Mayor and General Manager will approve Councillor's professional development.

#### Expenses Reporting

All expenses associated with the position of Mayor and Councillors shall be detailed and reported to Council in the monthly Finance Report.

#### Claim for expenses and allowances

Claims for travelling expenses or reimbursement of out-of-pocket expenses incurred in accordance with this policy shall be via a Councillor claim form, supported by relevant tax invoices and receipts, and approved by the General Manager.

Claim forms should be provided to Council's Rates Officer in the first instance no later than one month after the expense has been incurred or the account for which the expense related has been received.

Payment will be made by EFT within 30 days of receiving the documentation.

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

#### **AMENDMENT**

Council retains the sole discretion to vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.



KING ISLAND COUNCIL

## 4. Legislation, Terminology and References

---

### **Applicable legislation:**

All laws in connection with Payment of Councillors Allowances, Expenses and the Provision of Facilities Policy including but not limited to:

- *Local Government Act 1993 (TAS)*
- *Councillors Code of Conduct*
- *Travel Expenses policy*
- *Entertainment Expenses Policy*
- *Australian Government Australian Taxation Office Taxation Determinations*

<b>Definitions</b>	
<b><u>Term</u></b>	<b><u>Meaning</u></b>
<b>Council</b>	King Island Council
<b>Councillor</b>	An elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a 'councillor' as defined under section 3 of the <i>Local Government Act 1993 (TAS)</i>
<b>Employee</b>	A person who carries out work for Council as an employee of Council.
<b>General Manager</b>	The general manager of Council as appointed under section 61 of the <i>Local Government Act 1993 (TAS)</i> .
<b>Manager/Supervisor</b>	A person at the Workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.
<b>Other Persons at the Workplace</b>	A person, other than a Councillor, who carries out work in any capacity for Council, including work as: <ul style="list-style-type: none"> <li>(a) a contractor or subcontractor.</li> <li>(b) an employee of a contractor or subcontractor.</li> <li>(c) an employee of a labour hire company who has been assigned to work at Council.</li> <li>(d) an apprentice or trainee.</li> <li>(e) a student gaining work experience; or</li> <li>(f) a volunteer.</li> </ul>
<b>Policy</b>	Payment of Councillor Expenses and Provision of Facilities Policy
<b>Workplace</b>	A place where work is carried out for Council.



KING ISLAND COUNCIL



### **Responsibilities:**

This policy applies to the Mayor, Deputy Mayor and Councillors as elected.

The General Manager is the policy owner having responsibility for the application and review of this policy.

Council's Rates Officer is responsible for processing claim forms to ensure approval and subsequent payment of claims for reimbursement.

### **POLICY VERSION AND REVISION INFORMATION**

Title: Payment of Councillors Expenses and Provision of Facilities Policy

Policy Maintained by: Administration Manager

Policy first commenced: 17 September 2019 Res No 229/19

Policy Review: 19 September 2027

Version No	Date	Resolution No	Responsible Officer
1.0	19.9.2023	195/23	General Manager



KING ISLAND COUNCIL