

## Strategic policy

### Councillor expenses reimbursement and provision of facilities and support

Corporate Plan reference:	An Outstanding organisation
Endorsed by Council on:	10 November 2021
Manager responsible for policy:	Manager Corporate Governance, Office of the CEO

### Policy statement

SCC Councillors are provided with reasonable reimbursement of expenses and provision of facilities and support to enable them to perform their official duties efficiently and effectively, in accordance with the principles outlined in the *Local Government Act 2009* (the Act) and the requirements of the *Local Government Regulation 2012* (the Regulation).

### Policy scope

This policy applies to the Mayor, Deputy Mayor and Councillors, having regard to their roles and responsibilities at regional, divisional and portfolio levels.

Councillors' remuneration is addressed via the Local Government Remuneration Commission and as such falls outside the scope of this policy.

### Principles

This policy ensures that public resources are utilised in a transparent, effective and accountable way in the public interest and is compliant with the principles underpinning the Act, which are:

- transparent and effective processes, and decision-making in the public interest; and
- sustainable development and management of assets and infrastructure, and delivery of effective services; and
- democratic representation social inclusion and meaningful community engagement; and
- good governance of, and by, local government; and
- ethical and legal behaviour of councillors and local government employees.

### Policy commitment

Councillors commit to consistently demonstrate and uphold the intent, objectives and principles of this policy. Nothing in this policy requires or authorises a Councillor to act in any way that is contrary to law. Any instances of non-compliance will be managed in accordance with any relevant codes of conduct, policies and legislation dealing with conduct and/or disciplinary action.

It is expected that the provisions for expenses, resources and support detailed in this policy is for official purposes only and not for personal use.

# Expenses and reimbursements

## Budget Provisions

Councillors are entitled to be reimbursed for reasonable expenses incurred while undertaking Council business.

An entitlement budget will be allocated each financial year for reasonable expenses incurred under this policy, including, but not limited to, expenses as described below.

Budget allocations are available for one financial year only. Unspent funds in a single financial year will not be carried over to the next financial year.

## Professional development

Councillors are encouraged to undertake relevant professional development and will be reimbursed or entitled to the cost of reasonable expenses incurred for professional development providing that sufficient funding remains in the approved entitlement budget. Professional development must be directly related to their official duties as an elected representative.

## Travel expenses

Councillors are entitled to be reimbursed for reasonable travel expenses (including flights, meals, accommodation, parking costs, tolls and public transport) when undertaking professional development or Council business. To remove any doubt, reimbursement will not apply for travel expenses incurred to travel to a Council workplace within the local government area.

Reimbursement of travel expenses is contingent on the following conditions:

- Council will book and pay for all travel under this policy;
- economy class travel is the standard, unless otherwise approved;
- travel is undertaken via the most direct route;
- requests for travel should be made in sufficient time to take advantage of discounts and gain access to the widest range of flights;
- travel tickets are not transferable;
- travel insurance is provided for all Councillors on Council business.

## Parking, tolls and public transport

Councillors may be reimbursed for parking as well as costs associated with travel via public transport where such costs are incurred in the course of undertaking professional development or Council business. Any fines or infringements issued while undertaking such activities are the personal responsibility of the Councillor incurring the fine.

Council will cover reasonable costs for tolls and other charges associated with toll roads. The CEO may seek to recover the cost of tolls and other charges from Councillors from time to time should it become apparent that the costs incurred are not reasonable or a significant portion of the costs incurred are not associated with Council business.

## Accommodation

Councillors are entitled to stay in accommodation to a standard of 4 stars or equivalent unless otherwise approved by the Chief Executive Officer when undertaking professional development or other council business where it is not reasonable for the councillor to return home for the night, in accordance with the following conditions:

- Council will book and pay for all accommodation under this policy;
- accommodation offered as part of a conference package will be booked where practicable; and
- where a councillor chooses to stay with friends or family, no accommodation expenses will be paid.

## Meals

Councillors are entitled to be reimbursed for the cost of meals in accordance with the Australian Tax Office's Taxation Determination ruling *Income Tax: what are the reasonable travel and overtime meal allowance expense amounts* for the relevant income year, when undertaking professional development or council business within the following conditions:

- the costs are incurred personally;
- the meal was not provided as part of the registration costs of the activity, event or included in the travel booking;
- tips and gratuities are not reimbursable unless the meal is undertaken in a foreign country, the Councillor is travelling for professional development or for Council business, and there is a recognised cultural expectation that a tip will be provided. Approval for the Councillor to provide tips when consuming a meal when travelling overseas for professional development or for Council business must be obtained from the Chief Executive Officer prior to undertaking the overseas travel.

## Hospitality

Councillors are entitled to reimbursement of reasonable costs for providing hospitality as defined within this policy provided sufficient funding remains in the approved entitlement budget. The costs associated with the provision of meals will be reimbursed (per person) at the rates specified in the ATO's Taxation Determination ruling *Income Tax: What are the reasonable travel and overtime meal allowance expense amounts* for the relevant income year.

Where exceptional circumstances exist, the CEO may grant approval for the provision of hospitality above the limits specified in the ATO's Taxation Determination. Councillors may seek guidance on the application of expenses for hospitality from the Entertainment and Hospitality Policy required under the Regulation.

## Corporate Gifts

Councillors may purchase and present corporate gifts for the purposes of showing appreciation to community groups or individuals, as awards, to interstate and international delegations, or to enhance Council's programs or values.

Corporate gifts must not be acquired for the personal use of Councillors, their family, friends or associates nor for Council staff. Reimbursement for cash awards, prizes, charitable donations or fund raising will not be approved. Contributions of corporate gifts may be allocated to school or sporting award events to award participants acknowledging Council as the contributor. All gifts or contributions are to be funded through the available approved entitlement budget of the Mayor or divisional Councillor.

## Approval

All approvals for expenses or reimbursements must be sought in writing from the CEO or delegate. Where possible, approvals should be sought and gained prior to expenses being incurred. It is expected that all claims for reimbursement comply with ATO requirements such as requirement to produce tax invoices, receipts or where this is not possible, a signed Statutory Declaration detailing the expenditure and amount to be reimbursed.

## Expense exclusions

### *Spouses, partners and family members*

Councillors are not entitled to reimbursement for expenses incurred for spouses, partners or other family members without the prior approval of the CEO. Equally where Council has incurred, for the sake of expediency, an expense associated with spouses, partners etc, Councillors will reimburse to Council the full amount of the expense within 10 business days.

### *Advertising*

Councillors are not entitled to be reimbursed or provided with funds, services or facilities for advertising purposes.

### *Alcohol*

Councillors are not entitled to be reimbursed or provided with funds for the purchase of alcoholic beverages without the prior approval of the Chief Executive Officer.

### *Overseas travel*

Resolution of Council is required for non-personal overseas travel under this policy where such travel falls outside of Council's adopted international relations policy.

### *Other exclusions*

- Expenses related to functions and activities requested or organised by council departments will be met from the relevant approved departmental budget.
- Expenses associated with participation in the following programs will be met from existing budgets:
  - Australian Local Government Association National General Assembly when attending as council's voting delegate;
  - Local Government Association of Queensland Annual Conference when attending as council's voting delegate *or as an approved observer*;
  - Local Government Association of Queensland Elected Member Updates when organised for all councillors;
  - Australian Institute of Company Directors company directors course;
  - New councillor orientation programs;
  - Other events as may be approved by the CEO from time to time, including but not limited to, portfolio related activities.
- It is reasonable that expenses associated with advocacy and representative activities undertaken by the Mayor and Deputy Mayor on behalf of Council to be adequately funded from existing budgets for this purpose.

Any personal components must be reimbursed to Council as determined appropriate by the Chief Executive Officer.

## **Provision of facilities and support**

### **Operational support**

Each Councillor will be provided with administrative and operational support to assist them in the performance of their duties, as well as undertake Council business. Such officers are employees of Council and subject to Council's usual terms and conditions of employment and reporting lines.

Administrative support is provided to Councillors in accordance with the "*Provision of Administrative Support to Councillors Guidelines*". Councillor support employees are not permitted to assist councillors with non-council related business.

Councillors are provided support for communication activities in accordance with the "*Provision of Communication Support for Councillors Guidelines*". Communication support is provided on a professional basis to support or further the interests of Council, not those of an individual Councillor.

The arrangements for provision of operational support will be reviewed on a periodic basis and shall be subject to budgetary and operational parameters.

### **Office accommodation and assets**

Councillors have access to office accommodation and meeting rooms located in Council operated premises. Councillors will be issued with business and communication tools to assist them in performing their duties and undertaking Council business which must be utilised in accordance with any relevant policies, procedures, conditions of use and guidelines.

## Business and communication tools

Councillors will be issued with, or have access to, business and communication tools to assist them in performing their duties and undertaking council business, in accordance with the following conditions:

- All tools are procured by Council and are of the same standard as those available to senior management.
- All tools remain the property of Council and must be accounted for during any audit and returned at the end of the councillor's term of office.
- Councillors are expected to comply with the same conditions of use, policies, guidelines and processes for business and communication tools that apply to employees.
- Business and communication tools will be replaced at the end of their working life.
- Councillors may make contribution for personal use as appropriate in their circumstances.
- Excessive or unreasonable personal use costs must be reimbursed by the Councillor.
- All unapproved international call, message and data costs must be reimbursed by the Councillor.
- Requests for additional or alternate business and communication tools will be assessed on their merit and approved by the CEO.

## Vehicles

Councillors may be provided with a Council owned vehicle to undertake their official duties.

Except where specified otherwise in this policy, the use, maintenance and allocation of vehicles will be in accordance with the Motor Vehicle Fleet Management Policy.

The model and standard of vehicle offered to Councillors will be equal to that offered to senior management through Council's approved fleet procurement processes. In the event that the standard vehicles offered are not appropriate in a Councillor's individual circumstances, the CEO may approve the procurement of a reasonable alternative model at their discretion.

The reasonable cost of professionally cleaning Councillors' vehicles will be approved once per quarter.

**Mayor:** The Mayor is entitled to be provided with a Council owned vehicle for council business. It is recognised that community expectations and demands on the Mayor are such that generally all vehicle use is deemed to be council business. The requirement to calculate private use is not applicable to the Mayor, unless the Mayor takes personal leave from Council for a period of more than two weeks. Where such personal leave is taken, the Mayor will reimburse Council 5.5% of the undepreciated value of the vehicle that would be applicable to the vehicle for that period.

**Councillors:** Councillors, with the exception of the Mayor, are entitled to be provided with a Council vehicle for official council business, with access to private use of that vehicle subject to reimbursement to council for expenses associated with the private use of the vehicle:

- The expense for private use shall be calculated such that the contribution by the councillor will be either:
  - 5.5% of the undepreciated value of the vehicle, calculated annually; or
  - Average private use over a 3 month period substantiated by log book details provided by the councillor.
- Councillors must advise the CEO of which contribution method they choose upon commencement of the council term.

**Other arrangement:** Councillors may enter into an alternative arrangement in lieu of the provision of a Council vehicle, suitable to their personal circumstances, at the discretion of the CEO. Such arrangement should equate to no more than the value of the general vehicle entitlement.

Should a Councillor choose to maintain a private vehicle for private use in addition to the issued Council fleet vehicle, no private use reimbursement is payable. Councillors must advise the CEO

in writing of this arrangement and equally advise the CEO in the event that these circumstances change.

### Vehicle parking

Councillors are entitled to park vehicles issued by Sunshine Coast Council in parking spaces designated for either “Councillor use” or “SCC vehicle use” at any Council administration buildings.

### Legal costs and insurance cover

Council may decide, by resolution, pursuant to section 107 of the Act, to cover costs incurred through any inquiry, investigation, hearing or legal proceedings into the conduct of a councillor, or arising out of, or in connection with the councillor’s performance of his/her duties. Councillors will be covered under Council insurance policies while discharging their duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillors’ liability, personal accident and/worker’s compensation, international and domestic travel insurance.

### Return of assets

Councillors are expected to responsibly look after all publicly funded facilities and assets provided to them. All facilities/equipment must be returned to Council:

- prior to the completion of the Councillor’s term or at a date and time agreed to by the CEO,
- immediately if a Councillor is suspended or removed from office,
- if replaced as part of an asset replacement program, or
- at the end of the asset’s working life.

In reliance on the sound contracting principle of fair dealing under the Act, the private purchase of replaced or replaceable assets will not be approved.

### Resource exclusions

Except where specified above, Council will not provide Councillors with support or facilities for personal use.

In accordance with the Local Government Elections Policy, Councillors must not use Council facilities provided to them during the caretaker period for campaign or election purposes.

### Contributions for use of facilities for other roles

Where Council has authorised that a Councillor undertake another role which involves the usage of Council supplied facilities, that Councillor should make arrangements for the reimbursement to Council for that usage. Such reimbursement may be made either personally or by the organisation in which the Councillor is engaged.

The amount to be reimbursed will be dependent on usage patterns and by negotiation between either the Councillor and the CEO or the Councillor, CEO and the relevant external organisation.

## Reporting

In accordance with the *Local Government Regulation 2012*, the expenses incurred and the facilities provided to councillors under this policy will be summarised in Council’s annual report.

## Definitions

**Advertising:** informing and/or educating the public about an idea, goods or services by using an appropriate communication tool.

**Business and communication tools:** Councillors will be issued, or have access to, the following business and communications tools:

- Laptop, including docking station, mouse and monitor/s and other associated paraphernalia
- Smartphone
- Council office-based printers and scanners
- Access to Council's network and the internet both within Council premises and while working remotely
- Business cards
- Name badge
- Building access card
- Branded business shirt or polo shirt
- Personal protective equipment
- Stationery
- Access to news services
- Other reasonable items may be approved by the CEO or delegate from time to time.

**Caretaker period:** as defined in the Act, the caretaker period commences on the day when public notice of the holding of a local government election is given under the *Local Government Electoral Act 2011* and ends at the conclusion of the election.

**CEO:** the Chief Executive Officer of Sunshine Coast Council.

**Civic function:** a function that the Mayor or Deputy Mayor hosts to promote inter-governmental relations, recognition of significant contributions or achievements made by community groups and individuals.

**Civic event:** ceremonial events for the community that Council has an obligation to deliver under a state or federal arrangement and that require the attendance of the Mayor or Council representative.

**Corporate gift:** includes, but is not limited to, various items of merchandise displaying Sunshine Coast Council branding, tickets to Sunshine Coast Council events, locally made items or items of local significance (inclusive of items produced by the region's First Nations people), Council free tree days, wreaths and flowers for significant events and condolences provided for appropriate members of the community procured for the purpose of presentation. Cash donations, prizes, grants, funding or gifts are strictly prohibited.

**Council business:** activities conducted on behalf of council where a councillor is required to undertake certain tasks to satisfy a legislative requirement, perform ceremonial activities or achieve business objectives of Council. Council business should result in a benefit being achieved either for the local government and/or the local community. This includes, but is not limited to:

- Preparing, attending and participating in council meetings, committee meetings, workshops, strategic briefings, deputations and inspections;
- Undertaking professional development opportunities;
- Attending civic functions or civic events;
- Attending public/community meetings, presentation dinners, annual general meetings and the like where invited as a Councillor;
- Attending community events (e.g. school fetes, community group awards and presentations, fundraisers); and
- Attending networking events and business meetings when attending as a Councillor.

**Councillors:** the Mayor, Deputy Mayor and all other Councillors.

**Duties:** Councillors' roles and responsibilities set out in the Act.

**Expense:** reasonable payment for costs incurred, or to be incurred, in the Councillor discharging their duties. These expenses are to be reimbursed to councillors (*or paid directly by Council if deemed appropriate*).

**Facility:** the resources and tools necessary for councillors to perform their duties efficiently and effectively; and at a level that fulfils community expectation.

**Hospitality:** includes, but is not limited to, the provision of:

- food or beverages while undertaking council business; and
- corporate gifts as defined in this policy,

Hospitality expenses are subject to sufficient funding remaining in the approved entitlement budget.

**Portfolio:** the collection of functions assigned by Council to individual councillors from time to time.

**Private Vehicle Use:** any use of a Council vehicle for purposes other than Council business (as defined above).

**Professional Association:** an association of practitioners of a given profession.

**Professional Development:** any facilitated learning opportunity. This includes, but is not limited to:

- Conferences, workshops, seminars or training provided by a government department (e.g. Department of Local Government) or professional association;
- Study tours, conferences, workshops, meetings where a Councillor has been approved as Council's representative;
- Membership of relevant professional or industry associations;
- Subscriptions to relevant professional association or industry journals;
- Purchase of relevant published reference materials including books and journals.

Note: Reimbursement of expenses incurred for travel, accommodation, meal and incidentals associated with professional development will be in accordance with this policy.

**Reasonable:** the application of sound judgment and consideration of what is prudent, responsible and acceptable to the community when determining levels of facilities and expenditure.

**Region:** inside the boundaries of the Sunshine Coast Regional Council local government area.

## Related legislation, policies, strategies and documents

All individuals engaged in dealings within the scope of this policy are required to fulfil the ethical and behavioural obligations as defined in legislation. In the event of an inconsistency between any provision of this policy and any provision of the following related legislation the provisions of the related legislation shall prevail, unless the CEO or Council expressly waive a provision of this policy by prior agreement. For further assistance please contact the Manager of Corporate Governance.

### Related legislation

[Local Government Act 2009](#)

[Local Government Regulation 2012](#)

[Public Records Act 2002](#)

[Public Sector Ethics Act 1994](#)

### Related policies, guidelines and documents

[Advertising Spending Policy](#)

[Advocacy and Engagement Expenses Policy](#)

[Business Recordkeeping Policy](#)

[Code of Conduct for Councillors in Queensland](#)

[Councillor Portfolio System and Protocols](#)

[Councillors Acceptable Request Guidelines](#)

[Entertainment and Hospitality Policy](#)

[Information and Communications Technology \(ICT\) Acceptable Use Policy](#)

[Local Government Elections Policy](#)

[Motor Vehicle Fleet Management Policy](#)

[Procurement Policy](#) (annual) and [Contract Manual](#)

[Provision of Administrative Support to Councillors Guideline](#)

*Provision of communications support to Councillors Guideline*

[Sunshine Coast Council's Corporate Plan](#)

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.1	Review of previous SCRC policy No.4	YES	Ordinary Meeting	25 June 2011
2.1	Review	Yes	Ordinary Meeting	28 June 2012
3.1	Review	Yes	Ordinary Meeting	25 July 2013
3.2	Updated Branding and Department Names	No	Corporate Governance Branch	10 January 2017
4.1	Review	Yes	Ordinary Meeting	12 October 2017
5.1	Review	Y	Ordinary Meeting	10 November 2021

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