

Policy/Procedure title	Councillor Professional Development, Expenses and Facilities Policy
Responsible manager(s)	General Manager
Contact officer(s)	General Manager
Directorate	General Manager
Approval date	14 June 2022
Outcome area	5. Our engaged community with progressive leadership
Strategy	5.2 Proactive, responsive and strategic leadership
Delivery Program	5.2.2 Implement effective governance and long-term planning
Operational Plan	5.2.2.1 Assist the Council in meeting its statutory obligations and roles

Purpose

The purpose of this policy is:

- for Eurobodalla Shire Council to comply with Section 252 of the *Local Government Act 1993*, and adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor and Councillors in relation to discharging the functions of civic office.
- to demonstrate Eurobodalla Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993*.

Policy aims

The policy is designed to ensure:

- Accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors.
- That the facilities provided to assist Councillors carry out their civic duties are reasonable.
- Compliance with, and awareness of, legislative requirements under the *Local Government Act 1993* in respect to Councillors' expenses and facilities.
- Consistency and fairness in the manner in which the Council deals with Councillors' expenses and facilities.
- That Council's policies and requirements are readily accessible and understandable to the public.

Policy application

This policy applies to the Mayor and Councillors of Eurobodalla Shire Council, and to Council staff involved in the provision of Councillors expenses and facilities.

Policy details

1.	<p>Relevant Legislation</p> <p>Council complies with NSW Government legislative provisions as follows:</p> <p>Local Government Act 1993</p> <p><i>252 Payment of expenses and provision of facilities</i></p> <ol style="list-style-type: none"> 1) <i>Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.</i> 2) <i>The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the Mayor or a Councillor of a facility provided by the council to the Mayor or Councillor.</i> 3) <i>A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the Mayor, the Deputy Mayor (if there is one) or a Councillor otherwise than in accordance with a policy under this section.</i> 4) <i>A council may from time to time amend a policy under this section.</i> 5) <i>A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.</i> <p><i>232 The role of the Councillor</i></p> <ol style="list-style-type: none"> 1) <i>The role of a Councillor is as follows—</i> <ol style="list-style-type: none"> <i>(g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.</i> <p>Local Government (General) Regulation 2005</p> <p><i>403 Payment of expenses and provision of facilities</i></p> <p><i>A policy under section 252 of the Act must not include any provision enabling a Council—</i></p> <ol style="list-style-type: none"> <i>a) to pay any Councillor an allowance in the nature of a general expense allowance, or</i> <i>b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular Councillor other than a Mayor.</i> <p><i>Part 8A Induction training and professional development for Councillors</i></p> <p><i>183 Induction training courses for Councillors</i></p> <ol style="list-style-type: none"> 1) <i>The General Manager must ensure that an induction training course is delivered to each Councillor who has been elected to the council for the first time, within 6 months of the Councillor's election.</i> 2) <i>The induction training course required by subclause (1) must provide Councillors with information about the functions and obligations of councils and Councillors and the administrative procedures and operations of the Council.</i>
----	--

- 3) *The General Manager must ensure that an induction refresher course is delivered to each Councillor who is re-elected to the council, within 6 months of the Councillor's re-election.*
- 4) *The induction refresher course required by subclause (3) must provide Councillors with updated information about the functions and obligations of councils and Councillors and the administrative procedures and operations of the Council.*
- 5) *A Councillor must make all reasonable efforts to participate in any induction training course or induction refresher course delivered to the Councillor in accordance with a requirement under this clause.*

184 Supplementary induction training courses for Mayors

- 1) *The General Manager must ensure that a supplementary induction training course is delivered to a person elected as Mayor of the Council, within 6 months of the person's election.*
- 2) *The supplementary induction training course required by subclause (1) must provide the Mayor with information about the functions and obligations of councils and Mayors and train the Mayor in the skills necessary to perform the role of Mayor.*
- 3) *A Mayor must make all reasonable efforts to participate in any supplementary induction training course delivered to the Mayor in accordance with a requirement under this clause.*
- 4) *The requirements under this clause in relation to a person elected as Mayor are in addition to the requirements under clause 183 to ensure the delivery of the induction training for Councillors to that person.*

185 Ongoing professional development program for Councillors and Mayors

- 1) *The General Manager must ensure that an ongoing professional development program is delivered to the Mayor and to each other Councillor elected to the council, during the course of the term of office of the Mayor or Councillor concerned.*
- 2) *The ongoing professional development program required by this clause—*
 - a. *must provide support and assistance to Mayors and other Councillors in the development of the skills necessary to perform the role of Mayor or Councillor (as the case may be), and*
 - b. *must ensure that those skills are maintained over the term of office of the Mayor and of each Councillor.*
- 3) *The content of the ongoing professional development program required by this clause is to be developed—*
 - a. *in consultation with the Mayor and each Councillor, and*
 - b. *having regard to the specific skills required by the Mayor, each individual councillor and the governing body of the council as a whole to perform the role of Mayor, Councillor or the governing body (as the case may be).*
- 4) *A Mayor or other Councillor must make all reasonable efforts to participate in any ongoing professional development program delivered to the Mayor or Councillor in accordance with a requirement under this clause.*

	<p><i>186 Information about induction training and ongoing professional development to be included in annual report</i></p> <p><i>For the purposes of section 428(4)(b) of the Act, an annual report of a council must include the following information—</i></p> <p><i>a) the names of any Mayors or Councillors who completed any induction training course, induction refresher course or supplementary induction course under this Part during the year,</i></p> <p><i>b) the names of any Mayors or Councillors who participated in any ongoing professional development program under this Part during the year,</i></p> <p><i>c) the number of seminars, circulars and other activities delivered as part of the ongoing professional development program in accordance with this Part during the year.</i></p> <p><i>Note—</i></p> <p><i>Clause 217(1)(a1)(iiia) and (iv) require details of the total costs of all training and professional development programs for Councillors to be included in an annual report.</i></p>
<p>2.</p>	<p>Other Government Policy Provisions</p> <p>Council complies with other government policy provisions as follows.</p>
<p>2.1</p>	<p>Office of Local Government (OLG) Guidelines for payment of expenses and provision of facilities for Mayors and Councillors for Local Councils in NSW</p> <p>This Guideline is available on the OLG website at: www.olg.gov.au.</p> <p>In summary:</p> <ul style="list-style-type: none"> • Councillor expense and facility guidelines are binding and must be considered. • The policy must be acceptable to, and meet expectations of, local community. • Consideration should be given to participation, equity and access (special needs). • There may be recognition of local differences compared to other councils. • All expenses/payments must be either reimbursed after the event or reconciled if an advance payment is made. • Expenses must be reasonable. • The policy must set limits (i.e. should not be open-ended). • May provide to pay a Deputy Mayor part of the Mayor’s annual fee (any amount thus paid to be deducted from Mayor’s annual fee). • Advance payments may be allowed subject to future reconciliation. • Council should establish suitable rates for private use over and above anything which is minor and incidental. • In certain limited circumstances councils may meet reasonable costs incurred by Councillors on behalf of their spouses, partners or accompanying person(s).
<p>2.2</p>	<p>Model Code of Conduct for Local Councils in NSW (Office of Local Government)</p> <p>The current version of the Model Code of Conduct is available on the OLG website: www.olg.nsw.gov.au.</p>

Use of Council Resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
 - b) the representation of employees with respect to grievances and disputes
 - c) functions associated with the role of the local consultative committee.
- 8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
- a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.19 You must not convert any property of the council to your own use unless properly authorised.

Councillor access to Council buildings

- 8.25 Councillors and administrators are entitled to have access to the Council Chamber, committee room, Mayor's office (subject to availability), Councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the General Manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the General Manager (or their delegate) or as provided for in the procedures governing the interaction of Councillors and council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

2.3	<p>Office of Local Government (OLG) Circulars to Councils</p> <p>This policy takes into account the OLG Circular 05/80 <i>'Legal Assistance for Councillors and Council Employees'</i>, Circular 02/34 <i>'Unauthorised use of Council Resources'</i>, and Circular 05/08 <i>'Legal Assistance for Councillors and Council Employees'</i>. These publications are available on the OLG website at: www.olg.nsw.gov.au.</p>
2.4	<p>Independent Commissions Against Corruption (ICAC) publications</p> <p>This policy takes account of the ICAC publication <i>'No Excuse for Misuse, Preventing the Misuse of Council Resources'</i> (Guidelines 2) 19 November 2002. This publication is available on the ICAC website at: www.icac.nsw.gov.au.</p>
3.0	<p>Approval Arrangements</p> <ul style="list-style-type: none"> • Except where specifically permitted by this policy, approvals for travel and functions beyond the Shire and/or costs of spouse/partner attendance are to be by resolution of the Council. In extenuating circumstances, approval may be granted by the General Manager in consultation with the Mayor. • Travel within the Shire may be approved by the General Manager. Travel to and from meetings including workshops and any travel resulting from an appointment as a representative of Council for particular purposes does not require General Manager's approval and can be approved and processed as set out below. • Any concerns are to be referred to the General Manager who may consult with the Mayor before making a decision. • Approved requests will be forwarded to the Accounts Payable for payment by Electronic Funds Transfer (EFT) to the Councillors or as the case may be, the relevant supplier's bank account. • This Policy does not require the payment of requests relating to past financial years that are not received within 30 days of the financial year end, these are deemed to be out of time (appropriate reminder/s and forms are to be provided to Councillors in advance of this deadline). • All requests for reimbursement of expenses must be approved by the General Manager and provided on the prescribed Councillor Expenses Claim Form as attached to this policy.
4.0	<p>Public Reporting of Expenditure</p> <p>Expenditure by Mayor and Councillors for seminars, conferences, telephone and other facilities will be publicly reported in conjunction with the quarterly financial reviews and annual report.</p>
5.0	<p>Taxation Arrangements</p> <p>It is each Councillor's responsibility to meet any taxation obligations. If necessary Councillors should seek their own taxation advice.</p> <p>Under current arrangements Councillors are not defined as employees for taxation purposes, they are not subject to Fringe Benefits Taxation and the ability to enter into effective sacrifice arrangements may be limited. The Australian Taxation Office has issued rulings allowing Councillors to enter into effective sacrifice arrangements for at least superannuation. Accordingly, Council will administer complying arrangements if requested by individual Councillors.</p>

	<p>Councillors may also require funds payable to them to be transferred by EFT to any nominated valid bank account(s) via the Chief Financial Officer.</p>
6.0	<p>Councillor Expenses Outlines what is a reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties. It also ensures accountability and transparency in reimbursement of expenses and provision of facilities to Councillors.</p> <p>Section 1 sets out the provisions and monetary amounts for expenses incurred by the Mayor and Councillors whilst undertaking their civic duties.</p>
7.0	<p>Councillor facilities Equipment and services that are provided by Council to Councillors to enable them to perform their civic function with relative ease and at a standard appropriate to their professional role as a Councillor.</p> <p>Section 2 sets out, in detail, the facilities provided by Council to the Mayor and Councillors.</p>
8.0	<p>Councillor professional development Under section 232(1)(g) of the <i>Local Government Act 1993</i>, all Mayors and Councillors have a responsibility to make all reasonable efforts to acquire and maintain the skills necessary to perform their roles. In support of this, regulations have been made requiring councils to provide induction training and ongoing professional development for Mayors and Councillors.</p> <p>The Office of Local Government has issued guidelines under section 23A of the Act to assist councils to develop and deliver induction training and ongoing professional development activities for their Mayor and Councillors in compliance with the regulations.</p> <p>Under the guidelines, council induction and professional development programs are to consist of three elements:</p> <ul style="list-style-type: none"> • <i>Pre-election candidate sessions</i> – these are to ensure prospective candidates are aware of what will be expected of them if elected (these are not mandatory but are encouraged). • <i>Induction program</i> – this aims to equip Mayors and Councillors with the information they need to perform their role effectively over the first few months and has a particular focus on building positive, collaborative relationships between Councillors and with staff. • <i>Professional development program</i> – this is to be 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. <p>Section 3 outlines the professional development program, opportunities and funds available for Councillors under this clause.</p>

	Attendance: The Mayor and Councillors, including those re-elected to office, should attend all induction sessions.
--	--

Implementation

Implementation Steps	Responsibility
<p>1 Public notice re: adoption of the policy</p> <p>In accordance with section 253 of the <i>Local Government Act 1993</i>, Council will give public notice of its intention to adopt or amend this policy and allow at least 28 days for public submissions. Council will consider submissions received and decide on making any appropriate changes to the policy.</p> <p>Council need not give public notice of a proposed amendment to this policy at other times, if Council is of the opinion that the proposed amendments are not substantial or if it is a mandatory change (see Definitions). Substantial amendments to this policy that could include large changes to monetary limits and/or major changes to the standard of provision of equipment and facilities, will require public notice of the amendment. Any new category of expenses, facilities and equipment included in the policy will also require public notice. Public notice regarding Council's intention to adopt or amend this policy will be placed on Council's website.</p>	General Manager, Councillors
<p>2 Notification to Office of Local Government</p> <p>Within 28 days of adopting this policy, the policy and details of submissions will be forwarded to the Office of Local Government. Council must submit its current, adopted policy to the OLG by 30 November of the first year of the new Council term, even if the policy remains unchanged.</p>	General Manager
<p>3 Responsibilities</p> <p>The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the professional development plan. The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of Council.</p> <p>Executive Services are responsible for planning, scheduling and facilitating induction and professional development activities for the Mayor and Councillors in consultation with the General Manager. The General Manager has overall responsibility for Council's induction and professional development program.</p>	Council Officers
<p>4 Concerns</p> <p>Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy.</p>	Council Officers, Public Officer

	These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	
5	<p>Consultation</p> <p>Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the Mayor, Councillors, General Manager, the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.</p>	General Manager
6	<p>Evaluation</p> <p>Council will evaluate the induction program at the end of each council term to determine whether it has achieved these outcomes, and to identify and address areas for improvement.</p>	General Manager
7	<p>Reporting</p> <p>The General Manager will publicly report each year in Council's annual report:</p> <ul style="list-style-type: none"> • 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. 	General Manager

Section 1 – Councillor expenses

Summary

Below is a summary table of expenses incurred by the Mayor and Councillors. Please refer to specific clause for more information and detail.

Councillor expense	Summary of details	Clause
Professional Development	\$2,000 per Councillor annually.	S1.3.0
Company Directors Course	If a Councillor has not already completed the course through the Australian Institute of Company Directors, Council will cover the costs of this course during the first 18 months as Councillor	S1.3.0
Conferences and Seminars	\$3,500 per Councillor annually. This includes the costs of travel, accommodation and food.	S1.4.0
Mobile phone and internet	Unlimited phone calls and text messages. Up to 3GB of data per month, per device permitted, any additional data used will be charged to Councillors	S1.6.1
Accommodation for meetings and professional development*	Must not exceed \$198 per night. Some exemptions apply.	S1.2.1
Food for meetings and professional development*	Breakfast – up to \$29.20 Lunch – up to \$32.85 Dinner – up to \$56.00	S1.2.2

*These figures are based on the Australian Taxation guidelines for reasonable travel and meal allowances.

Policy details

1.0	General provisions
S1.1.1	<p>Councillor fees</p> <p>The relationship between the annual fees paid to the Mayor and Councillors and the level and scope of expenses paid to Councillors is a basic issue considered in this policy. The Local Government Remuneration Tribunal has adopted the principle that expenses reasonably incurred by Councillors are outside provisions made under the annual fee determinations.</p> <p>Fees are not covered within this policy and must be separately adopted by Council subject to the maximum amounts allowed by determination of the remuneration tribunal.</p>
S1.1.2	<p>Allowances and Expenditure</p> <p>Where any costs are already covered from any other source whatsoever they should not be claimed again from the Council.</p>
S1.1.3	<p>Reimbursement and Reconciliation of Expenses</p> <p>All reimbursements are to be based on actual and reasonable costs. Therefore, requests for reimbursement must provide adequate supporting documentation</p>

Section 1 – Councillor expenses

	including suppliers' tax invoices and receipts etc. Councillors must ensure that costs are reasonable.
S1.1.4	<p>Payment in Advance</p> <p>Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. However, Councillors must fully reconcile all expenses against the cost of the advance when they return within 30 days of the event/function/conference and any amounts not properly supported, e.g. by receipts/ tax invoices, will be required to be refunded to Council.</p> <p>All requests for advanced payments must be provided on the Councillor's Expense Claim/Application for Advances Form as attached to this policy (Section 1a).</p>
S1.1.5	<p>Submitting Claims</p> <p>All requests for reimbursement of travel expenses should be provided to the Executive Services team within 30 days of the event and expenses are reported quarterly. A tax invoice must accompany the expense claim or payment will not be made.</p>
S1.1.6	<p>Establishment of Monetary Limits and Standards – Professional Development and Conferences</p> <p>This policy establishes limits for the specific expenses/facilities within the relevant sections and payments should not exceed these amounts. In the case that Council has paid any amount on behalf of a Councillor that exceeds the limits the Councillor must accordingly compensate Council for that amount.</p> <p>Where a Councillor is required to attend conferences and seminars, professional development training programs, elected member courses outside of the Local Government Area (LGA) it will be necessary for the Council to authorise the attendance of Councillors at these events to be effected by way of a resolution of an Ordinary Meeting of the Council. Payment for attendance shall be made from the Councillor Professional Development budget or the Councillor Conferences/Seminar budget.</p> <p>Amounts remaining unexpended as at 30 June each year will expire and any unexpended amounts will not be carried over or available for expenditure in successive years.</p>
S1.2.0	Accommodation, Food and Travel Expenses for Conferences/Seminars, Professional Development and meetings
S1.2.1	<p>Accommodation</p> <p>Accommodation expenses must not exceed \$198 per night when attending professional development or meetings. These figures are based on the Australian Taxation guidelines for reasonable travel and meal allowances and will be reviewed in line with these guidelines.</p>

Section 1 – Councillor expenses

	All accommodation must be arranged by the Executive Services team. If suitable accommodation cannot be sourced within allocated amount, an exemption may be granted by the General Manager.
S1.2.2	<p>Food and drink</p> <p>Food and drink expenses must not exceed the following amounts per day when attending conferences/ seminars, professional development, or meetings.</p> <ul style="list-style-type: none"> • Breakfast – \$29.20 • Lunch – \$32.85 • Dinner – \$56.00 <p>These figures are based on the Australian Taxation guidelines for reasonable travel and meal allowances.</p> <p>Food and drink will be reimbursed to Councillors by filling out an expense claim form (Appendix 1a). Receipts must be provided.</p>
S1.2.3	<p>Travel expenses</p> <p>Where possible, Councillors are to be provided with a pooled vehicle if this is a cost effective and appropriate means of travel. Council will pay for other forms of effective and cost effective transport by prior approval by the General Manager.</p> <p>Where Councillors choose to take their own vehicles, the reimbursement will be at the lower of:</p> <ul style="list-style-type: none"> • Council’s plant operations account internal hire rates, or • local rental car equivalent, or • return air fares, or • current Australian Taxation Office approved rates. <p>All bookings for pool cars, flights or alternative travel arrangements must be arranged by the Executive Services team.</p>
S1.2.4	<p>Incidentals</p> <p>Any other incidental costs incurred by Councillors when attending conferences/seminars, professional development, or meetings, up to \$20 per day will be reimbursed at the General Manager’s discretion. Appropriate receipts must be provided.</p>
S1.3.0	<p>Professional Development</p>
S1.3.1	<p>All Councillors will be allocated the sum of \$2,000 annually to specifically provide for their professional development. This includes travel, accommodation. This does not include Induction/Orientation costs or the costs associated with completing the Company Directors Course through the Australian Institute of Company Directors.</p> <p>Amounts remaining unexpended as at 30 June each year will expire and any unexpended amounts will not be carried over or available for expenditure in successive years.</p> <p>More details about the Councillors Professional Development Program can be found in Section 3.</p>

Section 1 – Councillor expenses

S1.3.2	Council will cover the expenses associated with completing the Company Directors Course through the Australian Institute of Company Directors, in line with clauses 2.0 to 2.4 of this policy. There is an expectation that Councillors will complete the course, including the final assessment and exam. The cost of this course will not contribute to the \$2,000 Councillor Professional Development budget.
S1.4.0	Conferences and Seminars
S1.4.1	Councillors are allocated \$3,500 annually to attend conferences and/or seminars on behalf of Council.
S1.4.2	Additional expenses associated with conferences and seminars, such as travel and accommodation, are covered in line with section 2.0 to 2.4 of this policy.
S1.4.3	Attendance at any conferences and seminars is to be determined by resolution of Council. Attendance will normally be limited to two. The principle of having one Councillor and an appropriate staff member attend will be considered as “best practice” for attending seminars and conferences. This may be varied from time to time by resolution of Council. Councillors should advise of any inability to attend at the earliest opportunity so as Council can seek a refund of any costs incurred or alternatively seek to transfer the registration.
S1.4.4	Councillors attending training, seminars and conferences are to provide a detailed report to Council on the outcome and issues. Where there are a number of Councillors attending the same conference, a joint report is acceptable. Councillors not meeting these criteria without reasonable explanation may not receive priority or opportunities for future events.
S1.5.0	Other travel arrangements and expenses
S1.5.1	Local travel arrangements and expenses Travelling and any other actual and reasonable out of pocket costs will be reimbursed in relation to the following: <ul style="list-style-type: none"> • Council meetings • Council committee meetings • Working Group meetings where the Councillor is the nominated delegate; • Section 355 Committee meetings • External Organisations/Committee Meeting, where the Councillor is the nominated Delegate, except where fees are paid to the Councillor by the external organisation • Workshops convened by Council • Meetings convened by Council • Training programs relating to the role of the Council • Inspections within the area of the Council, undertaken at the request of Councillors, and • To attend a formal function or meeting where a formal invitation to attend arises only as a result of the position as a Councillor.
S1.5.2	Travel Outside the Local Government Area including Interstate Travel

Section 1 – Councillor expenses

	Travel and expenses beyond the Local Government Area (LGA) not authorised elsewhere in this policy will not be paid/ reimbursed unless approved in advance by a resolution of the Council or in extenuating circumstances by the General Manager in consultation with the Mayor.
S1.5.3	<p>Travel Overseas</p> <p>Councillors may only undertake overseas travel where the Council has specifically authorised a Councillor’s itinerary and specifically authorised reimbursement by way of a council resolution made prior to the trip being taken. The resolution must specifically name any Councillor/s authorised to undertake overseas travel, indicate the reason the travel has been deemed to be necessary and include a determination of any reimbursement of expenses.</p>
S1.5.4	<p>Travel – Pool Cars</p> <p>Councillors must take reasonable steps to use the most cost effective means of travel. Councillors should use the Council’s pool car fleet when travelling out of the shire if it is cost effective. Councillors should share a vehicle when travelling on behalf of Council.</p> <p>Where Councillors choose to take their own vehicles, the reimbursement will be at the lower of:</p> <ul style="list-style-type: none"> • Council’s plant operations account internal hire rates, or • local rental car equivalent, or • return air fares, or • current Australian Taxation Office approved rates.
S1.5.5	<p>Sustenance</p> <p>Meals and refreshments will be provided for Councillors’ attendance at Council and Committee meetings where deemed appropriate by the General Manager.</p>
S1.6.0	<p>Mobile phone and internet charges</p>
S1.6.1	<p>Both the mobile phone and the iPad/tablet provided to Councillors will have a data allowance of 3GB each and will be connected to Council’s telecommunication account. There will be a maximum data usage of 3GB per month per device.</p> <p>Data usage exceeding 3GB per month will be charged back to Councillors.</p> <p>Councillors must declare any private benefits that are more substantial than merely ‘incidental’ and these will be charged back to the Councillor.</p> <p>Additional costs may be permitted in extenuating circumstances, subject to the General Manager’s approval.</p>
S1.7.0	<p>Care and Other Related Expenses</p>
S1.7.1	<p>In accordance with the principles of participation, access and equity, the guidelines strongly encourage councils to make provision for the reasonable cost of carer arrangements to allow Councillors to undertake their Council business obligations.</p>

Section 1 – Councillor expenses

S1.7.2	Council will meet the cost of childcare expenses, supplied by a registered child care provider, whilst councillors attend Council or committee meetings to a maximum of \$500 per annum.
S1.7.3	Consideration will be given to any other extenuating carer circumstances that might warrant reimbursement subject to the resolution of Council.
S1.7.4	Consideration will be given to any special requirements of Councillors such as disability and access needs based on particular merits subject to resolution of Council.
S1.8.0	Insurance Expenses and Obligations
S1.8.1	<p>Council will provide, at its cost, insurance to protect the interest and welfare of all councillors in carrying out the duties of civic office (and acting in good faith). Council currently provides the following (protection is limited to the terms and exclusions of the relevant policies):</p> <ul style="list-style-type: none"> • <i>Councillors and Officer Liability</i>. Provides indemnity to any person who was, is presently, or in the future becomes an elected Member of Council, or a Committee Member of a legally constituted committee under the <i>Local Government Act 1993</i>, in the event of personal litigation being instigated against them for any action arising whilst that person was exercising their duty. • <i>Public Liability Insurance</i>. Provides cover for a Councillor’s legal liability to pay compensation for personal injury to another person, damage to property owned or controlled by someone else which is caused by an occurrence in connection with their civic duties as a Councillor. • <i>Professional Indemnity</i>. Provides indemnity to an individual against litigation resulting from the exercise of their official professional duties. • <i>Statutory Liability</i>. Provides indemnity for fines and penalties arising out of the conduct of the business of Council. • <i>Personal Accident</i>. Provides for the payment of non-medical expenses and compensation towards the loss of wages resulting from an accident whilst on official business for Council and a capital payment if the accident resulted in death. This cover extends to Councillors and their partners whilst on official business of Council.
S1.9.0	Legal Expenses and Obligations
S1.9.1	<p>This section of the policy is in accordance with the Office of Local Government Circular 05/08 ‘<i>Legal Assistance for Councillors and Council Employees</i>’.</p> <p>Where Council’s insurance policies do not cover a Councillor’s legal expenses in relation to a matter arising directly as a result of the Councillor’s actions in the civic office, Council will determine by resolution if the Councillor is to be reimbursed for reasonable solicitor/ client costs, as long as:</p> <ul style="list-style-type: none"> • They relate to conduct arising from the execution of a Councillor’s civic duties, • The matter is finalised, • Council authorises by specific resolution naming the Councillor and determining the amount to be reimbursed in accord with these provisions:

Section 1 – Councillor expenses

	<ol style="list-style-type: none">1. Council will not meet the costs of an action in defamation taken by a Councillor or council employee as plaintiff, nor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.2. The General Manager will report to Council for ratification, any legal advice sought in relation to this policy.3. Councillors can ask the General Manager to obtain legal opinion on any matter that is relevant to business before Council. <p>If the General Manager declines then they must provide reasons to the Councillor concerned who may then, through a Notice of Motion, request the support of Council for the obtaining of the legal opinion.</p>
--	--

Section 1a – Councillor expense claim form

Councillor Name:	
-------------------------	--

Date	Council Meeting/Briefing or Committee Meeting	KMs travelled	Internal only		
			Project	Activity	Natural Account
Mileage Total					
Total					

Date	Training/Conference costs	Amount	Internal only		
			Project	Activity	Natural Account
Total					

Date	Other Expenses	Amount	Internal only		
			Project	Activity	Natural Account
Total					

Grand Total				
--------------------	--	--	--	--

Please note that travel is calculated at \$0.66 per km.

I certify that the above is true and accurate claim in accordance with the Councillor's Professional Development, Expenses and Facilities Policy and Section 29A (a), (b), (c) of the *Local Government Act 1993*.

Signature of Councillor: _____ Date: _____

Authorised: _____ Date: _____

Section 2 – Councillor facilities

Summary

Below is a summary table of facilities provided to the Mayor and Councillors. Please refer to specific clause for more information and detail.

Councillor facility	Summary of details	Clause
Councillor common room	Provided to all Councillors at main administration building in Moruya.	S2.2.1
Administrative support staff	Council’s Executive Services Team are available for administration and secretarial duties for the Mayor and Councillors in relation to their civic duties only.	S2.2.2
IT equipment	Mobile phone and iPad/tablet provided to all Councillors. Councillors are also provided with a security name tag for access to the Council building.	S2.2.3
Stationery	Councillors are provided with business cards, yearly diaries and items such as pens/paper/notebooks as required.	S2.2.4
Mail	Councillors are permitted to post mail relating to their civic duties via the Executive Services office.	S2.2.5
Uniform and protective clothing	Councillors are provided with a magnetic name tag on commencement. Upon request, councillors can be issued with two shirts from the corporate uniform collection. Councillors will be provided with protective clothing, such as vests or headwear, when required for site visits and the like.	S2.2.6
Council vehicle	Provided to the Mayor only (leaseback arrangement)	S2.3.1
Reserved parking space at main administration building in Moruya	Provided to the Mayor only.	S2.3.1
Furnished office	Provided to the Mayor only.	S2.3.2
Credit card	Provided to the Mayor only.	S2.3.3

Policy details

S2.1	General provisions
S2.1.1	Provision of facilities generally Facilities, equipment and services appropriate to support the Mayor and Councillors in undertaking their role as elected members of Council will be provided. Incidental private usage of facilities and equipment is not subject to a compensatory payment by the Councillor. Where more substantial private use has occurred, compensation is required, unless otherwise stated, this is to be based on the assessed degree of private usage applied to the actual cost. Councillors are

Section 2 – Councillor facilities

	required to declare any private benefits that are more substantial than minor and/or incidental. The provision of facilities will be of a standard deemed appropriate for the purpose by the General Manager.
S2.1.2	<p>Private use of equipment and facilities</p> <p>Councillors must use Council resources ethically, effectively, efficiently and carefully in the course of their official duties. Councillors must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate. Council facilities, equipment and services are not to be used to produce election material or for any other political purpose.</p>
S2.2	Provision of equipment and facilities for all Councillors
S2.2.1	<p>Councillors' room</p> <p>A furnished room will be made available for Councillors to conduct Council related business. The room will be equipped with a secured compartment for each Councillor, communal desks, general stationery and access to the internet via WiFi. Access to the Councillors' Room will be available during office hours.</p> <p>Whilst hard copies of current consultancy reports, studies, industry management journals, publications and selected readings will be provided, Councillors will be encouraged to use the internet resource for individual research projects for access to such things as the:</p> <ul style="list-style-type: none"> • <i>Local Government Act 1993</i> and related legislation • <i>Environmental Planning and Assessment Act 1979</i> • Council's adopted Code of Conduct • ICAC and NSW Ombudsman Reports • Local Environmental Plans (LEP) • Council's adopted Code of Meeting Practice and various Policies <p>In addition to the Councillors' room, Councillors are also permitted to book available meeting rooms at Council's Moruya administration building at no cost.</p>
S2.2.2	<p>Administrative support staff</p> <p>Upon request, administrative support will be provided by the Executive Services Team, or by another member of Council's administrative staff as arranged by the General Manager or their delegate.</p> <p>Council staff will provide administrative support to Councillors to assist them with their civic duties only. Staff are not permitted to assist with matters of personal or political interest, including campaigning.</p>
S2.2.3	<p>IT equipment</p> <p>Council will supply each Councillor with a mobile phone, iPad/tablet and any other equipment/technology that the General Manager deems suitable at the time. The mobile phone and iPad/tablet will have both 4G and WiFi connectivity. The devices will have a data allowance of 3GB each and will be connected to Council's telecommunication account. There will be a maximum data usage of 3GB per month per device. Please refer to Section 1 for expenses relating to the use of mobile phones or internet.</p>

Section 2 – Councillor facilities

	<p>Councillors are provided with a security name tag for access to Council’s Moruya administration building. This security tag will allow access to the Executive Services area and garage of the Moruya administration building.</p>
S2.2.4	<p>Stationery</p> <p>At the beginning of each Council term, Councillors are provided with 500 business cards to use as part of their civic duties. Councillors are also provided with a diary each year and pens/paper/envelopes/notebooks as required.</p>
S2.2.5	<p>Mail</p> <p>All mail addressed to Councillors that is received by Council will be placed in the respective secure compartment in the Councillors’ room.</p> <p>Councillors are permitted to post mail relating to their civic duties via the Executive Services office. No stamp is required. Councillor mail will be included as part of Council’s daily mail collection by Council’s postal provider.</p>
S2.2.6	<p>Uniform and protective clothing</p> <p>Councillors are provided with a magnetic name tag on commencement which may be worn at official functions, indicating the wearing holds the office of Mayor or Councillor.</p> <p>Upon request, Councillors can be issued with two shirts from the corporate uniform collection during their term. Councillors will be provided with appropriate personal protective equipment, such as fluorescent vests and hard hats, for site visits or inspections when required.</p>
S2.3.	<p>Provision of additional equipment and facilities for the Mayor</p>
S2.3.1	<p>Council vehicle</p> <p>The Mayor will be provided with a motor vehicle (under luxury car tax threshold) to discharge the function of civic office and the performance of Council business. In accordance with the Division of Local Government Guidelines, incidental private usage is permitted. The vehicle will be made available to the Mayor for private usage, if required, subject to the payment of \$4,000.00 annually.</p> <p>There is a reserved car parking space in the garage at the Moruya administration building for the Mayor’s Council vehicle.</p>
S2.3.2	<p>Mayoral office</p> <p>The Mayor is to be provided with appropriate, separate and fully furnished office facilities and administrative support for undertaking civic duties only.</p>
S2.3.3	<p>Credit card</p> <p>Council will supply the Mayor with a credit card to be used in accordance with the provisions of this policy. The provision of a card is also subject to the Mayor agreeing to, signing and adhering to the current code of conduct and code of practice for the use of credit cards.</p>
S2.4.	<p>Acquisition/returning of facilities</p>
S2.4.1	<p>Acquisition and returning of facilities and equipment by Councillors</p> <p>Councillors will be provided with an opportunity to purchase any equipment or other facilities provided to them for use in relation to their Councillor duties after</p>

Section 2 – Councillor facilities

	completion of their term in office, or at cessation of their duties. The General Manager may sell such items to Councillors at written down/book value or fair/market value. Any items not purchased must be returned within one week.
--	--

Section 3 – Councillor professional development program
Summary

Professional Development	Summary of details	Clause
Induction/Orientation	A comprehensive and compulsory induction/orientation program will be provided to all Councillors at the beginning of the new Council term.	S3.1.0
Company Directors Course	If a Councillor has not already completed the course through the Australian Institute of Company Directors, Council will cover the costs of this course during the term as Councillor.	S3.2.0
Ongoing Professional Development	\$2,000 per Councillor annually.	S3.3.0

Policy details

S3.1.0	Councillors induction/orientation
S3.1.1	<p>Councillors will be provided with a comprehensive face-to-face orientation and induction to Eurobodalla Shire Council. This will include:</p> <ul style="list-style-type: none"> • One day induction • Two-day orientation • Leadership Styles • Delivery Program and Operational Plan Planning Day • Two-day education and training program <p>It is compulsory for Councillors to attend all of these sessions. The General Manager can grant an exemption if there are extenuating circumstances prohibiting a Councillors attendance.</p>
S3.1.2	<p>One day induction</p> <p>This day is an induction to Council where Councillors are provided with the following:</p> <ul style="list-style-type: none"> • Mobile devices • Contact details of key staff • Building access information • Facilities provided to Councillors <p>This session will be run by Council staff and is the first time that Councillors will attend the Council building. The session aims to provide Councillors with the tools require to undertake their duties effectively.</p> <p>Councillors will be provided with documentation on this day that is required to be completed and returned to Council within one week. Corporate photographs will also be taken on this day.</p>
S3.1.3	<p>Two-day orientation</p> <p>This session will be an opportunity for Councillors to gain an understanding of Council services, policies, procedures and corporate documents. This session will be facilitated by an external facilitator and supported by the Executive Leadership</p>

Section 3 – Councillor professional development program

	Team, Divisional/Corporate Managers and other key Council staff. Councillors will be provided copies of key Council documents such as the Delivery Program and Operational Plan, Community Strategic Plan, Annual Report and strategic documents.
S3.1.4	<p>Two-day education and training program</p> <p>Orientation will be conducted by an external facilitator and will cover various topics applicable to Councillors. This includes, but is not limited to:</p> <ul style="list-style-type: none"> • Legal contexts of being a Councillor • Governance • Code of Conduct • Gifts and Benefits • Code of Meeting Practice • Social Media Use • Confidentiality • Work Health and Safety
S3.1.5	<p>Leadership Styles</p> <p>Leadership Styles for all Councillors will be undertaken within the first three months by an external facilitator. Use of the Myers Briggs Type Indicator will assist Councillors to better understand each other, assist with how they may react in a particular situation and how they communicate with others.</p>
S3.1.6	<p>Delivery Program Operational Plan planning day</p> <p>The Delivery Program and Operational Plan planning day is an opportunity for Councillors to have an in-depth look into the program and plan and make suggestions on what should be included for future years. This session will be conducted by an external facilitator.</p>
S3.2.0	Company Directors Course
S3.2.1	If a Councillor has not already completed the Australian Institute of Company Directors Course, Council will cover the costs to complete this course. This may be either face-to-face or online, depending on course availability and Councillor preference.
S3.2.2	There is an expectation that Councillors will complete the course, including the final assessment and exam. The cost of this course will not contribute to the \$2,000 Councillor Professional Development budget. If a Councillor commences the course, but does not complete the course (including the exam and assessments), the Councillor will be required to pay 50% of the course fees back to Council.
S3.2.3	This course should be completed within the first 18 months of a Councillor being elected.
S3.3.0	Ongoing Professional Development
S3.3.1	Ongoing professional development will be provided to Councillors to the value of \$2,000 per year. This total does not include the costs of travel, accommodation, and food. Please refer to the Appendix 1 for these expenses.
S3.3.2	Professional development must be approved by the General Manager.

Review

This policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW Local Government election, unless Council revokes it sooner.

Note: Automatic revocation of the policy is provided for by section 165(4) of the Local Government Act 1993. The next general local government election is expected to be held in September 2024.

This policy may also be reviewed and updated as necessary when legislation required it; or Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages Councillor expenses, facilities, professional development or inductions.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source
Complaints	Council records
Budget is not exceeded	Financial data
Internal audit/legal requirements are met	Audit

Definitions

Word/Term	Definition
ICAC	Independent Commission Against Corruption
LGA	Local Government Area represented by the Council, in this case, Eurobodalla Shire.
OLG	Office of Local Government
Substantial amendment	Substantial amendments could include large changes to monetary limits and/or major changes to the standard of provision of professional development, equipment and facilities, any category of expenses, facilities and equipment to be included in the policy.

Governance

This policy and appendices should be read in conjunction with any related legislation, codes of practice, relevant internal policies and guidelines.

Related legislation and policies

Name	Link
Related policies or code of conduct	https://www.esc.nsw.gov.au/inside-council/council/council-policies
Local Government Act 1993	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1993-030

Local Government Regulation (General) 2005	https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2005-0487
--	---

Related external references

Name	Link
Office of Local Government (OLG)	www.olg.nsw.gov.au
Independent Commission Against Corruption (ICAC)	www.icac.nsw.gov.au

Change History

Version	Approval Date	Approved by	Min no	File No	Change
1	7 Jan 2011	Council	11/172	E08.2108	Policy commenced
2	27 Sep 2012	Council	12/219	E08.2108	Updated to new template, updated review date
3	28 Feb 2017	Council	17/31	E08.2108	Reviewed at start of Council term with minor updates made for currency.
4	13 July 2021	Council	21/114	E08.2108	Policy updated
5	14 June 2022	Council	22/138	E08.2108	Reviewed at start of Council. Report GMR22/063

Internal use

Responsible officer	General Manager		Approved by	Council
Minute	22/138	Report	GMR22/063	Effective date
File	E08.2108	Review date	Mar 2022	Pages
				25