



# Brighton Council

**POLICY NAME:** COUNCILLOR EXPENSES, ENTITLEMENTS & PROFESSIONAL DEVELOPMENT

**POLICY No:** 2.2

## **PURPOSE:**

In accordance with the *Local Government Act 1993* this Policy seeks to:-

- Identify Councillor entitlements;
- Clarify the approval process for reimbursement of expenses incurred by Councillors while undertaking their duties; and
- Determine a Councillor's eligibility for reimbursement or payment of expenses incurred in their role on Council.

The following policy framework identifies the allowable expenses, support and resources available to Councillors:-

### **Resources/Facilities**

- Administrative Support
- iPad

### **Reimbursement**

- Child Care
- Travel – including reimbursement of public transport costs
- Professional development
- Telephone – reimbursement of relevant call costs
- Internet

## **1. EXPENSES**

### **1.1 Child Care**

Council will reimburse the cost of child care expenses incurred by Councillors to attend:-

- Attendance at Council, Committee and Special Council Meetings.
- Council Workshops.
- To attend meetings resulting from a Councillor's appointment by Council to an internal or external body or committee, except where the body or committee reimburses the Councillor for relevant child care expenses incurred.
- During inspections or business activities within the Council area, provided these inspections or business are conducted in accordance with a resolution of the Council.

- During inspections or business activities as organised by the Chief Executive Officer or Departmental Directors.
- To attend to business of the Council, outside the Council area, in accordance with a resolution of Council.
- Attendance at a seminar/conference that aligns with a resolution or policy of Council.

Reimbursement is subject to the following conditions:-

- Claims will require a receipt from a licensed child care provider and proof of entitlement or non-entitlement to the Commonwealth Government Child Care Benefit Scheme. Any entitlement will be deducted from the hourly rate charged by the registered Child Care provider.
- At the Chief Executive Officer's discretion, child care may be approved at an hourly rate of (for example \$20/hour) when no licensed provider is available (evenings for example).
- Childcare expenses are not eligible for reimbursement if the caregiver is someone who normally or regularly resides with the councillor or is a member of the Councillor's immediate family.
- Child Care expense claims must be submitted within 3 months of the incurred date.
- For the purposes of this policy, a child is defined as an individual who is below the age of 16.

## 1.2 Travel

Council will reimburse Councillors, upon request, for travel expenses incurred while representing Council as an official delegate or representative as follows:-

- For travel by car, an expense allowance will be paid, based on the rate set by the Australian Tax Office for reimbursement of vehicle expenses.
- For travel by Public Transport or taxi/rideshare, the fare will be reimbursed upon production of a receipt/ticket.
- Travel must be undertaken by the shortest route possible.
- Claims for reimbursement of travel expenses must be submitted within 3 months of the incurred date.

Claims are payable for:

- During inspections or business activities within the Council area, provided these inspections or business are conducted in accordance with a resolution of the Council.
- To attend to business of the Council, outside the Council area, in accordance with a resolution of Council.
- Attendance at a professional development event that aligns with a resolution or policy of Council.
- During inspections or business activities as organised by the Chief Executive Officer or Departmental Directors.

### 1.3 Legal Expenses

In accordance with Section 341 of the Act, no legal action can be taken against a Councillor who acts in good faith while exercising their powers or performing their duties under the Act.

Council is responsible for covering legal liability, costs and expenses, including legal advice relating to Council's liability and the personal liability of a Councillor. This includes situations where the Councillor acts in accordance with the functions and powers of the office under the relevant Act(s). It does not cover liability for criminal acts or omissions.

Council will not reimburse legal expenses incurred by a Councillor in defending a Code of Conduct complaint. In accordance with Section 28ZN of the Act, costs relating to the investigation and determination of a complaint are to be paid by the Councillor.

Council is neither obligated nor authorised to cover legal fees for any advice or proceedings undertaken by a Councillor in their personal capacity against another individual.

## 2. PROFESSIONAL DEVELOPMENT

This policy encourages Councillors to pursue professional development opportunities, such as conferences, seminars, workshops and training sessions that may benefit the individual Councillor and Council as a whole.

This meets the obligations of the 'Oath of Office' taken by Councillors following their election to Council. This Oath requires Councillors to engage in ongoing professional development in order to maintain and improve their skills and effectiveness.

Councillors undertaking professional development will have expenses for travel, accommodation, registration fees and meals relating to their attendance paid by Council within the parameters of the Council budget.

Council will not pay for partners and spouses to accompany Councillors on Council business, other than for attendance at an official conference dinner. Partners and spouses may accompany Councillors at other events at their own expense.

### 2.1 Approval (Intra and Inter State Travel)

Attendance for professional development purposes within Australia are encouraged and supported, provided that the cost is within the annual budget allocated for each Councillor. Approval should be sought from the Chief Executive Officer to ensure compliance with this policy and the budget prior to confirming attendance.

### 2.2 Council Approval (Overseas Travel)

Attendance at any professional development events held outside of Australia, are subject to Council approval, at an Ordinary Meeting of Council, based on the following:-

- The Councillor must submit a business case to Council detailing the benefits, total costs and required funds to attend the event.

### 2.3 Reporting Requirements

Attendance at any professional development event held outside of Tasmania will require a report to Council. The report can be written or verbal and tabled at a Council meeting, Committee meeting or workshop within three (3) months of the professional development event, and may be combined if multiple Councillors attended.

This report should include:-

- Course topic, content, location, date and duration;
- Relevance of the event to Council business and Councillor professional development requirements;
- Total costs including course materials, travel, accommodation and any other expenses incurred; and
- Benefits to Council from the attendance.

## **2.4 Accommodation/Meals**

- Accommodation will be organised at the Conference/ Workshop/Training Session Hotel or where a package of Hotels is provided, at any one of those Hotels having regard to cost and standard or if both of the above are not applicable or available at a Hotel/Motel close to the Conference venue at a similar rate and standard.
- Expenses for meals and reasonable refreshments will be reimbursed for attending Professional Development events that require overnight accommodation, upon production of receipts.

## **3. FACILITIES / EQUIPMENT**

This Policy acknowledges that the demands made upon a Councillor's time can be significant and Council business can therefore be conducted more efficiently if access is provided to necessary facilities. In regard to the facilities/equipment provided:-

- Councillors must ensure the integrity and configuration of equipment is maintained at all times.
- Limited non-Council use of equipment is permitted as long as it incurs no direct cost to the Council.
- Councillors are responsible for ensuring the protection and safe keeping of all equipment issued and all equipment will remain the property of Brighton Council.

### **3.1 Communication**

Councillors will be provided with an iPad.

- All connection fees will be met by Council.
- Councillors must meet all costs of electricity.

### **3.2 Stationery**

Councillors will be provided with:-

- Business Cards.
- Other stationery requirements will be met from the Councillor's Allowance.

## **4. OTHER EXPENDITURE**

### **4.1 Expenditure General**

Any expenditure not specified within this Policy as expenditure for which a Councillor is entitled to be reimbursed or paid, shall be the responsibility of the Councillor. Such expenditure is to be considered expenses for which the Councillor Allowance applies.

## 4.2 Allowance – Taxation

Given that the Councillor Allowance is treated by the Australian Taxation Office as taxable income, Councillors are encouraged to consider whether this other expenditure is deductible for taxation purposes as an expense necessarily and solely incurred in the carrying out of their Council duties. Prevailing taxation laws and substantiation requirements should be recognised and considered when maintaining records for deduction purposes. Councillors should consult their own professional advisors on financial and taxation matters.

### **ADMINISTRATIVE DETAILS:**

This policy is to be reviewed every four years following each Council election.

Policy compiled: 2015

Adopted by Council: 16/6/2015; 21/01/2025; 17/06/2025

To be reviewed: January 2027



CHIEF EXECUTIVE OFFICER