

EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS

STATUTORY POLICY



1 Scope

This policy applies to Councillors of Rockhampton Regional Council. This policy does not provide for salaries or other form of Councillor remuneration. Councillor remuneration is in accordance with the determination of the Local Government Remuneration and Discipline Tribunal.

2 Purpose

The purpose of this policy is to ensure accountability and transparency in the reimbursement of expenses and the provision of facilities provided or incurred by the Councillors.

3 Related Documents

3.1 Primary

Local Government Regulation 2012

3.2 Secondary

Income Tax Assessment Act 1997 (Cwth)

Local Government Act 2009

Civic Events Policy

Declaration of Travel Expenses Form

Entertainment and Hospitality General Ledger Expense Allocation Guideline

Fleet Vehicle Greenhouse Gas Emissions Reduction Policy

Notice of Incident – Insurance Purposes (Internal)

Insurance Claim Request Form

Insurance Form – Motor Vehicle

Purchasing Policy – Acquisition of Goods and Services

Taxation Rulings issued by the Australian Taxation Office

Travel and Conference Proposal Form

4 Definitions

To assist in interpretation, the following definitions apply:

Activity	Meeting, event, function, conference, training, course or other activity a Councillor may be required to attend as part of their role in attending to Council business.
CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.

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Civic Event	An event or ceremony which involves a guest/s of honour and invites guests approved by the Mayor. Civic events are initiated by the Mayor.
Committee	A group of Councillors created by a resolution of the Council to undertake functions as determined under the <i>Local Government Act 2009</i> or <i>Local Government Regulation 2012</i> .
Council	Rockhampton Regional Council
Council Business	Official business conducted on behalf of Council that should result in a benefit being achieved for the local government and/or local government Region (for example opening a school fete). Council business also includes where a Councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business continuity for the Council (for example official Council meetings, Councillor forums and workshops, committees/boards as Council's official representative, scheduled meetings relating to portfolios or Council appointments). Participating in a community group event or being a representative on a board not associated with Council is not regarded as Council business.
Council Table	The body of elected Councillors of Council.
Councillors	The Mayor and Councillors of Council, within the meaning of the <i>Local Government Act 2009</i> .
Discretionary Training	Training a Councillor wishes to attend, outside the provisions of mandatory training.
Entertainment or Hospitality Expense	The expense to Council of providing an entertainment or hospitality service.
Entertainment or Hospitality Service	Includes the following: (a) Entertaining members of the public in order to promote a local government initiative or project; and (b) Providing food or beverages: (i) To a person visiting council in an official capacity; or (ii) For a conference, meeting, training course, seminar, workshop or another forum that is held by Council for its Councillors, employees or other persons.
Expenses	Costs reasonably incurred, or to be incurred, by a Councillor whilst fulfilling their obligations under the <i>Local Government Act 2009</i> . The expenses may be either reimbursed to Councillors or paid direct by Council.
Facilities	Facilities deemed necessary to assist Councillors in their role.
GVG	Green Vehicle Guide
Mandatory Training	Training the CEO deems mandatory for a Councillor to attend for skill development directly related to the Councillor's role.
Mayor	An elected member of Council, also referred to as a Councillor, with additional responsibilities as outlined in section 12(4) of the <i>Local Government Act 2009</i> .
Reasonable	Council must make sound judgements and consider what is prudent, responsible and acceptable to the community when determining reasonable levels of facilities and expenditure.

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Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
Resolution	A motion passed by a majority of Councillors at the meeting. While in practice it means the “Council decision”, the word “resolution” also indicates the process by which the decision was made.

5 Policy Statement

Council is committed to ensuring Councillors are provided with facilities and have Council business expenses paid or reimbursed to enable them to perform their duties.

Payment or reimbursement of expenses and provision of facilities for Councillors is:

- (a) In accordance with statutory requirements;
- (b) To be open and transparent, prudent, responsible;
- (c) Acceptable to the community;
- (d) Based on ensuring economy and efficiency; and
- (e) Subject to budget provisions.

Family members, including partners, of Councillors are not entitled to reimbursement of expenses or to have access to facilities allocated to Councillors.

This policy is deemed to be a “procedure” for the purposes of section 250(1) of the *Local Government Regulation 2012*.

A leave of absence is automatically granted where a Councillor is appointed as a Council representative on a committee or association by Council resolution. If there may be a lack of quorum at a committee or ordinary meeting due to the Councillor attending an activity, the CEO will refer the approval for a leave of absence to the Council table.

5.1 Expense Categories

5.1.1 General Council Business

Council pays or reimburses expenses incurred in undertaking Council business which includes:

- (a) Preparing, attending and participating in Council meetings, committee meetings, workshops, strategic briefings, deputations and inspections;
- (b) Attending civic functions or civic events to perform official duties or as an official council representative;
- (c) Attending public/community meetings, presentation dinners and annual general meetings where invited as a Councillor; or
- (d) Attending a community event where a formal invitation has been received.

5.1.2 Professional Development

Council pays or reimburses expenses incurred by a Councillor attending the following professional development:

- (a) Mandatory training; and
- (b) Discretionary training provided the expenses do not exceed the following limits:
 - (i) Mayor No limit
 - (ii) Deputy Mayor \$10,000 per year
 - (iii) Committee Chairs \$7,500 per year
 - (iv) Councillors \$5,000 per year

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If a Councillor exceeds the above limits and wishes to attend discretionary training, a Council resolution is required.

5.1.3 Travel Expenses

If in line with budget allocation, Council pays or reimburses local, interstate and overseas travel expenses incurred by a Councillor (for example, flights, car, accommodation, meals) as set out in this policy provided the expenses are deemed necessary for undertaking Council business or training.

The following travel expenses must be approved by Council resolution:

- (a) All international travel and associated costs; and
- (b) Expenses incurred outside of current budget allocation.

Councillors must take into consideration the value and benefit to Council of an activity before deciding whether or not to attend an activity.

Details of all proposed flights, accommodation, hire car and other known travel expenses must be completed on a Travel and Conference Proposal Form and submitted prior to travel. All travel arrangements must be coordinated with Committee Support.

5.1.3.1 Flights

Airline bookings are made with respect to convenience of scheduling, and where practical, to take advantage of discounted air fares.

Standard of air travel is economy class however when Councillors are required to travel on long range flights the CEO may approve travel other than economy class.

5.1.3.2 Accommodation

All Councillor accommodation should be selected having regard to:

- (a) The best price value; and
- (b) Convenience to the conference/meeting.

In determining accommodation locations and standards for all Councillors, every effort is made to minimise the total cost associated with attendance at the event. Travel time to the event, taxi costs, convenience and hotel services is considered when booking accommodation. When practical and available, accommodation is arranged within close proximity to the event venue.

When attending conferences, Councillors should utilise the costs savings from any package provided by conference organisers. Alternative accommodation arrangements may be chosen taking into account the total costs, location, value for money, convenience and safety.

One night's accommodation prior to the event is only approved where travel to the event on the day of commencement is not practical.

All expenses incurred at the accommodation venue other than accommodation and meals must be settled at the time of departure.

5.1.3.3 Private Vehicle Use

Use of private motor vehicles is not encouraged and should only be utilised where no other means of transport is available, practical or economical. The use of private vehicles for Council business is only acceptable where every effort to use Council vehicles has been explored in advance of its required need.

Council insurance does not cover private vehicles used for Council business.

Any use of private motor vehicles must be approved by the CEO prior to the commencement of travel.

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Where a Councillor utilises their own vehicle to attend an activity, the Councillor is entitled to a travel allowance in accordance with the Australian Taxation Office vehicle mileage rates per kilometre schedule.

5.1.3.4 Parking and Associated Fees

Council reimburses parking costs where a vehicle has incurred fees (excluding infringement notices) whilst attending an activity.

5.1.3.5 Public Transport/Taxi Fares

Council reimburses the cost of travel to and from activities. Where possible, cabcharge vouchers and airtrain tickets should be obtained from Committee Support prior to travel.

5.1.3.6 Conference Proceedings

Council reimburses the cost of conference proceedings where the information is deemed valuable to convey information about the conference content that could not be conveyed as well by other means.

5.1.3.7 Laundry/Dry Cleaning

Council reimburses the cost of laundry/dry cleaning charges when the Councillor's travel exceeds four consecutive days.

5.1.3.8 Business Telephone Calls, Facsimiles and Postage

Council reimburses the cost of official business telephone calls, modem and internet connections, facsimiles and correspondence, photocopying and postage.

5.1.3.9 Personal Telephone Calls and Calls from Mobile Phones

Council recognises the personal sacrifice of travelling for Council business and the impact it has on family life. In recognition of this, personal calls are allowed to a maximum of \$15.00 per day.

5.1.3.10 Meals

If breakfast is able to be purchased at the place of accommodation and can be charged to the room account, the standard hotel breakfast rate is covered.

If not included as part of the activity or accommodation package, the cost of meals allowable is up to:

- (a) Breakfast \$50.00
- (b) Lunch \$50.00
- (c) Dinner \$100.00

Meal allowances must be utilised independently for each meal type per day and not to be added together for one meal.

Should the Councillor choose not to attend a provided meal, then the full cost of the alternative meal is to be met by the Councillor.

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5.1.3.11 Non Allowable Expenditure

As a guide, expenses not normally reimbursed at home, are not reimbursed when travelling. The following expenses are not reimbursed by Council:

- (a) Beverages not included within a meal allowance;
- (b) Tips and gratuities other than where travel is to a place where tips and gratuities are the custom;
- (c) Applying for or renewing passports;
- (d) Airline club fees (that is, Qantas Frequent Flyer or Virgin Australia Velocity Club), other than approved by the CEO;
- (e) Excess baggage claims, unless items are directly related to the approved event;
- (f) Toiletries;
- (g) Barber or hair stylist;
- (h) Babysitting fees;
- (i) Kennel fees;
- (j) Tourism related costs;
- (k) Traffic parking fines;
- (l) Travel costs not applicable to the approved activity;
- (m) In-flight and in-house movies;
- (n) In-house or external entertainment not directly related to the approved activity;
- (o) Personal gifts, goods or services purchased;
- (p) Costs incurred for family members (partners and children):
 - (i) Meals;
 - (ii) Travel;
 - (iii) Incidentals, for example, laundry, in-house video hire;
 - (iv) Partner's programme; and
- (q) Public transport or taxi fares for personal matters, for example, shopping, visiting friends/relatives etc.

5.1.3.12 Other Travel Matters

5.1.3.12.1 Travel Insurance

Councillors are covered by Council insurance while travelling on authorised Council business. Details of cover may be obtained from the Manager Corporate and Technology Services

If the level of cover is considered by the Councillor to be inadequate for their personal requirements, additional insurance can be obtained at the Councillor's expense.

5.1.3.12.2 Local Government Workcare

Councillors engaged in travel on authorised Council business, including intrastate, interstate or overseas travel are entitled to the statutory protection of WorkCare, as in the normal course of employment.

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Cover is extended to Councillors for the full duration of the Councillor's absence from the normal place of work, but excludes personal/recreational activities of a high-risk nature outside the normal course of employment.

5.1.3.12.3 Extended Personal Travel

Should travel time be extended by the Councillor for personal reasons beyond what is necessary for the purposes of the authorised travel, all additional costs and arrangements is the responsibility of the Councillor.

5.1.3.12.4 Travel by Family Members

A Councillor may choose to have a companion travel with them to an activity. The Councillor is responsible for charges over and above the standard Council rate for one adult travelling, for example, standard room as opposed to larger room to accommodate a family or car hire to accommodate a family.

5.1.3.12.5 Rewards Programs

Councillors may accumulate reward points for travel for business and/or personal use as a result of travel in the course of their duties. Councillors are to use their best endeavours to allocate rewards points accumulated in the course of their duties for future Council business travel.

5.1.3.12.6 Non-Attendance

It is the Councillor's responsibility to ensure they undertake the approved confirmed attendance, travel and/or accommodation booked.

Council reserves the right to recoup costs incurred for the failure of such attendance.

5.1.3.12.7 Purchase Cards

Councillors must not use corporate purchase cards to book travel arrangements, including flights, accommodation or registrations. The only exception is for emergency flight or accommodation changes outside the Councillor's control.

5.1.3.12.8 Additional Expenses

Any additional costs not covered by this policy may be approved by the CEO provided the costs are fully substantiated and receipts or declarations of all expenditure incurred are provided on the Declaration of Travel Expenses Form.

5.1.3.12.9 Claiming and Declaration of Travel Expenses

It is the Councillor's responsibility to seek reimbursement of legitimate expenses upon return.

Expenses incurred during travel on Council business must be declared on the Declaration of Travel Expenses Form. This includes both expenses to be reimbursed and expenses incurred on corporate purchase cards. The original itemised tax invoice/receipt must be submitted with the Declaration of Travel Expenses Form. If the original tax invoice cannot be produced, a statutory declaration must be completed.

All travel supporting documentation including unused cab charge vouchers and airtrain tickets must be returned with the Declaration of Travel Expenses Form within 14 days of completion of travel.

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5.2 Entertainment and Hospitality Expenses

Council recognises that there are circumstances where incurring entertainment and hospitality expenses are appropriate in the conduct of local government business. As Council is a publicly funded body, Council must ensure entertainment and hospitality expenses are incurred for the purpose of Council operations, and a high standard of accountability for funds are maintained.

Entertainment or hospitality expenses incurred by Councillors must be:

- (a) for official purposes;
- (b) properly documented with the purpose identified;
- (c) available for scrutiny by both internal and external audit;
- (d) be appropriate and responsible and withstand the public defensibility test; and
- (e) in accordance with the adopted budget.

Entertainment or hospitality expenses incurred by Councillors must be within the allocation of funding in the annual budget.

5.2.1 Approved Entertainment and Hospitality Expenditure

Entertainment and hospitality expenditure is allowed where it is considered important for the conduct of public business and/or facilitating corporate and professional relationships.

5.2.1.1 CEO Approval

Where practicable, entertainment and hospitality expenses must be approved by the CEO prior to spending funds.

When approving the claim, the CEO considers the following:

- (a) the frequency of claims;
- (b) factors such as accepted community practice or standard;
- (c) be satisfied it is reasonable;
- (d) includes appropriate documentary evidence; and
- (e) whether the claim withstands the public defensibility test.

5.2.1.2 Expenditure Limit

Provided entertainment and hospitality expenses are incurred in accordance with the requirements of this policy, Council pays or reimburses entertainment and hospitality expenses incurred by Councillors provided the expenses do not exceed:

- (a) \$6,000 per annum for the Mayor; and
- (b) \$1,200 per annum for each Councillor.

Hospitality expenses related to official receptions and other functions organised by Council are excluded from the expenditure limits mentioned above and are met from relevant approved budgets.

5.2.1.3 Use of Corporate Purchase Card

A Councillor issued with a corporate purchase card in the name of Council may use this card to pay for entertainment and hospitality expenses subject to the terms and conditions of the card.

5.2.1.4 Reporting

Entertainment and hospitality expenses are charged to specified accounts as per the Entertainment and Hospitality General Ledger Expense Allocation Guideline to ensure compliance with tax obligations relating to goods and services tax and fringe benefits tax.

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5.3 Facilities

Facilities provided for Councillors must be deemed necessary and required to assist Councillors in their official duties.

Council determines the reasonable standard for facilities for Councillors. If a Councillor chooses a higher standard of facility than prescribed by Council, any difference in cost must be met by the Councillor.

Facilities provided to Councillors remain Council's property and must be accounted for during annual equipment audits. The facilities must be returned to Council when the Councillor's term expires, unless Council agrees to dispose of the facility in some other manner.

5.3.1 Administrative Tools and Office Amenities

Council provides Councillors with the facilities listed below:

5.3.1.1 Office Space and Access to Meeting Rooms

The Mayor and Deputy Mayor are provided with a dedicated office in the Rockhampton City Hall.

Council provides access to occasional office accommodation and meeting rooms for Councillors to meet with constituents and the public.

5.3.1.2 Support

The Mayor is provided with a coordinator, an administration officer and a communications officer.

The Deputy Mayor and Councillors are provided with two and two thirds shared administrative support officers as determined by the CEO.

5.3.1.3 Computer

Councillors are provided with a laptop computer for Council business use.

An iPad or similar tablet type mobile device is made available on request to the CEO.

5.3.1.4 Photocopier and Paper Shredder

Councillors are entitled to access photocopiers and paper shredders for business use at the various Council offices.

Access to domestic photocopiers/scanners may be provided for the home based offices, on request to the CEO.

5.3.1.5 Stationery

Councillors are provided stationery for official purposes only.

Council stationery is not to be converted or modified in any way and may only be used for carrying out the functions of the role of Councillor.

Stationery does not include any form of advertising by Council.

5.3.1.6 Telecommunication Needs

Councillors are provided with a smartphone as designated by the CEO.

It is recognised that community obligations and demands on the Mayor, Deputy Mayor and Councillors are such that generally all calls are deemed to be Council business. Therefore, the Mayor, Deputy Mayor and Councillors are entitled to have the full cost of Council business related mobile devices charges paid by Council.

5.3.1.7 Publications

Councillors are provided access to copies of relevant legislation, books and journals considered necessary for undertaking their duties.

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5.3.1.8 Advertising

Council does not reimburse or provide funds, services or facilities for the purposes of advertising for Councillors.

5.3.1.9 Community Consultation

Councillors may use Council provided facilities to correspond with community representatives for the purpose of clarifying issues relevant to their division or the Region in general. If a Councillor chooses to undertake more community consultation than the consultation approved by Council, the Councillor must pay the costs of the further consultation.

5.3.1.10 Other Equipment

Councillors may be provided with home office equipment (in addition to a laptop computer as identified in paragraph 5.3.1.3) comprising of a:

- (a) Laptop docking station;
- (b) Printer;
- (a) Computer screen;
- (c) Lockable filing cabinet;
- (d) Desk and chair; and
- (e) Internet access for business use only.

5.3.1.11 Personal Protective Equipment, Uniforms and Name Badge

Councillors are provided with any personal protective equipment such as overalls, safety shoes, safety helmets or glasses, as required.

Councillors may be provided with corporate uniforms comprising five items, a blazer and a name badge if required.

5.3.1.12 Maintenance

Council covers ongoing maintenance costs associated with fair wear and tear of Council owned equipment to ensure it is operating for optimal professional use.

5.3.2 Vehicles

5.3.2.1 Vehicle Allowance

Councillors, with the exception of the Mayor, are provided with a Council vehicle for official business use, up to Council's fleet purchase price of \$35,000 (exclusive of GST but inclusive of any extras or accessories fitted to the vehicle).

As a result of the community expectations and demands on the Mayor, all vehicle use by the Mayor is deemed to be Council business. The Mayor is provided with a Council vehicle for Council business use, up to Council's fleet purchase price of \$65,000 (exclusive of GST but inclusive of any extras or accessories fitted to the vehicle).

During the term of Council, a Councillor or Mayor may make a request to the CEO to change vehicle arrangements providing it is cost neutral for Council. Should there be excessive costs to Council, the CEO may refuse the request or require the Councillor to reimburse such costs.

5.3.2.2 Greenhouse Gas Emissions

Council provided vehicles must meet the requirements of the Fleet Vehicle Greenhouse Gas Emissions Reduction Policy.

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5.3.2.3 Private Use

Councillors may elect to have limited private use of a Council vehicle, however are required to contribute to private use operating and FBT costs. This can be contributed post-tax or salary sacrificed pre-tax pending any changes to applicable taxation laws.

Private use of Council vehicles is limited to within 100km of the Region's boundaries. Any private use outside of these boundaries requires a record to be kept and advice provided to the CEO within 30 days of the use. The CEO invoices the Councillor based on the mileage allowances recommended by the Australian Taxation Office.

Councillors who choose to elect to have limited private use are required to reimburse Council an annual amount of \$4153.43 plus yearly Council plant hire increases.

Reimbursement is not required for any business travel.

It is considered that all vehicle use by the Mayor is deemed to be Council business use, therefore this requirement to calculate private use is not applicable.

5.3.2.4 Conditions of Use

5.3.2.4.1 Roadworthiness and Appearance

It is the Councillor's responsibility to ensure the vehicle is maintained in a roadworthy condition. No vehicle is to be driven if there is doubt as to its roadworthiness.

It is a Councillor's responsibility to ensure:

- (a) servicing is carried out in accordance with manufacturer's guidelines and contractual obligations;
- (b) the vehicle is clean and maintained at a high standard to promote a positive image of Council;
- (c) regular maintenance including fluid and tyre pressure checks are carried out; and
- (d) obvious tyre, windscreen or other wear or abnormal noises are reported to Fleet Services.

5.3.2.4.2 Authorised Drivers

Unless an emergency exists, the following are authorised drivers of a Council vehicle:

- (a) the Councillor allocated to that vehicle;
- (b) the Councillor's spouse or partner;
- (c) any other licensed driver, provided the Councillor is in the vehicle at the time; or
- (d) another licensed Council employee or Councillor for work related travel.

5.3.2.4.3 Refuelling of Vehicles

Vehicles are to be refuelled at Council's preferred supplier's service station using the supplied fuel card.

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5.3.2.4.4 Infringements

Council is not liable to pay any fine or costs incurred by the driver of a Councillor allocated vehicle if that person infringes against Road Traffic Regulations, the local laws of a local government or any other regulation that relates to the use of vehicles.

The onus for payment of a fine or other costs resides with the offender. If the actual driver cannot be determined, the Councillor may be held liable for the penalties involved.

5.3.2.4.5 Insurance

Council vehicles are insured under a comprehensive policy. This insurance policy becomes null and void if the driver is:

- (a) not in possession of a current driver's licence;
- (b) convicted of being under the influence of alcohol or prohibited substances; or
- (c) not authorised to drive the relevant Council vehicle.

In such cases the driver could become personally liable for damages.

Personal property left in motor vehicles is not insured under any circumstances.

5.3.2.4.6 Theft of a Council Vehicle

In the event of the theft of a Council vehicle, Councillors are required to notify the police and CEO immediately.

5.3.2.4.7 Loss of Drivers Licence

Any Councillor disqualified or suspended from driving automatically forfeits rights for usage of a Council vehicle for at least the period of disqualification or suspension.

Councillors must report any loss of drivers licence to the CEO immediately.

5.3.2.4.8 Accidents

In the event of an accident, Councillors must comply with the Council Vehicle Incident Procedure.

5.4 Legal Costs and Insurance Cover

Councillors are covered under Council insurance policies when discharging civic duties. Insurance cover is provided for:

- (a) public liability;
- (b) professional indemnity;
- (c) personal accident and/or workers compensation; and
- (d) international and domestic travel insurance.

Any claim over and above the stated requires the approval of a Council resolution.

Council will cover costs incurred through injury, investigation, hearings or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillors performance of their civic functions. If it has been found that the Councillor breached the provisions of the governing legislation, the Councillor will reimburse Council with all associated costs incurred by Council. Should a Councillor obtain their own legal advice, Council may consider at its discretion making a contribution in full or in part towards the legal costs incurred subject to the Councillor not being found to be in breach of the provisions of the governing legislation.

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5.5 Vacation of Office

In cases resulting in the vacation of office, any facilities and vehicles allocated to the Councillor (including keys, fleet cards, log books and any other documentation) must be returned to Council on cessation date.

5.6 Payment of Expenses

Councillors who require reimbursement of personal expenses incurred whilst undertaking Council duties, must submit original receipts to their Executive Support Officer to be approved by the CEO. Receipts must be submitted no later than 30 June of that year. Reimbursements must be made in the financial year they were incurred.

5.7 Reporting

Council's Annual Report must contain information on Councillor expenses reimbursement and provision of facilities as stipulated in the *Local Government Regulation 2012*.

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) As required by legislation;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Chief Executive Officer
Policy Owner	Executive Coordinator to the Mayor
Policy Quality Control	Legal and Governance



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