

## Councillors' Expenses and Facilities Policy

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Councillors' Expenses and Facilities Policy		
Owner: Chief of Staff – Executive Office	Area: Chief Executive Office	POL No: 217
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# Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the Local Government Act 1993 (the Act) and Local Government (General) Regulation 2005 (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Standard / Maximum amount	Frequency
General travel expenses	\$5,000 per Councillor \$6,500 for the Lord Mayor	Per year
Interstate and overseas travel expenses	\$2,000 per Councillor for interstate All overseas travel to go to a full Council meeting for approval	Per year
Accommodation and meals	As per the <i>NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</i> , adjusted annually	Per meal/night
Professional development, including Conferences and Seminars	\$5,000 per Councillor	Per year
Non-Council Functions and Other Events including accompanying person expenses	\$1,000 per Councillor \$2,000 for the Lord Mayor	Per year
ICT equipment and expenses		
(a) Mobile computing device (e.g., tablet or laptop)/multifunction device	\$5,000 per Councillor	Per term
(b) Mobile phone and related equipment	\$3,000 per Councillor	Per term
(c) Mobile phone plan including calls and data for Council business	Up to \$80 per Councillor	Per month
(d) Personal internet connection	Up to \$50 per Councillor	Per month
Carer expenses	\$4,000 per Councillor	Per year
Home office expenses	\$500 per Councillor in the first year of a Council term \$300 per Councillor every year after	Per year
(a) Printer paper, envelopes, and other minor items of consumable stationery		

(b) Printer ink cartridges	\$500 per Councillor	Per year
Postage	\$1,000 per Councillor	Per year
Christmas or festive cards	200 per Councillor 600 for the Lord Mayor	Per year
Access to facilities in a Councillor common area and access to shared private workspaces/offices as per Clause 8.1	Provided to all Councillors	Not relevant
Council vehicle, fuel card and toll road tag supplied for official use to the Lord Mayor	Provided to the Lord Mayor	Not relevant
Reserved parking space at Council's offices for the Lord Mayor's Council-issued vehicle and parking spaces sufficient to allow Councillors to park when in the office or at Council meetings.	Provided to the Lord Mayor and Councillors	Not relevant
Furnished office incorporating a computer configured to Council's standard operating environment, telephone, and meeting space	Provided to the Lord Mayor	Not relevant
Councillor corporate uniform and name badge	Name badge provided to all Councillors  Issued upon request: One blazer per Councillor Two neckties / scarves per Councillor One hat per Councillor Two business shirts or blouses per Councillor Two polo shirts per Councillor One all weather coat per Councillor One umbrella per Councillor	Per Council term
Additional Lord Mayor corporate uniform	Issued upon request: One additional blazer Two additional business shirts or blouses	Per Lord Mayoral term

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Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time can only be approved by the Lord Mayor and Chief Executive Officer (CEO).

Detailed reports on the provision of expenses and facilities to Councillors will be published publicly in accordance with the requirements of the Local Government Act 1993 (NSW).

# PART A – INTRODUCTION

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## 1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of City of Parramatta Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.
- 1.6. Where a Councillor is entitled to an additional sitting fee, where formally directed by the NSW Government through the Office of Local Government or by Ministerial Direction, payments will be arranged in accordance with these directions and confirmed by Council resolution as required.

## 2. Policy objectives

- 2.1. The objectives of this policy are to:
  - ensure accountability and transparency in the reasonable and appropriate reimbursement of expenses incurred by Councillors in the course of discharging their civic duties
  - ensure that the facilities provided to Councillors to carry out their civic duties are reasonable, are at a standard appropriate to their professional role as a Councillor and meet community expectations
  - promote a diversity of representation
  - fulfil Council's statutory responsibilities.

## 3. Principles

- 3.1. Council commits to the following principles:
  - **Proper conduct:** Councillors acting lawfully and honestly, exercising care and diligence in carrying out their functions in accordance with Council's Code of Conduct
  - **Direct expenses:** Providing for Councillors to be reimbursed for expenses directly incurred as part of their role as a Councillor.
  - **Participation, equity and access:** Enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.

- **Appropriate use of resources:** Providing clear direction on the appropriate use of Council resources in accordance with legal requirements, Council policies and community expectations.
- **Accountability and transparency:** Clearly stating and reporting on the expenses and facilities provided to Councillors.

## 4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. Such incidental private use is not subject to a compensatory payment back to Council. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council equipment or facilities does occur, Councillors must reimburse Council.
- 4.4. Campaigns for re-election are considered to be a private interest. The following in connection with a re-election campaign are considered to be private to Councillors:
  - production of election material
  - use of Council resources for campaigning
  - use of official Council letterhead, publications, websites, or services for political benefit
  - fundraising activities of political parties or individuals, including political fundraising events

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## PART B – EXPENSES

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### 5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

### 6. Specific expenses

#### **General travel arrangements and expenses**

- 6.1. All travel by Councillors should be undertaken by using the most direct route and the most practicable and economical mode of transport.
- 6.2. Councillors may be reimbursed up to \$5,000 per year for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. The Lord Mayor may be reimbursed up to \$6,500.00 per year. This includes provision of or reimbursement:
  - for public transport fares
  - of mileage allowance for the use of private vehicle per kilometre as provided for in the Local Government (State) Award
  - for parking costs for Council and other meetings
  - by Cabcharge card or equivalent
  - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Councillors seeking to be reimbursed for use of a private vehicle must complete the appropriate Councillors Expense Claim Form, providing a log of the date, starting location, destination, distance, and purpose of travel being claimed.
- 6.4. Any Councillor seeking reimbursement for travel expenses above the limit must have prior written approval from the CEO.
- 6.5. The Lord Mayor and Councillors may, upon request, be issued with a Cabcharge account card, the use of which must comply with this policy.
- 6.6. Councillors may use Cabcharge vouchers/cards for taxi travel for journeys in the Sydney metropolitan region to assist them to carry out their civic duties.
- 6.7. Upon being issued with a Cabcharge Card, Councillors must sign a form agreeing to comply with the conditions of use for the card. Council will only meet the cost of taxi journeys undertaken by Councillors for Council business purposes.
- 6.8. At the end of each Cabcharge billing period, each Councillor will receive a statement detailing taxi journeys undertaken during that period. Councillors are required to check the statement, complete an “Authority Confirmation Form” to verify that all travel listed on the statement is correct, and complete a “Business Purpose Form” providing the details of, and reasons for, each journey, identify any non-Council business related journey, and submit the completed form, and matching receipt for each journey detailed on the statement, to the Executive Support Unit within 14 days of each statement date.

- 6.9. These statements will be checked by the Executive Support Unit and, in accordance with Section 11 of this Policy, an invoice will be issued for reimbursement to Council of any non-Council business related journey identified by the Councillors.

### **Interstate and overseas travel expenses**

- 6.10. In accordance with Section 4, Council will assess the value and need for Councillors to undertake overseas travel. Councillors should ensure direct and tangible benefits can be established for the Council and the local community for interstate and overseas trips.
- 6.11. Total interstate travel expenses will be capped at \$2,000 per Councillor per year.
- 6.12. Councillors seeking to undertake any interstate travel must submit a business case to the CEO. The business case must include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business.
  - who is to take part in the travel and duration and itinerary of travel
  - a detailed budget of any amounts expected to be reimbursed by the participant/s.
- 6.13. Approval for undertaking, and reimbursement of costs related to interstate travel, is to be granted by the CEO, in consultation with the Lord Mayor.
- 6.14. For approved interstate journeys by air, the class of air travel is to be economy class. Council will only reimburse up to the cost of economy class should Councillors prefer to book their own air travel.
- 6.15. Councillors seeking to undertake overseas travel must submit a business case to the CEO for consideration at a full Council meeting. The business case must be submitted ten days prior to the meeting and include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business.
  - who is to take part in the travel and duration and itinerary of travel
  - a detailed budget of any amounts expected to be reimbursed by the participant/s.
- 6.16. All overseas travel costs must be approved by a full Council meeting.
- 6.17. For approved international travel, the class of air travel is to be premium economy, if available. Otherwise, the class of travel is to be economy. Council will only reimburse up to the cost of economy class, or premium economy if available, should Councillors wish to book their own air travel.
- 6.18. For direct payment of approved air travel, bookings are to be made through the Executive Support Unit.
- 6.19. For air travel that is provided or reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.
- 6.20. After returning from overseas travel, Councillors must provide an information report to the next Ordinary Council meeting on the aspects of the trip relevant to Council business and/or the community. If two or more Councillors attend the same event, only one report is required to be submitted.

### **Travel expenses not paid by Council**

- 6.21. Council will not pay any traffic or parking fines or administrative charges for toll road usage, except for those toll road charges incurred by use of the motor vehicle provided to the Lord Mayor as per clause 9.1. of this Policy.

## **Accommodation and meals**

- 6.22. Council will reimburse costs for accommodation and meals while Councillors are undertaking approved travel or professional development.
- 6.23. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the *NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.
- 6.24. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the CEO, being mindful of Clause 6.23.
- 6.25. Councillors will not be reimbursed for alcoholic beverages.

## **Refreshments for Council related meetings**

- 6.26. Appropriate refreshments will be available for Council meetings, Council committee meetings, other official Council committees, Councillor briefings and workshops, approved meetings and engagements, and official Council functions as approved by the CEO.
- 6.27. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the CEO should be mindful of *Part B Monetary Rates* of the *NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.



## **Professional development including Conferences and Seminars**

- 6.28. As part of this Policy, Council will facilitate and promote the professional development of Councillors through programs, training, education courses, conferences, seminars, and membership of professional bodies, with a total maximum annual expenditure of \$5,000 per Councillor.
- 6.29. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.30. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member. This approval is subject to a written request to the CEO.
- 6.31. Approval for professional development activities is subject to a prior written request to the CEO outlining the:
- details of the proposed professional development.
  - relevance to Council priorities and business.
  - relevance to the exercise of the Councillor's civic duties.
- 6.32. Approval to attend a conference or seminar is subject to a written request to the CEO or by resolution of the Council. In assessing a Councillor request, the CEO must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
  - cost of the conference or seminar in relation to the total remaining budget.
- 6.33. Council will meet the reasonable cost of registration fees and accommodation associated with attendance at conferences approved by the CEO, in accordance with clauses 6.27. – 6.31. of this policy. Council will also meet the reasonable cost of meals when they are not included in the conference fees.
- 6.34. The provisions of clauses 6.1. – 6.9. of this Policy will apply to transport arrangements associated with Councillor's attendance at approved professional development activities including Conferences and seminars.
- 6.35. At the determination of the CEO, a Councillor may be required to reimburse the Council in accordance with clause 10.14. if the Councillor does not attend a conference or professional development activity that they are registered to attend.

## **Exempt Conference and Professional Development Programs**

- 6.36. Councillors may elect to either complete the Local Government NSW (LGNSW) Executive Certificate for Elected Members or the full Company Directors Course conducted by the Australian Institute of Company Directors (AICD).
- 6.37. Councillors may not seek payment for or reimbursement of expenses for the LGNSW Executive Certificate or AICD course in the final year of a Council term.
- 6.38. Councillors must seek upfront written approval from the CEO prior to enrolling in the LGNSW Executive Certificate or AICD course and will be required to provide evidence of attendance of the course.
- 6.39. Councillors will be required to reimburse Council, in accordance with clause 10.14, if the Councillor is registered to complete the LGNSW Executive Certificate or AICD course and does not attend, at the determination of the CEO.
- 6.40. All Councillors may attend the Local Government NSW Annual Conference.

- 6.41. Attendance at these conferences and professional development programs is voluntary, and do not contribute to the monetary limits for conferences and professional development mentioned elsewhere in this policy.
- 6.42. The provisions of clauses 6.1. –6.9. of this Policy will apply to transport arrangements associated with the Local Government NSW Annual Conference attendance.

### **Council Representation at Non-Council Functions and Other Events**

- 6.43. The annual limit for attending dinners, non-Council functions, community, charitable and corporate or industry events where Councillor representation would be appropriate, such as award nights which are relevant to Council's interests, is \$1,000 for each Councillor.
- 6.44. At the determination of the CEO, a Councillor may be required to reimburse the Council in accordance with clause 10.14, if the Councillor does not attend an event that they are registered to attend.
- 6.45. The prior approval of the CEO is required when seeking for Council to pay for attendance at dinners, non-Council functions and community events, where there is an associated cost, with a written request required where the cost exceeds \$250.
- 6.46. In addition to clause 6.43., Council will provide a further budget of up to \$1,000 per year to assist the Lord Mayor (or their delegate) in conducting their civic duties and attendance at community functions.
- 6.47. Council will pay the entry fee/ticket cost associated with the attendance of a Councillor at a dinner, non-Council functions, community and corporate or industry events relevant to Council's interest.
- 6.48. Council will not pay for or reimburse to a Councillor costs associated with attendance at any political fundraising event, any donation to a political party or candidate's electoral fund or for some other private benefit.
- 6.49. Likewise, no payment shall be made or reimbursed by Council for any component of a ticket that is additional to the service cost, such as a donation to a political party or candidate's electoral fund or any other private benefit.

### **Accompanying person expenses**

- 6.50. Council will meet certain expenses incurred by a Councillor on behalf of an accompanying person, that are properly and directly related to the role of the Councillor, as indicated below:
- For the LGNSW Annual Conference, Council will meet the costs of attending the official opening reception and conference dinner for an accompanying person of a Councillor
  - Council will pay or reimburse the cost of the ticket for an accompanying person to attend a non-Council function or event while accompanying a Councillor, with approved expenses met from the allowance established under clauses 6.43. – 6.49.

### **ICT expenses**

- 6.51. Information and Communication Technology (ICT), equipment and services issued or provided for under this policy are intended to be utilised by Councillors to undertake their civic duties only.
- 6.52. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred using the prescribed form.
- 6.53. Where a Councillor has exceeded the limits set out below, but through instances of theft, damage, or other reasonable cause, is unable to continue use of their existing devices

Council will ensure access to appropriate devices to enable them to carry out their civic duties as determined by the CEO.

#### **Mobile computing and multi-function device**

- 6.54. Council will provide or reimburse Councillors for expenses, including reasonable repair, replacement, or maintenance, up to a limit of \$5,000 per term for each Councillor that are associated with:
- An appropriate tablet and/or mobile computing device (such as a laptop)
  - One multifunction device (for scanning or printing)
  - Related accessories
- 6.55. Council will supply a 'standard' kit to Councillors upon request, within the above maximum limit. The standard kit contains a tablet and/or laptop computer with software and multifunction printer/scanner device. Council staff will fully support items from the standard kit. Council may vary the standard equipment from time to time in accordance with organisational technology changes.
- 6.56. Alternatively, if Councillors choose to select and purchase their own device, Councillors will be responsible for costs in excess of the maximum amount under clause 6.54. The maximum amount under clause 6.54 is to be reduced by the value of any equipment that the Council has supplied in the specific period. If Councillors choose to select and purchase their own device; they do so with the understanding that Council staff will not service or support the device.
- 6.57. All items provided by Council or for which Council has paid via reimbursement remain the property of Council.

#### **Mobile phone and related equipment**

- 6.58. Council will provide or reimburse Councillors for expenses associated with mobile phone equipment, including reasonable accessories, repair, replacement, or maintenance, up to a limit of \$3,000 per Councillor per term.
- 6.59. Council will supply a 'standard kit' to Councillors upon request, to be included in the above maximum limit. The standard kit contains an iPhone or Samsung mobile phone and accessories. Council staff will fully support items from the standard kit. Council may vary the standard equipment from time to time in accordance with organisation technology changes.
- 6.60. Alternatively, if Councillors choose to select and purchase their own device, Councillors will be responsible for costs in excess of the maximum amount under clause 6.58. The maximum amount under clause 6.58 is to be reduced by the value of any equipment that the Council has supplied in the specific period. If Councillors choose to select and purchase their own device; they do so with the understanding that Council staff will not service or support the device.
- 6.61. All items provided by Council or for which Council has paid via reimbursement remain the property of Council.
- 6.62. Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a Councillor, within the maximum limit under clause 6.58.

#### **Mobile phone services and internet**

- 6.63. Council will arrange and pay for a mobile phone plan for each Councillor, including class and communications and data package, for Council business up to a value of \$80 per month.

- 6.64. Where a Councillor provides their own mobile phone plan, Council will reimburse the Councillor for business related usage (including data and Council business calls) within the monthly limit outlined in 6.62.
- 6.65. Any excess usage charged in relation to the Councillor standard mobile phone plan will be handled in accordance with clause 10.15.
- 6.66. Where Councillors use a personal internet connection Council will reimburse up to 50% of their monthly access fees, with a limit of \$50 per month.

### **Carer's and special requirement expenses**

- 6.67. Council encourages wide participation and interest in civic office. It will ensure Council premises and associated facilities are accessible, including provision for sight or hearing-impaired Councillors and those with other disabilities.
- 6.68. Transportation provisions as outlined in this policy, such as access to Cabcharge cards, will also assist Councillors who may be unable or unwilling to drive a vehicle.
- 6.69. In addition to the provisions above, the CEO may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.70. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to re-imburement of carer's expenses up to a maximum of \$4,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.71. Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.72. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the CEO that reimbursement is applicable. This may take the form of advice from a medical practitioner.

### **Home office expenses**

- 6.73. Each Councillor may be reimbursed up to \$500 in the first year of a new Council term and \$300 per each subsequent year for costs associated with the maintenance of a home office, such as printer paper, envelopes, and other minor items of consumable stationery.
- 6.74. Each Councillor may be issued or reimbursed for up to \$500 per year for costs associated with printer ink cartridges.
- Where Councillors seek reimbursement or provision of new printer ink cartridges, used cartridges should be returned to Council.

### **Insurance and legal expenses**

- 6.75. Councillors are to receive the benefit of insurance cover while in or on any activity directly or indirectly connected with or on behalf of Council including while travelling to and/or from such activity. Such injury being bodily injury caused by violent, accidental, external, and visible means and including death, permanent disablement, temporary total disablement, bed care benefit and non-medical expenses but not including medical expenses, subject to the conditions and limitations of Council's personal accident insurance policy current at the time of occurrence of the injury as follows:

#### **Personal Injury**

- While ever on Council authorised business, worldwide, covering bodily injury caused by accidental, violent, external, and visible means up to a sublimit for death and capital limits of

\$350,000 but subject to any limitation or conditions set out in the policy of insurance which is taken out at the direction of Council. Also covering permanent disablement, temporary total disability, and temporary partial disability. The cover does not include medical expenses.

### **Professional Indemnity**

- For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function is in the opinion of Council bona fide and/or proper and is carried out in good faith, as required under Section 731 of the Act, but subject to any limitation or conditions set out in the policy of insurance which is taken out at the direction of Council.

### **Public Liability**

- For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors, carried out in good faith but subject to any limitations or conditions set out in the policy of insurance which is taken out at the direction of Council.

### **Travel Insurance**

- Appropriate travel insurances will be provided for any Councillors traveling on approved overseas and interstate travel on Council business, subject to any limitations or conditions set out in the policy of insurance which is taken out at the direction of Council.

## **7. Legal assistance**

7.1. Council may, if requested, indemnify or reimburse, or both, the reasonable legal expenses of:

- a Councillor, or former Councillor, defending an action arising from the performance in good faith of a function under the Local Government Act, provided that the outcome of the legal proceedings is favourable to the Councillor, or former Councillor.
- a Councillor, or former Councillor, defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Local Government Act in a Council meeting or on Council related business (such as on-site meetings) and provided that Council is satisfied that such statements complained of occurred during the bona fide consideration of Council business, in good faith and without malice and the outcome of the legal proceedings is favourable to the Councillor, or former Councillor;
- a Councillor, or former Councillor, for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Local Government Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor, or former Councillor.

7.2. In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the CEO to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor, including where an investigation is withdrawn or closed without an adverse finding.

- The CEO may approve the reimbursement of legal costs under this clause capped at an amount of \$3,000, in consultation with the Lord Mayor;
- Reimbursement of legal costs under clause 7.2. does not require Council approval under clause 7.5. of this policy.

7.3. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Local Government Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section and such legal expenses would not be reimbursed by Council.

7.4. Council will not meet the legal costs:

- of legal proceedings initiated by a Councillor under any circumstances (including but not limited to any action by one Councillor against another Councillor);
- of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation; or
- for legal proceedings that do not involve a Councillor performing their role as a Councillor.

7.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred. Any reimbursement of a Councillor's, or former Councillor's, reasonable legal costs by Council would also be subject to:

- the amount of such reimbursement being reduced by the amount of any monies that may be or are otherwise recouped by the Councillor, or former Councillor, on any basis;
- the amount of such reimbursement of solicitors fees being limited to the extent that only fees charged at a rate equivalent to the average hourly rate then being charged by Council's legal services panel will be paid (i.e., any portion of the expenses representing any hourly charge rate higher than the then average hourly charge rate then being charged by law firms on Council's legal services panel will not be reimbursed). Where Counsel is used, the reimbursement of Counsel fees is to be submitted to Council for approval; and
- any reimbursement not including any damages awarded to, or made against the Councillor, or former Councillor.

### 8. General facilities for all Councillors

#### Facilities

- 8.1. Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- Councillors' common area appropriately furnished to include photocopier, printer, desks, computer terminals, pigeonholes, lockable cupboards, and appropriate refreshments
  - access to shared private workspaces/offices equipped with a telephone, computer terminal and desk
  - access to shared car parking spaces while attending Council offices on official business
  - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Lord Mayor or Deputy Lord Mayor
  - a corporate uniform on request, which may be worn at official functions and when carrying out their civic duties and is in accordance with Council's standard issue corporate clothing, consisting of:
    - Blazer embroidered with the Council Crest – one blazer during a term of office, with the Lord Mayor entitled to an additional blazer per Lord Mayoral term
    - Necktie/scarf – neckties / scarves embroidered with the Council Crest, up to two during a term of office.
    - One hat embroidered with the Council Crest during each term of office
    - Business shirts or blouses embroidered with the Council Crest – up to two during a term of office, with the Lord Mayor of the day entitled to an additional two shirts or blouses per Lord Mayoral term
    - Polo shirts embroidered with the Council Crest – up to two during a term of office
    - All weather coat embroidered with the Council Crest – one coat during each term of office
    - Umbrella emblazoned with the Council Crest - one during each term of office
  - Access to a digital subscription to appropriate newspapers as determined by the CEO.
- 8.2. Councillors may book meeting rooms for official business in Council's Administration Building at no cost to allow Councillors to meet with constituents and other people about issues or importance or concern and to fulfil their role. Requests for room bookings should be made in writing to the Councillor Support team.
- 8.3. Requests for bookings in meeting rooms at other Council venues, such as community centres or libraries, should be made in writing to the Councillor Support team and will be considered and determined by the CEO or their delegate. Councillors should not approach venue staff directly regarding booking requests.
- 8.4. Costs for catering, audio visual equipment or other meeting requirements are to be met by the Councillor.
- 8.5. Council will provide Councillors with access to the Employee Assistance Program as provided to Council employees.

- 8.6. Council will provide Councillors with access to Council's Health and Wellbeing Program in accordance with Council's Health and Wellbeing Program guidelines. This includes access to Council's flu vaccination, skin, and health checks programs.
- 8.7. Council will provide Councillors with tickets to events or functions organised or presented by Council as determined by the CEO. This includes any function that has any of the following:
  - Council sponsorship (where tickets are made available to Council as part of the sponsorship agreement)
  - Council involvement
  - Local government interest to Councillors (where Councillor Support is made aware of the event)
- 8.8. This includes, but is not limited to, tickets and event packs for Council's major events program (Australia Day, Parramatta Lanes, Winterlight etc.) and shows presented at Council's Riverside Theatres.
- 8.9. The provision of facilities will be of a standard determined by the CEO, in consultation with the Lord Mayor, as appropriate for the purpose.

## **Stationery**

- 8.10. Council will provide the following stationery to Councillors each year:
  - Electronic personalised Councillor letterhead and upon request up to 1,000 pages of hard copy letterhead, to be used only for correspondence associated with civic duties
  - Up to 1,000 business cards
  - minor items of consumable stationery, such as pens, pencils, and paper clips.
- 8.11. Council will cover the cost of postage for Councillor correspondence, in accordance with their official and civic duties, up to a maximum limit of \$1,000 per Councillor per year. Outgoing mail is to be provided to Councillor Support for distribution and will be sent as standard priority post and appropriate records kept. There is no provision for the issuing of stamps to Councillors under this policy.
- 8.12. Councillors may also be supplied with up to 200 Christmas or festive cards per year and envelopes of the standard size. Alternatively, Councillor Christmas or festive cards can also be made available in electronic format, up to a value equal to the paper-based card cost, and interested Councillors are encouraged to use e-cards. Where Councillors choose a paper-based card format, the postage of cards will be in accordance with clause 8.11.
- 8.13. The Lord Mayor will be entitled to 600 Christmas or festive cards under this Policy. Where the Lord Mayor chooses a paper-based card format, the postage of cards will be in accordance with clause 8.11.
- 8.14. In the event a new Lord Mayor or Deputy Lord Mayor is elected, both the incoming and outgoing Lord Mayor or Deputy Lord Mayor shall be entitled to new personalised letterhead and business cards.

## **Administrative support**

- 8.15. Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by staff in the CEO's office or by a member of Council's administrative staff as arranged by the CEO or their delegate.
- 8.16. As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.



## 9. Additional facilities for the Lord Mayor

- 9.1. Council will provide the Lord Mayor with a maintained motor vehicle to a similar standard of other Council vehicles in line with Council's relevant fleet management policies, with a fuel card and toll road tag. The vehicle will be supplied for use in attending official business or professional development and attendance at the Lord Mayor's office.
- 9.2. A parking space at Council's offices will be reserved for the Lord Mayor's Council issued vehicle for use on official business, professional development, and attendance at the Lord Mayor's office.
- 9.3. Council will provide the Lord Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone, and meeting space.
- 9.4. Council will provide the Lord Mayor or their delegate with access to mementos of token value for presentation to people who have made significant contributions to the community, dignitaries or guests who visit the area, in accordance with Council's *Gifts and Benefits Policy*.
- 9.5. In performing his or her civic duties, the Lord Mayor will be assisted by a number of staff providing administrative, secretarial and policy support. The number of staff supporting the Lord Mayor and Councillors will be determined by the CEO in consultation with the Lord Mayor.
- 9.6. Council will meet the cost of postage of correspondence forwarded by the Lord Mayor in the conduct of official duties.
- 9.7. As per Section 4, staff assisting the Lord Mayor are to work on official business only, and not for matters of personal or political interest, including campaigning.

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## **PART D – PROCESSES RELATED TO THIS POLICY**

### **10. Approval, payment and reimbursement arrangements**

- 10.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 10.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred using the prescribed form.
- 10.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
  - local travel relating to the conduct of official business
  - emergency carer costs associated with the need to attend to official business
  - ICT expenditure of an ongoing nature such as mobile phone plan or home internet costs as per clauses 6.63. – 6.66.
- 10.4. Final approval for payments made under this policy will be granted by the CEO.

#### **Direct payment**

- 10.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the CEO for assessment against this policy using prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

#### **Reimbursement**

- 10.6. All claims for reimbursement of expenses incurred must be made on the prescribed forms, supported by appropriate receipts and/or tax invoices and be submitted to the CEO.
- 10.7. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time can only be approved by the CEO, in consultation with the Lord Mayor.
- 10.8. On cessation or expiration of a Councillor's term of office, all outstanding claims for reimbursement must be lodged to Council no later than 14 days from the date of cessation or expiration of a Councillor's term of office, or such other period as may be specified by the CEO, using the prescribed form.

#### **Advance payment**

- 10.9. Council may pay a cash advance for Councillors attending approved conferences, seminars, or professional development.
- 10.10. The maximum value of a cash advance is \$150 per day of the conference, seminar, or professional development to a maximum of \$500.
- 10.11. Requests for advance payment must be submitted to the CEO for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 10.12. Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
  - a full reconciliation of all expenses including appropriate receipts and/or tax invoices

- reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

## Notification

- 10.13. If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable. If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

## Reimbursement to Council

- 10.14. In accordance with the Model Code of Conduct for Local Councils in NSW Councillors must use Council resources ethically, effectively, efficiently, and carefully in the course of public duties.
- 10.15. If a Councillor, or Council has incurred an expense on behalf of a Councillor, that exceeds a maximum limit, exceeds reasonable incidental private use, or is not provided for in this policy:
- Council will invoice the Councillor for the expense
  - the Councillor will reimburse Council for that expense within 28 days of the invoice date.
- 10.16. If the Councillor cannot reimburse Council within 28 days of the invoice date, they are to submit a written explanation to the CEO. The CEO may elect to deduct the amount out of the Councillor's allowance.
- 10.17. Council's Executive Support Unit will provide Councillors regular updates on expenditure and provide additional notifications when approaching maximum limits.

## 11. Disputes

- 11.1. If the Councillor disputes a determination under this policy, the Councillor should discuss the matter with the CEO.
- 11.2. If the Councillor and the CEO cannot resolve the dispute, the Councillor may submit a notice of motion to Council seeking to have the dispute resolved.

## 12. Return or retention of facilities

- 12.1. All equipment and facilities provided under this Policy remain the property of Council. On cessation or expiration of a Councillor's term of office, use of all equipment and facilities must cease immediately. On request, equipment and facilities must be returned to Council no later than 14 days from the date of cessation or expiration of a Councillor's term of office, or such other period as may be specified by the CEO.
- 12.2. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the CEO to purchase any such equipment. The CEO will determine an agreed fair market price or written down value for the item of equipment, including on a pro-rata basis where the Councillor has contributed personally to the purchase of the equipment.
- 12.3. Where a Councillor has opted to retain ICT, equipment allocated by Council under clause 12.2, the Councillor will be required to provide the device to Council's ICT staff for removal of Council systems, software, and information in accordance with Council's *Technology Equipment and Services, Information Security Management and Access to Information* policies.
- 12.4. Councillors will have the opportunity to have any mobile number assigned to them as a Councillor transferred into their ownership upon ceasing to hold office.

- 12.5. The prices for all equipment purchased by Councillors under Clause 12.2 will be recorded in Council's annual report.

## 13. Reporting

- 13.1. Under the Act and Regulation, Council is required to include specific information in its Annual Report about the payment of expenses and facilities to Councillors in relation to their civic functions.
- 13.2. In addition to the statutory reporting requirements, Council reports the total cost of expenses and the provision of facilities for the Lord Mayor and Councillors by way of Council's Integrated Planning and Reporting program and quarterly financial performance reporting.
- 13.3. Under the Regulation, Council is also required to report on the Councillors' Professional Development Program through the following:
- Council is required to report to the first Council meeting after the induction program is delivered the activities offered to the Lord Mayor and Councillors as part of the program, and whether or not the Lord Mayor and each Councillor participated in them.
  - Council is also required to report to the first Council meeting held after 30 June each year the ongoing professional development activities that were offered to the Lord Mayor and each Councillor in the year to 30 June, and whether or not the Lord Mayor and each Councillor participated in them.
  - The CEO is also required to ensure these reports are published on Council's website.

## 14. Auditing

- 14.1. The operation of this policy, including claims made under this policy, will be included in Council's audit program and an audit undertaken annually.

## 15. Breaches

- 15.1. Suspected breaches of this policy are to be reported to the CEO.
- 15.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

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## PART E – HISTORY

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### 16. Document History

2012	Policy was reviewed and amended by Parramatta City Council resolution on 25 June 2012
2013	Policy was amended. Part 13.17 Facilities, Charitable and Community function part 2 was included via Councillor Notice of Motion on 25 February 2013.
2017	Draft Policy was revised after review.
Sept 2017	clause 6.33 to include “provide or” as per admin briefing note
Nov 2017	Definition of “official business” revised as per NOM 13.11.2017 min 913
May 2018	Policy reviewed and revised for public exhibition.
July 2018	Update to Part 13. Return or retention of facilities following public exhibition period.
Aug 2019	Update to 9.1 to include provision of corporate uniform as per LMM 26.08.2019 min 2037.
July 2020	Update to Section 8 Legal Assistance to include indemnity provision and reference to former Councillors as per Council resolution min 2684 and following public exhibition period.
August 2021	Policy reviewed and revised for public exhibition

### 17. Associated documents

#### Relevant legislation and guidance

- Local Government Act 1993, Section 252 and 254
- Local Government (General) Regulation 2005, Clauses 217 and 403
- Guidelines for the payment of expenses and the provision for facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees

#### Related Council policies

- Code of Conduct
- Gifts and Benefits Policy

## 19. Definitions

The following definitions apply throughout this policy.

All monetary amounts stated in the policy are exclusive of GST.

<b>Term</b>	<b>Definition</b>
Accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
Appropriate refreshments	Means food and beverages provided by Council to support Councillors
Act	Means the Local Government Act 1993 (NSW)
Annual Conference	Means Local Government NSW Annual Conference
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council, including the Lord Mayor
CEO	Means the Chief Executive Officer/General Manager of Council and includes their delegate or authorised representative
ICT	Means Telecommunications and Information Communications and Technology
Incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Maximum limit	Means the maximum limit for an expense or facility provided in the text
NSW	New South Wales
Official business	Means functions that the Lord Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes but is not limited to: <ul style="list-style-type: none"> <li>• meetings of Council and committees of the whole</li> <li>• meetings of committees facilitated by Council</li> <li>• meetings, functions, workshops, and other events to which attendance by a Councillor has been requested or approved by Council</li> <li>• any activity in the service of the Council approved by CEO, in consultation with the Lord Mayor.</li> </ul>
Professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Lord Mayor
Regulation	Means the Local Government (General) Regulation 2005 (NSW)
Year	Means the financial year, that is the 12-month period commencing on 1 July each year