

ITEM 3 POST EXHIBITION: COUNCILLOR EXPENSES, SUPPORT AND FACILITIES POLICY

At its meeting held on 28 October 2024, Council resolved to place an updated Councillor Expenses, Support and Facilities Policy on public exhibition. This report provides the results of the public exhibition process and presents the Councillor Expenses, Support and Facilities Policy for adoption by Council.

RECOMMENDATION

The updated Councillor Expenses, Support and Facilities Policy be adopted.

REPORT AUTHORISATIONS

Report of: Todd Hopwood, Manager Customer and Business Integrity
Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

- 1 Councillor Expenses, Support and Facilities Policy - 2024

BACKGROUND

At its meeting held on 28 October 2024 Council considered a report to place on public exhibition an updated Councillor Expenses, Support and Facilities Policy to satisfy the requirement under Section 253 of the *Local Government Act 1993* that Council review and adopt an updated policy within the first 12 months after each election.

The Draft Councillor Expenses, Support and Facilities Policy was updated to incorporate changes that reflect technology changes since the policy was last updated as well as changes to reflect best practice in governance and to provide a flexible level of support to meet the differing needs of Councillors in their role. In addition to the substantive policy changes, a number of formatting and administrative changes were made that do not affect the application or intent of the policy.

At its meeting on 28 October 2024, Council considered these updates and resolved to provide in principle support for the updated provisions of the Policy and endorsed the draft Policy being placed on public exhibition for a period of not less than 28 days. Council also resolved to update clause 6.48 of the policy to ensure that the clause clearly states that when a Councillor cannot attend their official duties due to care requirements for an elderly, infirm or disabled family member, they can be reimbursed for costs for specialist care to allow them to attend to their duties. The draft policy was updated with this amendment prior to being placed on public exhibition.

PROPOSAL

It is proposed that the Councillor Expenses, Support and Facilities Policy, as outlined in Attachment 1 be adopted.

One small change has been made to the policy that was placed on exhibition, regarding the reimbursement of costs for printer consumables. The cap for this item was changed from \$500 per annum to the higher of \$1000 or the cost of two full sets of toners per annum to account for the increasing cost of ink, following the identification of suitable printers to be issued to Councillors.

Guidance from the Office of Local Government suggests that it is best practice for councils to place caps and maximum limits on expenses wherever practical and the updated draft policy has continued to implement this approach.

CONSULTATION AND COMMUNICATION

The draft policy was placed on public exhibition for a period of 28 days, concluding on 27 November 2024, in which time the public could view the draft document and make comment. During the exhibition period the webpage for the policy exhibition was visited 32 times, with 7 copies of the policy being downloaded. No submissions were received by the end of the exhibition period.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal “We are a connected and engaged community”

It specifically delivers on core business activities as detailed in the 2024-25 Business Plan of the Customer and Business Integrity Division.

SUSTAINABILITY IMPLICATIONS

Council is committed to creating a sustainable City for future generations. This policy is guided by that principle and aims to encourage the ethical, financially responsible and environmentally sustainable use of Council resources by the elected Council.

RISK MANAGEMENT

The draft policy is intended to reduce risks in the area of reimbursement of Councillor expenses by providing a defined range of items and a process for approval for reimbursement and expenses that can be claimed by each Councillor. It also provides greater clarity on allowed reimbursements.

FINANCIAL IMPLICATIONS

The adoption of the updated policy is not expected to create any additional financial implications to Council, as the proposed policy does not propose any expansion in facilities or expenses provided to Councillors and expenditure under the existing policy is budgeted for.

CONCLUSION

The Councillor Expenses, Support and Facilities Policy has been placed on public exhibition and no public comments were received on the Policy. The Policy is now recommended for adoption.



COUNCILLOR EXPENSES, SUPPORT AND FACILITIES COUNCIL POLICY

ADOPTED BY COUNCIL: [TO BE COMPLETED BY GOVERNANCE]

PURPOSE

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. The *Local Government Act 1993* requires Council to adopt a policy that allows for Councillors to receive reasonable and appropriate expenses and provision of facilities to enable them to carry out their civic duties as elected representatives of their local communities.

POLICY INTENT

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties and seeks to align councillor expenditure and provision of facilities with community expectations.

WOLLONGONG 2032 OBJECTIVES

Council is committed to creating a sustainable City for future generations. This policy is guided by that principle and aims to encourage the ethical, financially responsible and environmentally sustainable use of Council resources by the elected Council.

LEGISLATIVE REQUIREMENTS

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation) and complies with the Office of Local Government's s23A Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

REVIEW

This Policy will be reviewed within the first 12 months of each Council term, and at other times as required.

REPORTING

Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations within the Annual Report of Council.

APPLICATION OF POLICY

All monetary amounts referenced in this policy are inclusive of GST.

Notwithstanding the provisions of this policy, Council may resolve to approve expenses in excess of any defined limits in this policy or may resolve to vary or increase the provisions of this policy at any time.

Any costs incurred by a Councillor in excess of the provisions of this policy, and where there is no resolution of Council approving reimbursement of the additional expenses, the Councillor will be responsible for payment of these expenses.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

PART A – INTRODUCTION

1. Introduction

- 1.1. The provision of expenses, support and facilities to Councillors enables them to fulfil their civic duties as the elected representatives of Wollongong City Council.
- 1.2. The community is entitled to know the extent of expenses, support and facilities that may be paid or provided to Councillors, and be comfortable there is appropriate allocation of public resources.
- 1.3. Council staff are empowered to decline a request for payment or reimbursement from a Councillor when it does not accord with this policy.
- 1.4. Expenses, support 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.
- 1.5. Councillors must provide claims for reimbursement within 60 days of an expense being incurred. Claims made after this time may not be approved.
- 1.6. A report on Lord Mayor and Councillor expenses will be submitted to the Audit, Risk and Improvement Committee on an annual basis. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

2. Definitions

the Act	<i>Local Government Act 1993</i>
the Regulation	<i>Local Government (General) Regulation 2021</i>
OLG	Office of Local Government
Conference	Formal gathering on a particular topic relevant to local government that typically takes place over several days.
Seminar	Generally, a single day event aimed at education or knowledge sharing on a topic relevant to local government
Year	The financial year (1 July to 30 June)
Accompanying person	A spouse or partner of the Councillor and/or provides carer support for the Councillor.
For the purposes of this policy, the following definitions apply to travel -	
Illawarra	Wollongong, Shellharbour and Kiama LGAs
Local travel	Travel within the Wollongong, Shellharbour, Kiama or Shoalhaven LGAs.
Intrastate	Travel within New South Wales and the Australian Capital Territory.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

3. Principles

3.1. Council commits to the following principles:

- **Proper conduct:** Councillors and staff shall act lawfully and honestly, exercising care and diligence in carrying out their functions.
- **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- **Equity:** there must be equitable access to expenses and facilities for all Councillors
- **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements 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, support or facility provided to them under this policy.
- 4.2. Incidental private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. 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 facilities does occur, Councillors must advise and reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of council resources and equipment 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.
- 4.6. On occasions, an expense to be claimed by a Councillor may involve both personal and private components. In such circumstances the figures stated in this policy will be seen as an upper limit on claims, and a proportional rate of reimbursement will be determined by the Manager Customer and Business Integrity based on the level of private usage.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

PART B – EXPENSES

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. Documentation to support items claimed for reimbursement are required to be presented to Council staff as part of the claim. The provision of tax invoices and tax receipts are required for expenses being claimed.
- 5.3. Expenses not explicitly addressed in this policy will not be paid or reimbursed.
- 5.4. Notwithstanding 5.3, if an expense meets the intended benefit of a particular clause but is not expressly covered by that clause, the General Manager may consider approval, following advice from the Manager Customer and Business Integrity. In such circumstances appropriate amendments to this policy will be made to clarify the availability of such an expense, at the next review of the policy. It is expected this would be a rare occurrence.
- 5.5. All Councillor expenses and reimbursements, including Purchase Card Transactions, are to be reviewed by the Governance Unit prior to being approved.
- 5.6. Lord Mayor Expenses and purchase card transactions are to be reviewed by the Manager Customer and Business Integrity or the Governance and Risk Manager prior to being approved for reimbursement or for reconciliation.

6. Specific expenses

General travel arrangements and expenses

- 6.1 All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport. When travelling by car, carpooling is encouraged.
- 6.2 Councillors may request the use of a Council vehicle for official business use. To ensure availability, minimum of 48 hours' notice is required for access to a vehicle for overnight use and 7 days' notice for longer periods.
- 6.3 Councillors may request the use of a Council E-Bike for official business use, subject to availability, and satisfactory induction on usage in accordance with *Bicycle Fleet Management Policy*. E-Bikes are only available for collection and return from the Council Administration Building.
- 6.4 Councillors may access and use the Bike Storage facility located at the Council Administration Building, if they travel to the site using their own private bicycle when on official council business.
- 6.5 Each Councillor may be reimbursed for reasonable travel expenses incurred while undertaking official business or professional development or attending approved events, conferences and seminars within NSW or the ACT, with the total of each claim not exceeding the cost of economy return air travel and reasonable Sydney airport transfer costs, where applicable. This includes reimbursement for:
 - the use of a private vehicle
 - public transport fares
 - tolls

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- taxis and documented ride-share programs, such as Uber, where tax invoices/receipts can be issued.
- 6.6. Official Council Business includes, but is not limited to, attendance at the following:
- all Council and Committee meetings including Council Reference Groups and Councillor briefing sessions.
 - civic receptions.
 - meetings and inspections with Council staff including those required to respond to residents' enquiries or requests.
 - Meetings with residents about current matters requiring Council involvement
 - authorised conferences, seminars and training.
 - Wollongong Local Planning Panel (WLPP) and/or formal facilitation sessions.
 - official meetings of external organisations where the Councillor is an elected or appointed Council delegate or alternate delegate;
 - where Councillor attendance is required at official Council events (to undertake official duties) as indicated by –
 - receipt of an invitation from Council officers,
 - receipt of a meeting request where attendance is identified as required,and does not include event notifications sent for information purposes or general event invitations.
- 6.7. Allowances for the use of a private internal combustion vehicle, private plug-in hybrid vehicle, or private electric vehicle will be reimbursed by kilometre at the rate contained in the *Local Government (State) Award*.
- 6.8. In the scenario where a claim for reimbursement of travel costs involves some element of private travel or private component by the Councillor, an appropriate pro-rata rate of reimbursement to the rate specified in clause 6.7 may be determined by the Manager Customer and Business Integrity in accordance with clause 4.6 of this policy.
- 6.9. Councillors seeking to be reimbursed for use of a private vehicle must include the date, distance, starting location and destination, and purpose of travel being claimed, along with any other information relevant with the claim such as engine size where applicable.
- 6.10. If Councillors are travelling to an official council event, held in the Wollongong LGA, from personal or business activities located outside the Wollongong LGA, the calculation of distance travelled will be limited to travel undertaken within the Wollongong LGA, and paid at the rate specified in clause 6.7. Clause 6.8 is not relevant to reimbursements under this clause

Intrastate, Interstate and overseas travel expenses

- 6.11. Councillors seeking approval for any long-distance intrastate travel must submit a case to and obtain the approval of the General Manager prior to travel.
- 6.12. Councillors seeking approval for any interstate and overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.13. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- who is to take part in the travel.
 - duration and itinerary of travel.
 - a detailed estimate of costs, including transport, accommodation and other out-of-pocket travelling expenses.
- 6.14. For interstate journeys by air of less than four hours, the class of air travel is to be economy class.
- 6.15. For interstate journeys by air of more than four hours, the class of air travel may be premium economy if available. If unavailable on the date or route required, the class of travel is to be economy.
- 6.16. For international travel, the class of air travel is to be premium economy if available. If unavailable on the date, route or preferred airline required, the class of travel is to be economy.
- 6.17. A Councillor may request the General Manager to approve an upgrade to the class of air travel specified in clauses 6.14 to 6.16, subject to all increases in costs being met by the Councillor themselves. The Councillor must arrange for immediate reimbursement to Council of the difference in cost between the two classes of travel. Reimbursement can be made via a deduction from the Councillors next Councillor fee payment.
- 6.18. All Councillor travel arrangements will be centrally coordinated and booked by the Governance Unit. All Lord Mayoral travel arrangements will be centrally coordinated and booked by the Lord Mayor's Office. No travel is to be booked privately, and a subsequent reimbursement requested. This is to ensure the Council achieves value for money for all travel arrangements.
- 6.19. The Governance Unit or the Lord Mayor's Office staff may make bookings for an accompanying person travelling with a Councillor so as to ensure that they are seated together during travel.
- 6.20. If a booking is made for an accompanying person in accordance with clause 6.19 the Councillor must arrange for immediate reimbursement to Council of all applicable costs. Reimbursement can be made via a deduction from the Councillors next Councillor fee payment.
- 6.21. Governance Unit staff shall ensure that when booking flights and/or accommodation that individual Councillors do not accrue points under airline frequent flyer programs or hotel chain membership programs for any portion of travel or accommodation paid for by Council for the Councillor. Any Councillor found to be subsequently claiming/accruing points after the booking has been made by Council may be in breach of the provisions of the Code of Conduct.
- 6.22. If a Councillor requests an alternate travel route for private reasons, the Governance and Risk Manager will determine the cost to Council if the most direct route was taken. The Councillor must arrange for immediate reimbursement to Council of the difference in cost between the most direct route and the requested route of the Councillor. Reimbursement can be made via a deduction from the Councillors next Councillor fee payment.

Travel expenses not paid by Council.

- 6.23. Council will not pay any traffic or parking fines or administrative charges for a Councillor's private road toll account/s. Council will also not pay tips paid to taxi, uber or ride share providers.

Accommodation, meals and costs associated with overnight travel.

- 6.24. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 10.00pm or starts earlier than 7:00am and the Councillor lives more than 50 kilometres from the meeting location.

- 6.25. Council will meet the cost of reasonable costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Illawarra.
- 6.26. Council is mindful of the impact and disruption that overnight travel may have on Councillors as well as the differing needs that each individual Councillor may have when travelling away from home.
- 6.27. To allow flexibility in meeting the needs of Councillors, in situations where Councillors are required to stay overnight away from their normal residence on official council business, Councillors may seek reimbursement of up to \$140 on any given day, for normal costs of living while away from home. This will include all meals, laundry, personal hygiene, room service charges, etc and are required to be supported by itemised tax invoices and receipts. Transport costs are calculated and reimbursed separate to this cap.
- 6.28. Where possible, accommodation is to be booked at the conference venue unless the General Manager determines otherwise.
- 6.29. Councillors will not be reimbursed for alcoholic beverages.
- 6.30. Council will not pay or reimburse tips paid to restaurants, hotels or other providers.

Refreshments for Council related meetings

- 6.31. Appropriate refreshments will be available for Council meetings, Council Committee meetings, Councillor briefings and workshops, approved meetings and engagements, and official Council functions as approved by the General Manager.

Conferences and seminars

- 6.32. Council is committed to ensuring Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.33. Council will meet all relevant costs to facilitate Councillor attendance at conferences and seminars. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.34. Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager 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.
 - the number of Councillors and Council staff that are already attending

For conferences, the General Manager will submit a report to Council with relevant details to seek a resolution to approve attendance of relevant Councillors.

- 6.35. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees provided, they are supported by itemised tax invoices and/or tax receipts. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.25-6.27. If meals are included in the conference fees no other reimbursement or allowance for meals will be provided for that particular meal.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

Community and charitable functions, dinners and other non-Council functions

- 6.36. Council will meet to costs for Councillor attendance at approved local community and charitable functions.
- 6.37. Where a Councillor is approved to accept an invitation to attend a local community or charitable function in the role of a Councillor, Council shall meet the cost of the entry fee.
- 6.38. Council will meet the entry fee associated with the attendance of a Councillor at a dinner or other non-Council function which provides briefings to Councillors from key members of the community, politicians and business.
- 6.39. Council will not contribute to, or reimburse to a Councillor, any 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.

Accompanying person expenses

- 6.40. Council will meet the registration and ticket costs of spouses, partners or an accompanying carer in attending official Council functions that are of a formal or ceremonial nature, or relevant formal or ceremonial industry events, where the Councillor's spouse, partner or accompanying carer would reasonably be expected to attend. Examples include, but are not limited to Australia Day Award Ceremonies, Citizenship Ceremonies, Civic Receptions, charitable functions at the request of the Lord Mayor, and events where a Councillor is receiving an award, or otherwise being recognised.
- 6.41. Council will meet the registration and ticket costs of a spouse, partner or an accompanying carer in attending charitable functions to which the Lord Mayor has been invited and award ceremonies and other functions to which the Lord Mayor is invited to represent the Council.
- 6.42. The payment of expenses as detailed above is limited to the cost of the ticket, meal and/or the direct cost of attending the function.
- 6.43. Where not provided above, all expenses incurred in relation to the attendance of a spouse, partner or accompanying carer at any event, function, seminar, conference, business trip and the like, must be met by the Councillor or the spouse, partner or accompanying carer. This includes travel expenses, any additional accommodation expenses and the cost of the spouse, partner or accompanying carer's tours.

Special requirement and carer expenses

- 6.44. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing-impaired Councillors and those with other disabilities.
- 6.45. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.46. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability, or other caring needs, to perform their civic duties, up to a maximum of \$5,000 annually.
- 6.47. The General Manager may authorise appropriate expenses associated with the attendance of a Councillor's accompanying carer at the Local Government NSW Annual Conference and the Australian Local Government Association's National General Assembly of Local Government. Any such expenses will not be included in the cap referenced in clause 6.46.
- 6.48. Where a Councillor cannot attend their official duties due to an immediate family member requiring supervised care due to being elderly, infirm, disabled or other medical condition,

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

they can be reimbursed for costs for specialist care to allow them to attend to their duties up to a maximum of \$3,000 annually, plus reasonable travel from the principal place of residence.

- 6.49. Childcare expenses, supported by tax invoices and receipts may be claimed for children up to and including the age of 16 years where the carer is not a relative who resides in the same residence, up to a maximum of \$3,000 annually.
- 6.50. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Protection expenses and obligations

- 6.51. Council may assist in providing protection to Councillors from any substantiated adverse security threats to their person or property. Approval of the General Manager must be sought and gained prior to any expenses being incurred by Councillors.
- 6.52. The General Manager will determine requests after consultation with the NSW Police as to the risk and history of the matter. These protection measures may take the form of a security assessment, installation of a security system and/or physical monitoring.
- 6.53. Requests will not be considered in circumstances where the NSW Police have not been informed of the security threat.
- 6.54. Council will, subject to substantiation, reimburse Councillors for expenses that they may incur up to a limit of \$2,000 per year.
- 6.55. Should an amount above the \$2,000 per year limit be required by any Councillor, the matter will be referred to Council for determination after taking advice from the General Manager, and the Independent Chair of the Audit, Risk and Improvement Committee.

Recognition of service

- 6.56. In recognition of long service as Councillor and/or Lord Mayor, Councillors are eligible to receive particular Local Government NSW awards if their service meets certain criteria. In these cases, Council will meet the cost of the Local Government NSW Service Award or Certificate applied for.

7. Professional Development

- 7.1 Council will support professional development of Councillors through programs, training and education courses.
- 7.2 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 any provisions relating to ongoing professional development funding.
- 7.3 Councillors will be provided an opportunity to attend, at Council's expense, either the 5-day Company Directors Course run by the Australian Institute of Company Directors, or the 4-day Executive Certificate for Elected Members run by the University of Technology Sydney, if they have not previously undertaken either course.
- 7.4 Councillors who have previously completed the Company Directors Course may attend, at Council's expense, the 2-day Company Directors Course Update run by the Australian Institute of Company Directors. Councillors may only attend once per Council term.
- 7.5 Councillors may seek approval to attend or participate in other professional development courses or opportunities if the skills can be directly linked to the role of Councillor, subject to a maximum cap specified in clause 7.7.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- 7.6 Councillors may seek reimbursement of membership of relevant professional associations or bodies to assist with maintaining appropriate knowledge and skills, and accessing relevant networking opportunities, relevant to the role of Councillor, subject to a maximum cap specified in clause 7.7.
- 7.7 Total reimbursements/expenses for professional development opportunities in accordance with clauses 7.5 and 7.6 would be subject to a combined limit of \$3000 per year.
- 7.8 Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.
- 7.9 In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 7.8 as well as the cost of the professional development in relation to the Councillor's remaining budget

8. Insurances

- 8.1 Councillors are to receive the benefit of the following insurance coverage effected by Council subject to any terms, conditions, exclusions and limitations of the policy of insurance effected by Council, for matters arising out of Councillors' performance of their civic duties and/or exercise of their Civic Functions:
- Public Liability and Professional Indemnity insurance
 - Councillors and Officers insurance
 - Corporate Travel insurance
 - Personal Accident insurance
- 8.2 Insurance protection is only provided if a claim arises out of, or in connection with, the councillor's performance of their civic duties, or exercise of their functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 8.3 Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 8.4 Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

9. Legal assistance

- 9.1 Councillors are to receive the benefit of relevant insurance coverage that may be affected by Council for Legal Services in the event of:
- An enquiry, investigation or hearing by an appropriate investigative or review body including Council's Conduct Review Committee/Reviewer. Independent Commission Against Corruption. Office of the NSW Ombudsman Office of Local Government. NSW Police Force. Director of Public Prosecutions or NSW Civil and Administrative Tribunal into the conduct of a Councillor; or
 - Legal proceedings being taken against a Councillor, arising out of or in connection with the Councillor's exercise in good faith of their functions as a Councillor, provided the circumstances of the matter are reported to Council's relevant insurance provider who in turn consents to the legal services and costs prior to the costs being incurred.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- 9.2 Council shall, subject to the terms and condition of the insurance coverage, reimburse such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a Solicitor/client basis, provided that:
- approval of the General Manager and insurance provider for the nominated solicitor and their hourly rates is both sought and gained in writing prior to legal expenses being incurred.
 - approval of the General Manager and insurance provider for any additional legal expenses is both sought and gained in writing prior to those expenses being incurred.
 - the outcome of the legal proceedings is favourable to the Councillor or where an investigator or review body makes a finding that is not substantially unfavourable to the Councillor.
 - the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis; and
 - the Councillor's exercise of their function was, in the opinion of Council, bona fide and proper and as a Councillor.
- 9.3 Notwithstanding any other provisions of this Policy the following costs cannot be the subject of reimbursement:
- the costs of any action in defamation taken by a Councillor as plaintiff in any circumstances.
 - the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
 - legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor.
 - legal costs of legal proceedings initiated by a Councillor under any circumstances; or
 - the costs of defending any matter relating to the eligibility of a Councillor to stand for election.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

Part C – Facilities

10. General facilities for all Councillors

Facilities

- 10.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- A Councillors Suite appropriately furnished and serviced in Council's Administration Building that can facilitate any office-based work related to their role that Councillors may wish to undertake. Hard copies of council papers will not be automatically provided to Councillors. If necessary, Councillors can access the Councillor common room to print required documents, however electronic means are preferred in an aim to increase sustainability across Wollongong City Council.
 - Access to car parking in the Administration Building and Stewart Street East car parks while attending Council offices on official business only, this is not for private use. Vehicle stickers will be supplied for this purpose.
 - Access to personal protective equipment, including umbrellas, hi-vis vests, hats and sunscreen for use during site visits.
- 10.2 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.
- 10.3 Councillors may seek approval to use dedicated meeting rooms in Council facilities to meet with residents. The Councillors Suite may not be used for this purpose. The General Manager or the Manager Customer and Business Integrity shall determine and approve the appropriate facilities/rooms that may be used based on the circumstances of each request. Given the high demand for usage of some facilities, not all requests will be able to be supported, particularly on short notice. Councillors may not make bookings on behalf of others.

Information and communications technology (ICT) provisions

- 10.4 Council will provide Councillors with a Council specified standard laptop device for Council business. The type of device will be appropriate for viewing papers and presentations and will have internet connectivity. One Council specified additional computer screen will be provided per councillor where required to assist with viewing Council business at home.
- 10.5 The Chief Digital and Information Officer will identify the device to be provided in accordance with clause 10.4, with the same type of device is to be provided to all Councillors. Only where access and usability issues are relevant, will the Chief Digital and Information Officer consider a separate device for an individual Councillor.
- 10.6 Any excess data allowance charges, above the established data plan for each Councillor, will be reimbursed to Council by way of deduction from the Councillor's next monthly Councillor fee payment.
- 10.7 Council will provide Councillors with appropriate induction in the use of the provided equipment.
- 10.8 Internet access on Council provided devices will be filtered by Council, with appropriate software to ensure compliance with Council policies and maintain cyber security.
- 10.9 Usage of all Council provided technology requires compliance with Council's *Technology Acceptable Use* policy.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- 10.10 Council will provide support services for Council provided services and applications during business hours, being 9:00 am to 5.00 pm, to assist Councillors in resolving operational issues.
- 10.11 Access to a Council supplied email address and Councillor Portal will be provided on the laptop.
- 10.12 Servicing and repairs to all Council provided equipment will be coordinated through Council's IMT Service Desk facility during business hours, being 9:00 am to 5.00 pm , on the basis of a back-to-base service.
- 10.13 All servicing and repairs to any privately owned equipment will be the responsibility of the individual Councillor irrespective of whether it is used for Council related business.

Telephones, Plan Charges and E-Subscriptions

- 10.14 Council will not organise nor provide Councillors with a fixed landline nor a data plan from an Internet Service Provider.
- 10.15 Councillors may choose to have provided a Council issued mobile phone. This phone will be the standard issued to Council staff inclusive of apps provided and the standard data plan. Councillors will not be able to add their own apps to this device. Alternatively, Councillors can opt to organise their own mobile phone and phone plan. If a Councillor opts to organise their own phone, compliance with Council's *Bring Your Own Device* policy is required.
- 10.16 If a Councillor elects to have a BYOD phone, any phone plans and data plans shall be reimbursed a maximum of \$175 per month per Councillor towards these costs. The plans obtained by Councillors may include bundled equipment including mobile phone handsets, hot spot devices, other associated mobile technology etc subject to the maximum reimbursement being \$175 per month.
- 10.17 Councillors may seek reimbursement of one-off purchases of accessories to support their technology needs if the value of the transaction can be amortised over a defined period to fit within the technology cap under clause 10.16.
- 10.18 Councillors may request, in accordance with clause 15.2, to retain ownership of a Council issued (non-BYOD) phone at the conclusion of the Council term. The Councillor will be responsible for organising all transfer, insurance, maintenance, and replacement of such devices.
- 10.19 Claims for reimbursement must be lodged within 60 days of the expense being incurred and must be submitted in writing and supported by itemised tax invoices, tax receipts as well as other support documentation if required.
- 10.20 In the event that a Councillor has to break a contract for mobile and / or data due to ceasing being a councillor, Council shall contribute towards plan cancellation costs if there are any, up to a maximum of the equivalent of three months payment of the relevant plan.

Postage

- 10.21 Electronic Mail (E-Mail) is the preferred method of communication. Council will forward limited hard copy correspondence on behalf of Councillors if the use of E-Mail is not possible. This can be organised through the Governance Unit.

Administrative support

- 10.22 Council will provide limited administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by a member of Council's Governance and Risk Team as arranged by the General Manager or their delegate.
- 10.23 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.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

Councillor Welfare

- 10.24 Council will implement a Councillor Development, Support and Wellbeing Framework that will include workshops and information on Councillor wellbeing.
- 10.25 Councillors and their immediate family members (i.e. spouse; partner; or dependent child living under the same roof as the Councillor who is under the age of 18) will have access to Council's Employee Assistance Program (EAP) to Councillors. It provides an effective program which enables the maintenance of Councillors' and their families' health and wellbeing.
- 10.26 Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor are able to seek counselling, on a confidential basis, directly through the EAP. The EAP provider will assess and determine the number of sessions provided based on the nature of the support offered.

Newspaper Subscriptions

- 10.27 Consistent with Council's sustainability goals, Council will offer an electronic newspaper subscription service to one newspaper to Councillors with relevance to Council operations.

Printing

- 10.28 Consistent with Council's sustainability goals, Councillors are encouraged to use electronic/digital services and formats wherever possible. However, if Councillors need to undertake their own printing, they can utilise printers in the Councillor Common Room or be provided with a personal device upon request. For large volume printing Councillors may seek the assistance of the Corporate Print Room through the Governance Unit.
- 10.29 If a Councillor is provided with a printer, they will be required to return any printed materials, that may be of a confidential nature, to Council for secure destruction or disposal.
- 10.30 If a Councillor is provided with a Council printer, Council is not responsible for provision of consumables such as ink and paper. Councillors can request reimbursement of consumable purchases up to an amount of the higher of \$500-1,000 or the cost of two full sets of toner per annum. If the cost of two full sets of toner exceeds \$1,000 an additional \$100 per annum may be reimbursed for paper consumables.

Insignia of Office

- 10.31 On request, provision of a jacket/ blazer (sourced from Council's Corporate Wardrobe supplier) to be worn at civic functions indicating that the wearer holds the office Councillor. In addition, Councillors may be provided suitable Council branded apparel for wearing whilst undertaking official Council functions.

11. Additional facilities for the Lord Mayor

- 11.01 A fully serviced and maintained vehicle with a value (inclusive of GST) below the Luxury Car Tax (LCT) threshold for official civic duties and incidental use or a credit through a Novated Lease to a similar value. Full private use is available in accordance with the private use provisions contained within Council's Vehicle Management Policy.
- 11.02 The Lord Mayor is personally liable for all fines resulting from breaches of traffic laws and regulations and parking offences incurred whilst driving this vehicle.
- 11.03 A parking space at Council's offices will be reserved for the Lord Mayor and Deputy Lord Mayor.
- 11.04 Council will provide the Lord Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- 11.05 A Purchase Card will be provided to meet hospitality and other reasonable incidental expenses incurred by the Lord Mayor whilst at official Council events. Use of the Purchase Card is to be in accordance with Council's Purchase Card Policy. The Purchase Card is not to be used for the purchase of alcohol.
- 11.06 Expenses that are personal or not related to business purposes are not to be paid on Council credit card, irrespective of intention to reimburse Council at a later date.
- 11.07 In performing their civic duties, the Lord Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.

Insignia of Office

- 11.08 Provision on request a council branded blazer to be worn at civic functions indicating that the wearer holds the offices of Lord Mayor and Councillor.
- 11.09 Provision of a Lord Mayoral Robe and Chain to be worn at civic receptions, citizenship ceremonies and other appropriate functions.

Maintenance and servicing of equipment

- 11.10 Servicing and repairs to all Council provided technology equipment will be coordinated through Council's IMT Service Desk facility during business hours, being 9:00 am to 5.00 pm, on the basis of a back-to-base service.
- 11.11 All servicing and repairs to any privately owned equipment will be the responsibility of the Lord Mayor irrespective of whether it is used for Council related businesses

12. Payment of Lord Mayoral Fee to Deputy Lord Mayor

- 12.1 The Deputy Lord Mayor will receive payment of the Lord Mayoral fee for the period where:
- The Lord Mayor is unable to exercise the function of the Lord Mayor for a period of more than 30 calendar days for any reason and irrespective of whether leave of absence has been granted.
 - The office of the Lord Mayor becomes vacant in accordance with section 234 of the *Local Government Act 1993*.
 - A casual vacancy occurs in the office of the Lord Mayor within 18 months before the date specified for the next ordinary election of councillors as detailed in section 294 of the *Local Government Act 1993*. In this occurrence the Deputy Lord Mayor is to be the Councillor nominated by the Council to the Governor for appointment to the vacant office.
- 12.2 The portion of the Lord Mayoral fee paid to the Deputy Lord Mayor in circumstance (a) outlined above is to be deducted from the Lord Mayor's annual fee in accordance with Section 249 (5) of the *Local Government Act 1993*.
- 12.3 Any reference to a Deputy Lord Mayor in this policy can be taken to include an Acting Deputy Lord Mayor, in the case where the Deputy Lord Mayor is absent. The appointment of an Acting Deputy Lord Mayor is by resolution of Council, following an election held in accordance with the Regulations.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

Part D – Processes

13. Approval, payment and reimbursement arrangements

	General Manager Approval Only	Report to Open Meeting of Council
A Applications to attend events (including those requiring overnight accommodation and/or air travel within the ACT or New South Wales) in accordance with the following criteria: <ul style="list-style-type: none"> • Seminars. • Board meetings, meetings with government ministers or external organisations where the Councillor is Council's appointed representative. • Community functions, annual awards, dinners and other non-Council Functions. • Events where the Councillor has been invited to speak on behalf of Council • Professional Development requests of individual Councillors. 	✓	
B Attendance at a Conference.		✓
C Use of private vehicle for (non-local) official Council business.	✓	
D Applications requiring interstate travel.		✓
E Applications requiring overseas travel.		✓
F All other Applications and where approval at a meeting of Council is not appropriate.	✓	

- 13.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 13.2 A *Councillor Request to Attend External Event* application is to be submitted to the General Manager in the first instance for Councillor attendance at any Conference, seminar, meeting with external parties on official Council business, professional development or training and skills development session, community function, dinner and other non-Council event or function the Councillor wishes to attend in their civic capacity. All requests for approvals under this Policy are to be made in writing. Verbal requests will not be considered.
- 13.3 Application forms are to be submitted prior to attendance at the event and/or any expenses being incurred and must detail the purpose of the trip, expected benefits, duration, itinerary and approximate costs (where known).

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- 13.4 The General Manager will consider whether they are authorised to approve the application form or whether it is appropriate to refer the application form for report to an open meeting of Council.
- 13.5 Where a report to Council is required, reports must detail the purpose of the trip, expected benefits, duration, itinerary, approximate costs and nomination/number of Councillors undertaking the trip.
- 13.6 Overseas travel must be approved prior to the Councillor/s undertaking the trip.
- 13.7 Retrospective reimbursement of overseas travel expenses is not permitted.
- 13.8 The use of a Lord Mayoral Minute to obtain Council approval for travel is not appropriate as it is not consistent with the principles of openness and transparency.

Reimbursement

- 13.9 All claims for reimbursement of expenses incurred are to be made on the prescribed form, supported by appropriate itemised receipts and/or tax invoices and be submitted via the Councillors' Portal or via the governance@wollongong.nsw.gov.au email address.

Advance payment

- 13.10 Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 13.11 The maximum value of a cash advance is \$250 per day of the conference, seminar or professional development.
- 13.12 Requests for advance payment must be submitted to the General Manager for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 13.13 Councillors must fully reconcile all expenses against the cost of the advance within 30 days 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

- 13.14 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 13.15 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

- 13.16 If 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, the Councillor will reimburse Council immediately for that expense by way of a deduction from the Councillor's next allowance.

Timeframe for reimbursement

- 13.17 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within 60 days of an expense being incurred. Claims made after this time may not be approved.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

14. Disputes

- 14.1 If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 14.2 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.
- 14.3 Council's decision will be final, and no further appeal will be permitted.

15. Return or retention of facilities

- 15.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Lord Mayor ceasing to hold office or at the cessation of their civic duties.
- 15.2 Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine a price for the item of equipment.
- 15.3 The prices for all equipment purchased by Councillors under Clause 15.2 will be recorded in Council's annual report.
- 15.4 Notwithstanding clause 15.2 equipment will not be available for purchase by a Councillor, if the Chief Digital and Information Officer determines that the device would present an information security risk if retained outside Council possession at the conclusion of the Councillors elected term.

16. Publication

- 16.1 This policy will be published on Council's website.

17. Reporting

- 17.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations within the Annual Report of Council.
- 17.2 A report on Lord Mayor and Councillor expenses will be submitted to the Audit, Risk and Improvement Committee on an annual basis. This can be distributed out of session.
- 17.3 These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

18. Auditing

- 18.1 The operation of this policy, including claims made under the policy, should be included in Council's internal audit program and an audit undertaken at least once during a term of Council.

19. Breaches

- 19.1 Suspected breaches of this policy are to be reported to the General Manager.
- 19.2 Alleged breaches of this policy will 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.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

APPROVAL AND REVIEW			
Responsible Division	Customer and Business Integrity		
Date adopted by Council	[To be inserted by Corporate Governance]		
Date/s of previous adoptions	27/06/2022 19/11/2018 09/11/2015 13/10/2014	11/11/2013 08/04/2013 12/11/2012 28/11/2011	26/07/2011 19/11/2007 17/10/1994
Date of next review	[To be inserted by Corporate Governance]		
Responsible Manager	Governance and Risk Manager		

Appendix 1. Overview of Limits applied throughout this Policy

Clause No.	Item	Limit applied	Parameters
6.2	Councillor request for use of Council vehicle	48 hours' notice	Overnight use
		7 days' notice	Two or more nights' use
6.26	Reimbursement of living away from home costs when travelling overnight	\$140	Up to limit Per day
6.48	Carer expenses	\$3,000	Up to limit annually
6.49	Childcare expenses	\$3,000	Up to limit annually
6.54	Protection expenses	\$2,000	Up to limit annually
7.7	Professional Development	\$3,000	Up to limit annually
10.16	BYOD	\$175	Up to limit Per month
11.01	Lord Mayoral Vehicle	Below LCT	
13.11	Advance payment	\$250	Up to limit Per day
13.17	Timeframe for submission of request for reimbursement	Within 60 days	From date of expense being incurred