

Councillor Support Policy

June 2024

DRAFT

Council respectfully acknowledges and recognises Wurundjeri and Bunurong peoples as the Traditional Custodians of this land and pays respect to their Elders past, present and future.

Council acknowledges the legal responsibility to comply with the Charter of Human Rights and Responsibilities Act 2006 and the Equal Opportunity Act 2010. The Charter of Human Rights and Responsibilities Act 2006 is designed to protect the fundamental rights and freedoms of citizens.

The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.

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1. SCOPE AND PRINCIPLES

1.1 Purpose

Significant demands and expectations are placed on the Mayor and Councillors of Brimbank City Council (Council) in carrying out their civic and statutory functions. This policy provides an overview of how the Council can provide assistance and support to the Mayor and Councillors when conducting council business. The policy recognises the support Councillors require to serve, engage and act in the best interests of the community.

The allowance paid to Councillors is set by the State Government. The current allowance rates can be found at www.vic.gov.au/allowances-mayors-deputy-mayors-and-councillors. Section 42 of Local Government Act 2020 (the Act) requires a Council to make available minimum resources and facilities for the Mayor and Councillors.

Councillors and members of delegated committees are entitled, under section 40 and 41 of the Act, to reimbursement of bona fide expenses reasonably incurred in the performance of their duties. This policy ensures that the reimbursement of these expenses is in accordance with the Act and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the council.

The cost of allowances and reimbursed expenses paid to Councillors, together with the costs of related services and resources, are managed as part of Council's annual budget process and publicly reported in compliance with the Act and this Policy.

Councillors should put in place processes for documenting their claimable expenses. They should also seek their own financial and taxation advice.

1.2 Scope

The Councillor Support Policy (Policy) supports, and is incorporated by reference in, the Councillor Code of Conduct (Code). This Policy applies to a Councillor of Council. For the purposes of this Policy, the term 'Councillors' includes the Mayor, the Deputy Mayor and all other Councillors of Council.

This policy should be read in conjunction with the current version of the Conduct During Election Period Policy.

1.3 Principles

The general principles underpinning the Policy are:

1. Councillor support expenses are those bona fide costs necessarily incurred by Councillors (out-of-pocket) or on behalf of Councillors, in conducting their official Council duties.
2. 'Official Council duties' are defined as a Councillor attending:
 - Ordinary and Special Council Meetings or Committees of Council
 - Formal briefing sessions and planning forums
 - Civic or ceremonial functions convened by the Council or presided over by the Mayor

- Meetings scheduled by the Council or the Mayor
 - A meeting, function or other official role as a representative of the Council or Mayor, including meetings with residents and constituents
 - Meetings of advisory or external committees, community groups, organisations and statutory authorities to which the Councillor has been appointed the Council delegate/representative
 - Conferences, study tours/official visits (domestic and overseas), seminars and training sessions as a Councillor where attendance has been approved by Council or in accordance with this Policy. This includes travel to and from air, rail or other transport when embarking on interstate or international Council business.
3. The services and facilities provided are for use while conducting Council related business.
 4. When claiming out-of-pocket expenses, tax receipts or supporting documentation must be provided to support claims.
 5. Any costs incurred by a Councillor which are not covered specifically within the Policy will not be met, unless the Councillor has received prior authorisation from the Council or, by delegation, from the Chief Executive Officer.
 6. Remuneration or fees offered to Councillors for participation in external activities in the capacity of Councillor should be paid to Council. This includes fees for presentations delivered at conferences and seminars. It also includes fees for positions on external boards, committees and organisations received by virtue of direct appointment by resolution of Council – excepting MAV, VLGA, and the Metro Waste Board. In circumstances where fees are offered for positions gained through a separate election or selection process conducted by an external organisation, a Councillor may retain the fees.

1.4 Policy Statement on Reporting Councillor Support Expenses

As part of Council's commitment to open and transparent activities and in accordance with the Act and the Public Transparency Policy, details of support expenses incurred by the Mayor and Councillors are subject to regular reporting.

Councillor expenses are reconciled and reported to Council's Audit and Risk Committee on a bi-annual basis and are made public via Council's website.

1.4.1 Councillor Expense Reports

Councillors will be provided with bi-annual reports on expenses that they have claimed which have been accepted by Council as directly attributable to their role as Councillor.

Councillors will generally be provided 3-5 days to review a report and seek clarification from Council where required, prior to the issuing of the Council Meeting agenda.

Councillors shall be given an opportunity to reimburse Council for any expenditure incurred on non-Council related business. Where a Councillor chooses to reimburse Council, reimbursement should occur by the end of the month of which the expense was incurred.

1.4.2 Publication of expenses

Councillor expenses will be presented to a Council Meeting on a bi-annual basis, and published on the Council website for the term of the Council. Expenses incurred as part of

interstate and international travel on behalf of Council will be recorded in the travel register.

1.4.3 Payment of Allowances

Section 39 of the Act provides for payment of annual allowances to the Mayor and Councillors, in accordance with a Determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 (section 23(a)); a Council must review and set the allowance amount within the category range within six (6) months of a general election.

Councillors will also be paid an amount equivalent to the superannuation guarantee, as published by the Minister for Local Government. In accordance with section 39 (5) of the Act, the Mayor and Councillors may elect to:

- (a) receive the entire allowance to which they are entitled; or
- (b) receive a specified part of the allowance to which they are entitled; or
- (c) receive no allowance.

Council must review and set the allowance amount for the Mayor and Councillors, in accordance with the Act. Allowances are taxable income. Any personal taxation implications are the responsibility of the Councillor.

2. PROFESSIONAL DEVELOPMENT

2.1 Professional Development – Conferences, Courses and Training

Councillors have the opportunity to participate in professional development opportunities that will increase their skills and knowledge relevant to their duties of office, and improve their effective community representation and advocacy, especially in relation to their Portfolio responsibilities.

Professional development may include conferences, courses, and training - generally a one-off, occasional or short-term nature, and supported by a program, course material or invitation by organisers.

Council is required to make available for public inspection all details of overseas or interstate travel undertaken in an official capacity by Councillors (with the exception of interstate travel by land for less than 3 days), including name, dates, destination, purpose and total cost (including accommodation) to Council of the travel.

2.1.1 Induction

Councillors will be supported in their role through the provision of a comprehensive induction program arranged by the Chief Executive Officer. Section 32 of the Act requires a Councillor to complete induction training within 6 months after the day the Councillor takes the oath or affirmation of office.

2.1.2 Ongoing Development

Councillors can seek assistance from the Chief Executive Officer or delegate to analyse their particular requirements and identify appropriate professional development to meet their needs. The CEO/ Director will provide a response to the initial request within 14

business days, which may include a meeting to discuss individual needs.

Councillors may attend professional development opportunities that:

- Relate directly to the duties and responsibilities of the Councillor
- Relate to a Councillor's portfolio responsibilities
- Are organised by a Local Government peak body/association - MAV, VLGA, ALGA, ALGWA, etc.
- Are a governance and leadership course approved by the Chief Executive Officer, such as the Australian Institute of Company Directors (AICD) course
- All Councillors must undertake mid-term refresher training on Governance, Leadership and Integrity as approved by the Chief Executive Officer or in accordance with the Act or Regulations
- Are specific needs-based training approved by the Chief Executive Officer, including media, chairing, public speaking and social media use; and
- have 'demonstrable benefit' for the City of Brimbank:

2.1.2.1 Definition of Demonstrable Benefit

- (a) Clearly apparent benefit to the City of Brimbank and its community
- (b) Relates directly to the role of Council or a Councillor of Brimbank (under the Local Government Act)
- (c) Clear link to achieving Council's key commitments under the current Council Plan
- (d) Contributes to the development and skills of a Councillor, to perform their duties and responsibilities
- (e) Relevant to Portfolio/Advisory Committee responsibilities and supports the role of a Portfolio Councillor/ Representative in developing their knowledge and advocating for Portfolio issues
- (f) Unlikely to create the impression an attempt is being made to compromise the impartiality of the Councillor in relation to their decision-making (including planning applications, tenders, policy positions, community fund, budget process etc.)

Reasonable person test: If, before you became a Councillor, you read about this expense/attendance by a Councillor, would you think it was reasonable?

2.1.2.2 Courses Nearing End of Council Term

Any professional development courses undertaken by a Councillor should provide a demonstrable benefit to the Brimbank community. To reflect this commitment, all courses must be completed at least three months prior to the commencement of the election period for a general municipal election. For higher investment courses (more than \$5,000), such as AICD, to ensure benefit to the community, Councillors will only be able to undertake these courses in the first three years of the Council term.

2.1.3 Support Expenses Covered

Council will pay the following expenses for Councillor attendance at professional development opportunities:

- Registration
- All meals for the duration of the Conference/Course within reasonable limits
- Payment for the conference dinner.
- Accommodation that is booked through Councillor Support team from the day prior to commencement of the conference/course and ending on the day where official sessions conclude, where the conference/course is held outside of metropolitan Melbourne.
- Wi-Fi costs
- Transportation to and from the conference/course that is related to the duties of office will be booked by Councillor Support. Transportation during the conference/course related to the duties of office may be booked by Councillor Support or reimbursed to the Councillor upon completion of a claim form with receipts attached. As appropriate, transport arranged will be by:
 - Aircraft – Economy Class (unless travel by business class is resolved by Council prior to travel)
 - Taxi
 - Private/Council vehicle (including car parking)
 - Train/bus – economy class
 - Hire car – up to standard 6 cylinder.
- Return transport will be covered, including if a Councillor stays for additional days at their own cost.

Council will not pay the following expenses for Councillor attendance at professional development opportunities:

- Any additional accommodation costs incurred as a result of the attendance of partners, children or other guests.
- Any additional meal costs incurred as a result of the attendance of partners, children or other guests.
- Charges for alcohol not consumed during a conference/course dinner where the ticket covers that cost.
- Minibar (excepting bottled water) and room phone charges will not be covered.

2.1.4 Attending conferences and seminars

Conferences and seminars are organised by local government related organisations, professional bodies and private sector providers on issues and events which impact on the role of Councillors and the City of Brimbank in general.

Requests for attendance at interstate or international conferences and events must be made in line with the interstate and international travel approval processes outlined in section 4.

2.1.4.1 Accompanying partners/guests

A partner or guest may accompany a Councillor to conferences, and conference-related events and functions. Events and functions will generally involve luncheons and evening activities and be of a nature where other attendees will be accompanied by partners. In situations where a Councillor wishes to invite one guest to a function or event, the cost and arrangements will be covered by Council and reported as a Councillor expense (within the Councillor's personal development budget). Additional guests to a function or event, costs and arrangements will be paid by the Councillor (as a personal cost).

If a partner, spouse, companion or children wishes to accompany a Councillor in a private capacity, such accommodation is able to be booked through Councillor Support. Any additional costs incurred by the person accompanying the Councillor in a private capacity, including meals or additional accommodation, will not be funded by Council.

It is the responsibility of the Councillor to reimburse all private or personal costs to Council, within three months of the cost being invoiced. Failure to reimburse Council within this period will be considered a breach of the Code and will be reported in accordance with the Act.

2.1.4.2 Presenter at a conference

Councillors may receive invitations to speak at a conference in their capacity as a Councillor. In some cases, conference organisers may waive or cover registration fees for participation. This would be considered a gift or hospitality benefit, and appropriate reporting in line with this Policy and the Councillor Gifts, Benefits and Hospitality Policy will be required. The invitation to speak can only be accepted if it is in relation to primacy of the Mayor, then Deputy Mayor, and then Portfolio Councillor.

2.1.5 Planning sessions and workshops

Councillors will participate in Council planning and development sessions and workshops organised through the Chief Executive Officer. The costs of these sessions, and any associated accommodation, meals, and travel, will be paid for by Council.

2.1.6 Training courses and seminars

The Council strongly supports the enhancement of skills required by Councillors to assist in carrying out their role. This includes participating in a range of one-off or short-term training courses, seminars and activities in a variety of areas of professional and personal development. These may be provided internally or by professional bodies, private organisations and educational institutions.

Councillors wishing to undertake any training courses offered outside Victoria need to seek travel approval in accordance with requirements set out in section 4.

Professional or personal development needs which require or involve on-going, longer-term support, guidance or mentoring should first be discussed with the Chief Executive Officer or delegate who will assist Councillors in line with an agreed framework and process, including in accordance with 2.1.2.2. The Chief Executive Officer will inform all Councillors of implemented arrangements. Reporting will be in line with this Policy and the Public Transparency Policy

2.1.7 Memberships and subscriptions

Council will reimburse Councillors or directly pay membership and subscription fees to bodies and organisations whose activities are relevant to the role of Councillors. In seeking

membership or subscription, the Councillor will identify the link to Council business and how membership will assist in development or fulfilment of their role. Appropriateness will be determined by the CEO or delegate.

2.1.8 Requirements and Limits

A Councillor will discuss their desire to attend any interstate or overseas professional development with the Mayor and Chief Executive Officer, prior to any arrangements being made.

All overseas travel by a Councillor will require approval by resolution of Council at a meeting open to the public.

The total maximum annual expenditure for attendance at professional development opportunities, directly related to the Councillor role, is \$7,000 (plus GST) per annum for Councillor, and \$12,000 (plus GST) per annum for Mayor. Subject to budget funding, Councillors may exceed this annual limit to participate in the Australian Institute of Company Directors Course and other professional development opportunities if they are considered appropriate and received approval by the CEO. This expenditure includes registration, accommodation, and related travel and incidental expenses.

All registration, travel and accommodation arrangements and payment of costs will be organised by Councillor Support. Councillors will provide Councillor Support with a reconciliation (including receipts) of all expenditure incurred within 10 business days of return, for the statutory registers to be updated.

2.1.9 Accountability

Within two weeks of return from any interstate or overseas professional development opportunity, the Councillor will provide a written delegate's report for inclusion at the next practicable Ordinary Council Meeting.

Councillors undertaking higher investment courses such as AICD, will be required to sit the accreditation.

A Councillor who does not complete the accreditation will be required to refund the Council, unless exceptional circumstances exist as assessed by the Chief Executive Officer.

Training organised for all Councillors as part of the induction program or in-house development program, will not be required to be reported as part of expense reports.

All other professional development opportunities costs will be publically reported, in accordance with this Policy.

3. CIVIL REPRESENTATION & ENGAGEMENT

3.1 Events and Functions

Attendance at local events and functions is a key part of a Councillor's representative role. Councillors will carefully consider if their attendance at an event or function truly relates to the duties of office, and whether community resources should be used to pay for their attendance.

Councillors are required to declare and avoid Conflicts of Interest and Misuse of Position in accordance with the Act, Governance Rules and the Councillor Code of Conduct.

Councillors will avoid conflicts of interest (or perceptions of) that may arise as a result of their attendance at events and functions, including the applicable gifts threshold.

Hospitality is a gift where a Councillor attends an event or function:

- From free tickets the Councillor received and they have no official duties to perform.
- With free membership.
- Where the hospitality is generous.
- Examples of hospitality that is not reasonable include:
 - serving of alcohol under any circumstances;
 - a 'fine dining' working meal at another organisation's premises or venue booked or hired by another organisation; or
- a free spot at an industry sports day.

Councillors will act in accordance with the Act, this Policy and the Councillor Gifts, Benefits and Hospitality Policy.

3.1.1 Events covered

If invited, Councillors will be supported to attend paid/non-paid events that:

- Are Council-organised or Council-sponsored
- Are held by councils, groups or organisations in the City of Brimbank or the Metropolitan Region and have a 'demonstrable benefit' to the local community, as defined at section 2.1.2.1
- Melbourne-based events hosted by key community partners/stakeholder organisations, departments or agencies, where an official invitation is received and the Councillor has been invited in an official capacity and attendance has been approved by resolution of Council or the Chief Executive Officer.
- Are not conflicting with any Council policies or resolutions, for example, gambling, and attendance can reasonably be seen to support the achievement of Council's objectives.
- Are a ticketed event for Councillors invited by written invitation to attend local fundraiser/charitable events, where event benefits the City of Brimbank directly.
- The cost of a Councillor's partner or guest will be covered by Council. The ticket may constitute an applicable gift under The Act for the Councillor if accepted free of charge.

The Chief Executive Officer, in consultation with the Mayor, will determine appropriate events for Council to purchase 'a table', if invited to do so. In principle, a table should be purchased only if 50 per cent or more of Councillors are able to attend.

3.1.2 Requirements

All event registration/ticket and payment for Councillors will be organised by Councillor Support. Council will only cover the cost of the ticket price, and any incidental expenses relating to transport, car parking or family care will be claimed as per section 10.2 Reimbursement.

3.1.3 Civic hosting

All formal civic hosting, for example, Council hosting a visiting delegation, will be by approval by Council resolution. The resolution will include the benefit to the City of Brimbank in providing the hosting function. Where insufficient notice is provided for Council to consider hosting a delegation, the Chief Executive Officer will determine whether the visit is to be approved, in accordance with this Policy, and the Councillor Declaration of Gift, Benefits and Hospitality Form.

All approved civic hosting arrangements will be organised and paid for by Councillor Support, as approved by the Chief Executive Officer.

3.2 Community Engagement

3.2.1 Online Engagement

Each Councillor will be provided with a web page on Council's website – containing their official headshot photo, contact details, ward map, representation on committees, and ward meeting details. These will be discontinued or amended to include only minor details during an election period.

3.2.2 In-person Engagement

Support will be provided to Councillors to participate in Councillor engagement in accordance with the Community Engagement Policy. Councillors may undertake their own community engagement activities at their own expense or seek the approval of the Chief Executive Officer.

4. TRAVEL AND TRANSPORT

4.1 Local travel

Councillors and members of delegated committees are entitled, under section 40 of the Act, to reimbursement of bona fide expenses reasonably incurred in the performance of their duties.

The following support is provided to assist Councillors and members of delegated committees with local travel costs when conducting Council business. Councillors and members of delegated committees are encouraged to consider the most environmentally friendly modes of transport and should take into account the circumstances of a particular situation including weather, time of day and distance.

Where possible, all travel should be by most direct route, and carpooling is encouraged (where it is safe to do so) and where more than one Councillor attends the same event or meeting

4.1.1 Car parking fees and permits

On and off-street car parking fees may be reimbursed and claims should be accompanied by details stating the nature of Council business and date and time of activity.

4.1.2 Public transport

Councillors shall have access to a Council supplied Myki card, via request to Councillor Support team, to enable travel on trains, trams, buses and light rail journeys within and outside the municipality. Any personal use will need to be reimbursed to Council.

Councillors can submit a claim for specific trips undertaken on Council business. Details stating the nature of Council business and date and time of activity to be provided to Councillor Support for maintaining in a register and for expense reporting purposes.

4.1.3 Use of taxis /Uber

Cab-charge Cards issued to Councillors may be used for taxi services for Council business. Cab-charge Cards are to be used by the cardholder only and must not be provided to any other individual for use, or used for personal business.

Councillors should retain which will assist in the verification of nature of Council business, date, time and cost of transactions. To assist the process, transaction statements will be issued to Councillors. Councillors who incur taxis costs without use of a Cab-charge card can make a claim for reimbursement.

Councillors and members of delegated committees are able use Uber – or an equivalent registered service - for travel in relation to Councillor duties. Costs will be reimbursed and claims should be accompanied by a tax receipt and claim form stating the nature of Council business and date and time of activity.

Details of all services detailed above are to be provided to Councillor Support for reimbursement and expense and reporting purposes.

4.1.4 Use of car share schemes /hire cars

Councillors wishing to use a car share scheme will be responsible for managing the booking and logistics. Council will not be able to pay or reimburse annual subscription or registration fees for car share schemes. Councillors will be reimbursed for use of car share schemes where the expense was incurred undertaking Council business.

Councillors will comply with all parking restrictions and Road Rules, and will be personally liable for any damage, or infringement penalties received.

4.1.5 Use of private vehicles

Councillors and members of delegated committees are able to claim costs relating to use of a private vehicle based on the following allowance rates may be claimed in accordance with the rates as determined by the Australian Taxation Office.

A record of private vehicle use must be maintained by the Councillor and shall contain details of Council business, date, destination and number of kilometres and any tolls.

Councillors and members of delegated committees will comply with all parking restrictions and road rules, and will be personally liable for any infringement penalties incurred. Councillors will also be required to have current registration and minimum third party insurance in place. Separate reimbursement for insurance is not able to be claimed, as it is covered in the allowance rates above.

4.1.6 Tolls

Councillors and members of delegated committees may incur tolls including those associated with the use of *CityLink* while conducting Council business. Councillors may seek reimbursement of costs associated with tolls, including the use of day passes or those transactions incurred as part of existing personal e-tag accounts.

Council supplied e-tags will be provided for the Council fleet vehicle issued to the Mayor.

4.1.7 Council fleet vehicles

4.1.7.1 Mayoral vehicle

To assist in meeting the demands and expectations placed on the Mayor, a Council fleet vehicle shall be provided for use by the Mayor during their term. This will include all associated costs including servicing, fuel and insurance.

The type of vehicle provided to the Mayor shall comply with the fleet policy. The vehicle will be traded in accordance with the vehicle replacement policy, unless otherwise authorised by the Chief Executive Officer.

The Mayor may also opt for a bicycle instead of a motor vehicle, for use during their term. The Mayor will be required to undertake appropriate safety training prior to initial use.

The Mayor will use the vehicle primarily to carry out their duties of office, and may also use the vehicle for reasonable private use. The Mayor should ensure they seek appropriate financial advice from an expert in relation to their tax position if they choose to use a Council fleet vehicle. Requests related to support for disability - or family care-related requirements to the vehicle, such as the provision of child seats, can be made through the Chief Executive Officer.

The Mayor will comply with all parking restrictions and road rules, and will be personally liable for any infringement penalties received.

If the Mayor does not require a Council vehicle, and chooses to use their private vehicle/s to carry out their duties of office, an allowance in accordance with 4.1.5 applies.

4.1.7.2 Councillor access to fleet vehicles

When available and practicable, and by prior arrangement through Councillor Support, a Council fleet vehicle may be made available to a Councillor for travel outside the municipality, where use of private vehicle or other means of transport is not possible or is cost prohibitive.

Councillors will be responsible for filling out the logbook in a fleet vehicle. Councillors will comply with all parking restrictions and Road Rules, and will be personally liable for any infringement penalties received.

4.1.8 Accommodation and incidentals

When travelling on Council business in outer metropolitan Melbourne and regional Victoria, Councillors may require accommodation. Councillors can stay in reasonable accommodation appropriate to the area travelled to and the nature of the visit.

Bookings for accommodation should be made through Councillor Support team. Prior to making the booking, the authorisation of the Chief Executive Officer or delegate must be obtained. All reasonable sustenance and incidental costs associated with outer metropolitan Melbourne and regional Victoria travel will be met by Council. If travel includes attendance by a partner, spouse, companion or children, Council will only cover expenses in accordance with Section 2 of this Policy.

4.2 Interstate and International Travel

As part of their duties, the Mayor, Deputy Mayor and Councillors may be required to undertake interstate and international travel on behalf of Council. Representation of Council at national/international levels can be an important part of developing, communicating and

implementing Council policy and includes:

- Travel to investigate issues, projects or activities of relevance to actions contained in the Council Plan and other policies and programs including those relating to portfolio responsibilities.
- Attendance at conferences, workshops and forums as either a presenter or a delegate on topics relating to Council's policies, aims and projects or on areas of professional development for Councillors.

Where a request is initiated by Councillor and approved by the Chief Executive Officer for travel that includes attendance by a Councillors partner, spouse, companion or children scheduling will be processed in conjunction with the Councillors bookings for each additional attendee by the Councillor Support team. A Council tax invoice will be raised to the Councillor for the full cost incurred excluding any expense for Councillor duties, with payment required by Councillor in full within three month of the invoice date by Council. Additional expenses will be paid in accordance with Section 2 of this Policy. Failure to reimburse Council within this period will be considered a breach of the Code and will be reported in accordance with the Act.

4.2.1 Authorisation and reporting framework

4.2.1.1 Proposal to travel by Mayor, Deputy Mayor and Councillors

All proposals relating to international travel by the Mayor, Deputy Mayor and Councillors requires the approval by resolution of Council. Such proposals should be presented in a report by the relevant Director or Manager, including identification of how the proposal will underpin or support Council's Council Plan actions, key strategies or Portfolio responsibilities, and the costs of the proposal.

Interstate travel does not require approval by Council. Financial thresholds and requirements as per section 2.1.4 apply. A Councillor must report interstate and international travel to Council in accordance with this Policy, including a conference/post travel report, and a briefing to Councillor colleagues.

4.2.1.2 Leveraging opportunities – additional stakeholder meetings

If a Councillor wishes to include additional meetings relating to their Councillor duties on either side of a conference or professional development opportunity, they must request this in writing to the Mayor and Chief Executive Officer. If determined to be appropriate, the meeting/s will be organised by the relevant Director. Approval to represent Council will be required regardless of whether an expense is incurred.

4.2.1.3 Undertaking Council business while on private travel

If the Mayor, Deputy Mayor or Councillor proposes to officially represent the Council while on private interstate or overseas travel, authorisation should be sought in line with approval processes and requirements outlined above in 4.2.1.2. Approval to represent Council is required regardless of whether or not expenses will be incurred.

4.2.1.4 Partner/companion travel

The cost of a partner, spouse, companion or children accompanying a Councillor on a business trip is the financial responsibility of the Councillor for payment (as a personal cost). If a partner, spouse, companion or children wishes to accompany a Councillor in a private capacity, such travel is able to be booked through Councillor Support. Any costs incurred by the person accompanying the Councillor in a private

capacity will not be funded by Council. It is the responsibility of the Councillor to reimburse all private or personal costs to Council, within three months of the cost being invoiced. Failure to reimburse Council within this period will be considered a breach of the Code.

4.2.1.5 Non-Council funded travel

Offers of sponsored travel from international organisations, foreign governments, educational institutions and industry bodies can be considered provided that:

- The offer of travel is not made in exchange for, nor with an expectation of, the granting of favourable treatment
- The acceptance of the offer does not give rise to an actual or perceived conflict of interest

Care must be taken to ensure that there is no conflict of interest in such situations with Councillors being seen to use the status of their office to advance the interests of other organisations or interest groups.

Overseas or interstate visits in relation to invitations from inter-governmental, official agencies, governments or private organisations (where all or part of the costs are to be met by the Council) are subject to this policy.

Councillors should seek advice from Council officers before accepting any sponsored travel.

Travel at the expense of other parties should be in accordance with the standards of the sponsoring organisation. Supporting documentation should be provided confirming both external funding arrangements and appropriate authorisation by the host city or organisation for such travel by Councillors.

Councillors undertaking private travel arrangements in conjunction with Council approved and funded travel, must ensure that all costs incurred with private travel are clearly delineated from Council funded travel arrangements.

4.2.2 Bookings and confirmation

Travel and accommodation arrangements will generally not be made in anticipation of approval. However, it is recognised that in some circumstances, tentative arrangements may need to be made to secure the most cost effective airfare and accommodation options.

All travel and accommodation reservations apart from private travel and non-council funded travel, should be booked through Councillor Support. To permit the option for bookings to be scheduled by Councillor Support team for travel by a partner, spouse, companion or children; Councillors must confirm arrangements for travel and accommodation with the Councillor Support team at the same time as requesting their own arrangements.

The Councillor will be responsible for all costs incurred for travel of additional parties, including insurances and where applicable any cancellation fees.

4.2.3 Travel documentation

When travelling, Councillors will need to maintain accurate documentation relating to expenses incurred.

4.2.3.1 Insurance

Councillors are covered by Workcover under the Workplace Injury Rehabilitation and Compensation Act 2013, both in Australia and overseas. Councillors are also covered by Council's Personal Accident and Corporate Travel Insurance policy. This covers Councillors whilst engaged in any activity connected with or on behalf of the Council. Non-business related travel and non-business related items are not covered by this policy. Any non-business related travel including travel by a Councillor and travel by a partner, spouse, companion or children will require consideration by Councillor to seek independent travel insurance.

4.2.3.2 Passport and visas

Councillors travelling overseas on Council-related business are responsible for ensuring that they have a current passport and obtain any required visas. Costs can be reimbursed by the Council.

A Councillor will be responsible for ensuring that any additional travel by a partner, spouse, companion or children, have a current passport and obtain any required visas. No reimbursement by Council will be available for additional parties.

4.2.4 ICT arrangement and expenses

When using mobile devices while on international travel, Councillors should avoid excessive communication costs and are encouraged to use internet services provided through place of accommodation.

Councillors on leave of absence will store their devices securely, or have their ICT devices appropriately managed by Councillor Support, including an out of office message and disabling of data roaming, as appropriate. Where a Councillor travels overseas on Council business, ICT staff will ensure appropriate international roaming on the Council ICT device before the Councillor leaves.

4.2.5 Reimbursement of travel expenses

Councillors must submit any claims for reimbursement within 30 days of return. Councillors will be required to complete a Claim form via the Councillor Portal, with claims supported by accounts and other receipts.

The exchange rate to be applied by Councillors when making claims and reconciling expenses shall be the rate identified by a banking institution or credit card company as being the closing rate on the day of departure for travel, or on the day of transaction, where a credit card is used.

4.2.6 Travel expense reporting

All travel and associated expenses will be reported in accordance with the Act, this Policy and the Public Transparency Policy.

5. COMMUNICATIONS

5.1 Equipment and Services

5.1.1 ICT devices

Section 42 of the Act, ensures that the Mayor and Councillors have the tools, services and facilities necessary to undertake their roles.

Communication equipment and services shall be provided to assist Councillors in the conduct of Council business.

Councillors will be provided with an iPhone, an iPad and a laptop, in accordance with Council's ICT procurement contracts. The devices will be Wi-Fi, Bluetooth and mobile data enabled. In car phone kits will be provided if requested. Councillors can be provided with portable printers, on request.

Councillors will be provided with a maximum 6GB data plan for Council business, and unlimited storage plans.

A multifunctional device (to scan, print, email, copy) will be provided in the Councillor offices, to facilitate communication relating to the Councillor's duties.

Councillors will not have access to delete any Council standard applications provided on the iPhone and iPad.

5.1.1.1 Broken and faulty devices

For the safety and protection of these Council assets, cases will be provided for assets. If an asset is taken out of its case, it is the responsibility of a Councillor to replace it with another case.

Councillors will present a broken or faulty device to Councillor Support for repair or replacement. Broken items will only be replaced once per year per Councillor, and reported in accordance with this Policy and the Public Transparency Policy.

A Councillor must report a stolen device to the Victoria Police and to Councillor Support as soon as possible. Stolen devices will be replaced on receipt of a police report.

Every 12 months devices are recalled by the Councillor Support team to be tagged and tested to ensure the device meets required standards. Any product not found to meet the requirements will be repaired or replaced as required.

5.1.2 ICT Policies

Councillors will act in accordance with Brimbank City Council's Mobile Phone Policy, Acceptable Use of ICT Resources Policy, Mobile Computing Device Policy, Internet & Email Security Policy, and the Information Security Policy.

5.1.2.1 Non-Council related use

Council phones and mobile data enabled devices will be provided to support a Councillor to undertake their duties, however, it is recognised that for practical reasons, a Councillor may make a reasonable number of non-Council related calls. They may also make reasonable personal use of mobile devices, including mobile data.

Each Councillor will be responsible for determining the personal use to be reimbursed to Council. The Chief Executive Officer may also determine where a Councillor's personal phone or data use charges is beyond reasonable limits, and require reimbursement.

International calls will not be considered reasonable use unless a Councillor is conducting Council business (such as related to a conference/tour that has been approved by a resolution of Council). Telephone calls to information/ service providers which incur a significant per minute charge will normally not be considered reasonable use. App store purchases will not be covered by Council and

must be reimbursed.

Councillors must not, under any circumstances, use Council provided equipment for private business purposes, including making telephone calls and using data (internet/email).

Councillors who take leave from their Councillor duties for 2 weeks or more, are required to provide devices back to Council for the duration of their leave.

Councillors electing to use their own equipment will be entitled to receive a reimbursement package to cover the costs of equipment use and consumables expenses relating to Councillor duties in accordance with this Code.

Itemised bills will be provided to each Councillor on request. Councillors will reimburse Council in accordance with Section 10 of this policy, on a monthly basis. Failure to reimburse Council for personal use that is deemed to be beyond reasonable limits by the Chief Executive Officer will be considered a breach of the Code and be reported in accordance with the Act.

The issued items remain the property of Council, are recorded in Council's Asset Register, and must be returned at the end of the Council term.

Councillors are responsible to ensure that fully charged Council issued devices (iPad, iPhone and laptop) are brought to all scheduled meetings, along with plugs and charges as a supply backup.

6. ADMINISTRATION AND FACILITIES

6.1 Administrative Support and Services

6.1.1 Administrative Support – Mayor

Administrative support will be provided to the Mayor for work directly related to the duties of office, acknowledging the responsibilities and greater level of commitments and expectations placed on the Mayor. All support will be overseen by the Manager Governance, and undertaken by Councillor Support.

6.1.2 Administrative Support - Councillors

Limited administrative support is available to Councillors for work directly related to their duties of the office. All support will be overseen by the Manager Governance, and undertaken by Councillor Support.

6.1.3 Support requests that are not appropriate for Council staff

The following activities are deemed inappropriate for council staff to engage in at the request of Councillors:

- Undertaking personal errands or tasks unrelated to council work
- Management or handling of personal finances or private business matters.
- Provision of support for personal social events or parties.
- Assistance in any individual political campaigning activities.

- Writing of notices of motion, debate notes for Council meetings, etc.

It is essential that council staff's time and resources are used effectively for the benefit of the community we serve. Council staff are here to support the functions of the council and not for personal or political tasks. This policy aims to ensure that the relationship between Council staff and Councillors remains professional and focused on serving our community.

6.1.4 Councillor Portal

All information for Councillors, including Council, portfolio and committees agendas and minutes, request status updates, and invitations, will be available through the Councillor Portal.

6.1.5 Stationery / Mail

When communicating with constituents, Councillors are encouraged to use electronic formats. Where postage services are required on Council business related matters, Councillors shall have access to postal services which will be arranged through Councillor Support.

Standard stationery will be made available in the Councillor Offices. Stationery will include paper, writing implements and pads, envelopes and a diary (on request). Councillors will not modify Council stationery in any way and will only use reasonable supplies for carrying out their duties of office. The supply of stationery will be organised by Councillor Support. Councillors will not use any Council stationery for any personal, business, political or election-related purposes.

6.1.6 Photocopying

A photocopier is provided in the Councillor Offices for a Councillor to undertake small amounts of photocopying directly related to carrying out their duties of office. Photocopying on behalf of external groups or organisations is not permitted. Photocopying is a reportable expense and Councillors will not use for any personal, business, political or election-related material.

6.1.7 Newspapers / Publication subscriptions

Councillors will be provided with an internally-produced media monitoring record (Media Watch).

Annually, Councillors will have the option of a subscription to the Age and/or Herald Sun online newspapers.

Councillors will be provided with subscription copies of key local government industry publications.

Councillors will be given the opportunity of sending corporate Christmas/Festive Season cards. These shall be available in electronic format.

Councillors will not use images for any personal, business, political or election-related material.

6.1.8 Photographs

On request, Councillors will be given access to the Council image library for carrying out their duties of office. The images remain the property of Council (copyright) and will only be used by Councillors for a specified and approved purpose.

At request from Councillor to Councillor Support, Councillors will be able to update their official Councillor headshot (using a Council-engaged photographer) each year.

Councillors will not use images for any personal, business, political or election-related material. All image access and use must be approved by the Manager Media and Communications.

6.1.9 Name Badges

Councillors will be provided with a Councillor name badge (approved Councillor format) for use while carrying out their duties of office.

6.1.10 Business Cards

Councillors will be provided with a Councillor business card (approved Councillor format) for use while carrying out their duties of office.

On request, the business card may include a Councillor's Facebook, LinkedIn or other social media address (set up and maintained by a Councillor for the purposes of their role), but not a personal Facebook, LinkedIn or other social media address.

6.1.11 Uniforms

On request, Councillors will be able to access an item/s of uniform or use while carrying out their duties of office, up to a value of \$1,000 (excl. GST) per term, including any Council branding requirements. The item must include the Brimbank Council logo. All items will be organised by Councillor Support, in consultation with the Councillor. Uniforms may not be worn for election related events or activities and if the Office of Councillor is ceased.

6.2 Councillor Facilities

6.2.1 Catering

To assist Councillors in meeting the demands and expectations while conducting Council business, the following internal sustenance arrangements shall be offered to all Councillors:

- Reasonable refreshments served on Council premises during meetings of Council business. The type of refreshments shall depend on the nature of the meeting, timing and attendees.
- Reasonable meals served during evenings of Committees, Council and other key meetings.
- Provision of light refreshments in the Councillors' Offices.

Catering for the above will be provided by Council's contracted catering panel.

Alcohol will not be served or made available, except at official Council functions, as approved by the Chief Executive Officer. Non-Council business related functions organised by a Councillor must be paid for by the Councillor.

Where a Council Meeting is held by virtual livestream, a Councillor has an option to order a meal to their location and submit through the Councillor Portal request for reimbursement a claim for the cost of the meal to a total value of the reasonable amount for overtime meal expenses as published by the Australian Taxation Office, with the supply of a tax receipt.

6.2.2 Office of Mayor

Due to the special role of the Mayor, a separate office is provided in the Councillors Office, including a computer and landline, for the Mayor to carry out their duties.

6.2.3 Councillor Offices

Councillors are provided with a shared office area - the Councillors Office - at Brimbank Community and Civic Centre, reserved solely for Councillor use. The Councillors Office will be equipped with three workstations, including landlines and a multifunctional device (to scan, print, email, and copy), a lounge and dining area, and a separate meeting room. The shared office area will be suitable for office work, reading, research, and small meetings. Visitors can only be provided access if accompanied by a Councillor.

6.2.4 Access and Parking

Councillors will be provided with a security card allowing 24 hour access to the Councillors Office. The Mayor will also have access to the Mayor's office. Parking spaces are available at the Brimbank Multi deck carpark.

6.2.5 Meeting Rooms and Venues

Councillors can book meeting rooms at Council-managed venues, subject to availability, for meetings where the primary purpose is for the Councillor to carry out their duties. The Councillor must be in attendance at the meeting. Councillors are required to schedule the use of any meeting room at Council-managed venue through Councillor Support. Due to the limited space available, meeting must be scheduled on an individual booking and not able to be a standing booking. e.g. not available to book for a monthly, school term or annual booking.

Requests made to Councillors by community, charitable or non-profit organisations for meeting rooms/venues, should be referred to the appropriate operational area for assessment against policy and previously determined criteria. This includes requests by external organisations for single, occasional or on-going access to meeting facilities for the conduct of that organisation's business.

As a general operating principle, in circumstances where individual Councillors, in pursuing an issue or project, believe it is beneficial to arrange a function involving a large number of people, this should be arranged in consultation with the appropriate operational area. Such functions should be funded by the relevant area, therefore ensuring attribution of the cost to the project or issue. Where the cost cannot be attributed to a project or issue and the matter relates to Council business, the function will require the approval of Council via resolution.

6.2.6 Viewing Council Files

A Councillor viewing a Council file must do so in the presence of the relevant Director, or Manager nominated by the Director.

Documents cannot be removed from files or the Council premises (other than copies made available by the Chief Executive Officer/Director). Councillors will be unable to access Council's electronic document management system, however copies of approved documents may be made electronically available (email or portal) by the Chief Executive Officer/Director. A Councillor requesting to view a public register must do so through the statutory process (filling out a form and viewing the register in the presence of a Council officer).

6.2.7 Requests for Information

A Councillor will request information through the Chief Executive Officer or relevant Director.

If the information is public, it will be circulated to all Councillors. If the information is confidential or potentially restricted, the Councillor will also provide the purpose they require the information for. The Chief Executive Officer /Director will contact the Councillor to discuss the matter, and if the information is able to be viewed/disclosed, will organise an appropriate response as soon as possible.

Provisions relating to confidentiality and privacy are set out in section 4.8 of the Code. Councillors may not be able to access information that protected by legislation (including the Protected Disclosure Act 2012, and Privacy and Data Protection Act 2014), designated as 'commercial in confidence' or is privileged legal advice.

6.3 Reports from the Organisation

The organisation will provide professional advice and recommendations to Councillors via Council reports. A forward plan of proposed Council business for the upcoming fortnight will be maintained and made available to all Councillors on the Councillor Portal (updated weekly).

The preparation and submission of these reports will generally be based on:

- **Council Plan and Budget:** These reports are necessary to implement actions of the adopted Council Plan and Budget, as well as related policies and strategies.
- **Public Interest:** The proposal brings up an issue of significant public interest.
- **Policy Change:** The proposal introduces an issue of policy or process not covered by existing policy or practice.
- **Consultation:** The proposal is deemed to require community consultation to receive feedback from affected communities and stakeholders.
- **Public Objection:** The proposal has caused substantial public objection or is likely to do so.
- **Consistency:** The Chief Executive Officer or delegate recommends approval of the proposal, but such approval would be, or could reasonably appear to be, inconsistent with a previous decision or decisions.
- **Unbudgeted Expenditure:** Implementation of the proposal would require expenditure of Council funds not specifically provided for in the budget.
- **Decision by Council:** The Chief Executive Officer or delegate believes that the proposal or any issue arising from it should be decided by the Council rather than the organisation.
- **Call-in of Proposal:** Any Councillor has expressed a desire to call in the proposal for Council consideration.
- **Transparency:** Appropriate reporting as determined by legislation, policy, plan, and strategy.

7. CARER SUPPORT AND WELLBEING

7.1 Expenses Incurred in the Provision of Carer Services

Section 41 (c) and (d) of The Act provides for the reimbursement of child care costs to Councillors and delegated committee members where the provision of child care is reasonably

required for a Councillor or member of a delegated committee to perform their role. The Act provides for re-imburement of child care costs for children 0-15 years old where the Councillor is a carer in a care relationship as stated in the *Carers Recognition Act 2012*, and/or the *Children, Youth and Families Act 2005*.

7.1.1 Approved carers

Reimbursement of costs will be available for immediate family only, that is, where the Councillor or domestic partner is the primary care giver.

Council will reimburse the Councillor for carer expenses paid to:

- An accredited child care/attendant care provider/nanny or
- A person providing care who does not:
 - have a familial or like relationship with the Councillor, or
 - reside either permanently or temporarily with the Councillor - except where a live-in (professional) helper, such as a nanny, is required to work extra time at extra expense because of the Councillor's duties, or
 - have a relationship with the Councillor or their partner such that it would be inappropriate for Council to reimburse monies paid to the care provider.

7.1.2 Carer costs

Councillors who require carer or support services for other immediate family members should raise the matter with the Chief Executive Officer, or delegate, who shall advise on possible arrangements including reimbursement processes.

Requests for reimbursement will be processed on receipt of the following by Councillor Support:

- Councillor Claim Form – including details on the reason care was needed (official Councillor duties)
- Copy of receipt (clearly identifying the registered provider, type of service, date and time of service, hourly rate and hours of service, provider signature and total payment received).
- A Statement by a Supplier Form required if the provider does not quote an Australian Business Number (ABN).

Fees will be payable per hour or part of an hour (subject to any minimum period which is part of the provider's usual terms). Block or full day care options are available if appropriate to support the Councillor's duties of officer, with the approval of the Chief Executive Officer or delegate.

Maximum fees will be determined as rates not exceeding reasonable market rates available within the municipality.

Delegated committee members will make claims for reimbursement for family care by supplying relevant details for the request for reimbursement by email to the Councillor Support team.

7.2 Support for a Councillor with a Disability

The Chief Executive Officer or delegate will assess and approve reasonable support - through additional facilities and expenses - to allow a Councillor or member of a delegated committee

with a disability to perform their duties of office.

7.3 Health and Wellbeing

7.3.1 Counselling support

Councillors may be able to access Council's Employee Assistance Program (EAP) counselling service – Councillor Support, to assist with their health and wellbeing during their term of office. Access to this program can be requested through the Chief Executive Officer or delegate.

7.3.2 Protective clothing

As appropriate, Councillors will be loaned protective clothing to meet safety requirements in carrying out the duties of office (for example, high visibility vests for site visits). Councillors will return any protective clothing at the completion of the activity/ duty.

At the start of a Mayoral term the Mayor will be supplied with a single pair of steel caped safety boots to wear as instructed when this PPE is required. This item will be available to be retained by the Mayor.

8. LEGAL AND INSURANCE

This section outlines the legal and insurance protections, and support exemptions, for Councillors.

8.1 Legal

8.1.1 Compliance with legislation and policy

Councillors will comply with all relevant laws and regulations and adhere to Council's confidentiality, legal and privacy requirements. Councillors will act in accordance with legislation, all Council Policies adopted under the Act, the Councillor Code of Conduct, Council's ICT policies, and Livestreaming of Council's Meeting Policy.

8.1.2 Procurement of legal advice

A Councillor may seek legal advice at their own expense – including advice relating to conflicts of interest – but must not direct Council officers to do so.

Council will not pay for any legal advice organised or commissioned by a Councillor (including advice that relates to their duties of office or Council matters). Any legal advice relating to Council matters will be procured through the Chief Executive Officer (or their delegate), in accordance with the Code of Conduct and the Act.

Council will not bear the costs of legal representation for any party in a dispute resolution process. For avoidance of doubt, this does not affect the ability of any party to a dispute to seek their own legal advice. Where a party procures their own legal advice, the cost of the legal advice will not be paid or reimbursed by Council.

8.1.3 Legal protections

Public Council meetings are an open forum. Occasionally some things that are said may be regarded as defamatory.

Defamation occurs when statements are made and published about a person, which causes injury to that person's reputation by disparaging them, causing others to shun or avoid them, or subjects them to hatred, ridicule or contempt.

Councillors may have legal protection against defamation under 'qualified privilege' when undertaking their duties of office, however, only when comments are made in good faith and without malice.

This includes comments made when undertaking the duties of office in a Council Meeting, to the media, at events, in hard copy or electronic publications.

Third parties may attempt to hold Council liable for defamatory statements made by Councillors during a Council meeting. This risk is increased if the meeting is recorded and published online or made available to the public. In that case, Council may be liable for defamatory statements made by Councillors or members of the public, as it has published those comments.

In the event a Councillor makes an intentional defamatory comment, Council will not provide resources to legally defend the Councillor, and the Councillor may face disciplinary action and/or could be sued in their personal capacity. Council will not provide legal advice in relation to the liabilities of a Councillor.

8.2 Insurance

Councillors and delegated members of committees are covered under the following Council insurance policies on a 24 hour basis while undertaking their duties of office, including attendance at meetings of external bodies as Council's representative or delegate:

- Public Liability
- Professional Indemnity
- Councillors and Officers Liability
- Travel – Council business, including to and from Council meetings.

Council equipment provided to Councillors is covered for damage or theft under Council's insurance policies. Councillors are expected to exercise due care in protecting the equipment from damage or theft.

Councillors must provide information requested annually for insurance purposes, to ensure appropriate level of cover. For claims relating to travel, an incident report must be completed.

8.2.1 Councillors and Officers Liability

Council will not bear the costs of legal representation for any party in an informal or formal dispute resolution process. For avoidance of doubt, this does not affect the ability of any party to a dispute to seek their own legal advice. Where a party procures their own legal advice, the cost of the legal advice will not be paid or reimbursed by Council. Councillors should note that the nature of arbitral processes and Councillor Conduct Panels are an informal ones and as such should consider participation without legal representation. Section 321 of the *Local Government Act 2020* relates to the possible imposition of a surcharge (cost recovery) by the Secretary of the State Department in relation to any expenditure, deficiency or loss incurred by Council due to the misconduct of a Councillor. That section provides that the Secretary of the State Department may impose a surcharge any deficiency or loss has been incurred by the misconduct of a Councillor. In any such

case, the Secretary may by notice in writing require the Councillor to show cause why they should not be surcharged. If the Councillor or member of the Council staff does not show cause to the satisfaction of the Secretary, the Secretary may by notice in writing impose the surcharge.

8.3 Occupational Health and Safety and Work Cover

Councillors and delegated committee members will ensure they follow Occupational Health and Safety requirements while undertaking their duties of office. A Councillor injured while carrying out their duties may be entitled to claim workers compensation under the Accident Compensation Act 1985. Each case will be determined based on individual circumstances.

8.4 Personal Interest Returns

Councillors must declare their personal interests in corporations, unincorporated associations, business partnerships, trusts, paid employment, land owned, significant shareholdings, personal debt, and any other interests that may give rise to a conflict of interest. The personal interests must be declared through biannual returns, and a summary of these returns must be published on the council's website for transparency and accountability purposes. Non-compliance with these requirements can result in penalties. Seeking assistance from council governance staff, the CEO, legal professionals, or accountants is recommended when completing personal interest returns.

9. EXCLUSIONS

This section sets out the exclusions to reimbursement of expenditure by Councillors and delegated committee members.

Any expenditure not specified in this Code of Conduct will be the responsibility of the Councillor.

A Councillor and delegated committee members will not be able to be reimbursed for any claims made outside of the timeframes specified. If a Councillor and delegated committee members does not claim a particular expense within the designated timeframe, this cannot be claimed as an additional amount for another expense.

Any expenses arising for a Councillor and delegated committee members from a breach of road, traffic, parking or other regulations or laws, will not be reimbursed or funded by Council.

Any expenses relating to legal advice or insurance, as set out in Section 8.

Council will not be able to reimburse Councillors for immediate family members/associates attending conferences, seminars, training, planning sessions, or corporate hospitality or events, except as provided for in the policy.

Councillors and delegated committee members are ineligible for the Brimbank City Council employee discount rate for membership to Council's aquatic centres, as under legislation, they are not able to receive an employee financial benefit.

10. REIMBURSEMENT

This section outlines the timeframes and requirements for reimbursement for, and by, Councillors and delegated committee members. Councillors and delegated committee

members will only claim reimbursement for reasonable, bona fide out-of-pocket expenses incurred while performing their duties of office.

10.1 Timeframe for Claims

Councillors and delegated committee members will submit their claims for reimbursement on a monthly basis, to ensure equitable public reporting of expenses, and management within Council's financial cycle.

All claims for an ending financial year will be finalised and submitted to Councillor Support by the end of that financial year. Claims submitted outside the financial year they were incurred, will only be reimbursed with the approval of the Chief Executive Officer (excepting expenses incurred in the month of June, which must be claimed by the end of July).

Claims by a Councillor for a previous term must be finalised within one month of a Brimbank City Council election or by-election. After this time, the entitlement of the Councillor to claim the expense will cease.

Claims by a delegated committee members must be finalised within one month of ceasing to hold a position within a committee. After this time, the entitlement of the committee members to claim the expense will cease.

10.2 Reimbursement

Councillors will act in accordance with this Code of Conduct and any reimbursement protocol or direction provided by Council to claim reimbursement of expenses.

Councillors are aware their approved support expenses will be reimbursed in accordance with Council's financial processes (including fortnightly scheduled payment runs and electronic funds transfer only).

Councillors are responsible for retaining and submitting all documentation for their reimbursement claims. Councillors will submit reimbursement claims on a monthly basis.

To maintain transparency and probity, all reimbursements will be paid directly into the Councillor's nominated bank account. A remittance of payment will be provided to the Councillor.

10.2.1 Forms and Receipts

Councillors and delegated committee member will submit all claims for reimbursement through the Councillor Portal, including providing fully detailed tax receipts for any expenses incurred in accordance with this Code.

A Councillor claiming for private vehicle use is responsible for keeping a travel log, including mileage.

10.2.2 Councillor Reimbursing Personal Use

A Councillor is only able to reimburse Council, for personal expenses paid for by Council, for example, telephone calls, by a Councillor making payment via Council's Customer Service and providing a copy of the receipt to Councillor Support.

10.2.3 Authorisation levels

The Chief Executive Officer shall stipulate authorisation levels and designate Council officers in respect of reimbursement and other expense transaction processes referred to

in the Policy.

Remittance will be provided for Councillor's records.

10.2.4 Accountability and Reporting

The Chief Executive Officer or delegate has processes to monitor the quantum of Councillor expenses and review transaction processes to ensure accurate allocation of costs.

Reporting will be in accordance with the Act and the Public Transparency Policy. The following Councillors support expenses will be reported to a Council Meeting and made available on Council's website for the current term:

- Travel (excluding for professional development)
- Vehicle Mileage
- Child Care/Family Care
- Professional Development – Conferences, Seminars, Training, including associated costs of transport, accommodation and meals for professional development
- Information and Communication Technology
- Events and Functions

The report will include details of reimbursements, including justification for claims made by Councillors that were approved by the Chief Executive Officer (or delegate) to be paid outside the one month limit for claims.

Any reimbursement provided by a Councillor for personal use of Council resources, for example, phone calls, will be deducted from reported support expenses.

Councillors and members of delegated committees will also have their expenses reported to the Audit and Risk Committee of Council.

Please note: legal and insurance costs related to conduct matters will be reported separately to Council.

10.2.5 Tax requirements

When making a claim, Councillors and delegated committee member must supply tax invoices which are tax invoice compliant for Goods and Services Tax purposes.

Councillors should seek their own personal taxation and financial advice.

11. RELATED POLICIES AND RESOURCES

- Councillor Code of Conduct
- Councillor Gift, Benefit and Hospitality Policy
- Public Transparency Policy
- Councillor Gifts Protocol and Declaration of Gift Form
- Conduct During Elections Policy
- Councillor Portfolio Policy
- *Local Government Act 2020*

- All policies required to be in operation under the requirements of the *Local Government Act 2020*.

12. REFERENCES

Local Government Act 2020

Councillor support and expenses policies and procedures of the Cities of Melbourne, Dandenong, Maribyrnong, Hobsons Bay, Melton, Wyndham and Moonee Valley.

13. AMENDMENT OF POLICY

Revision	Review Date	Reason for Amendment	Next Review Date
C	19 April 2016	Adopted as Major Policy as part of Councillor Code of Conduct Local Government Act 1989	February 2017
D	14 February 2017	Local Government Act 1989 requirement	October 2017
E	February 2020	Status as Major Policy New standalone policy (incorporated by reference in the Code)	June 2020
F	June 2020	Local Government Act 2020 update	June 2022
G	October 2023	Review	October 2025
H	February 2024	Review	February 2026

Local Government Act 2020 Compliance Statement

Section 9(1) of the *Local Government Act 2020* (Act) requires Council to give effect to the overarching governance principles, in the performance of its role. Section 9(2) of the Act specifies the governance principles as follows:

- a) Council decisions are to be made and actions taken in accordance with the relevant law (Compliance with the law);
- b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations (Achieve best outcomes for the community);
- c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted (Promote the sustainability of the municipality);
- d) The municipal community is to be engaged in strategic planning and strategic decision making (Engage the community in strategic planning and decision making);
- e) Innovation and continuous improvement is to be pursued (Strive for innovation and continuous improvement);
- f) Collaboration with other Councils and Governments and statutory bodies is to be sought (Collaborate with all other levels of government and government agencies);
- g) The ongoing financial viability of the Council is to be ensured (Secure the ongoing financial viability of Council);
- h) Regional, state and national plans and policies are to be taken into account in strategic planning and decision making (Strategic planning and decision making must take into account plans and policies in operation at all levels);
- i) The transparency of Council decisions, actions and information is to be ensured (Council decisions, actions and information must be transparent).

Governance Principles

In developing the Councillor Support Policy (the Policy), Council has considered and given effect to the overarching governance principles, as summarised below:

Governance Principle	Considerations
(a) Compliance with the law	All relevant legal requirements have been considered in developing the Policy. In particular, and without limitation, the Policy complies with the requirements in Part 6 of the Act, the public transparency principles at section 58 of the Act, and the <i>Local Government (Governance and Integrity) Regulations 2020</i> .

(b)	Achieve best outcomes for the community	The Policy ensures transparent and accountable reimbursement of expenses while providing support, resources, and protections for Councillors to effectively serve the community, promoting positive outcomes for all.
(c)	Promote the sustainability of the municipality	The Policy helps ensure the sustainability of the municipality by providing Councillors with the necessary resources and support to effectively carry out their duties, thereby fostering good governance and decision-making. Additionally, the policy promotes transparency and accountability through regular reporting of Councillor expenses, ensuring responsible use of public funds and maintaining public trust in the municipality's operations.
(d)	Engage the community in strategic planning and decision making	In developing the Policy Council undertook a community consultation process, in accordance with Council's Community Engagement Policy.
(e)	Strive for innovation and continuous improvement	Council will review the Policy on a no less than biennial basis, and pursue innovation and continuous improvement during every review.
(f)	Collaborate with all other levels of government and government agencies	In developing the Policy, Council considered the <i>'Overview of councillor support and expenses policy'</i> provided by the by the Local Government Inspectorate and also reviewed Councillor support and expenses policies and procedures of the Cities of Melbourne, Dandenong, Maribyrnong, Hobsons Bay, Melton, Wyndham and Moonee Valley.
(g)	Secure the ongoing financial viability of Council	The Policy helps to secure the ongoing financial viability of Council by ensuring that reimbursement claims for expenses incurred by Councillors and delegated committee members are submitted within designated timeframes and comply with the specified requirements.
(h)	Strategic planning and decision making must take into account plans and policies in operation at all levels	The Policy helps strategic planning and decision making by providing guidelines and resources for Councillors to carry out their duties effectively and efficiently. It takes into account plans and policies in operation by aligning reimbursement processes with Council's financial cycle and reporting requirements, ensuring transparency and accountability.

(i) Council decisions, actions and information must be transparent	The Policy helps to ensure that Council decisions, actions, and information are transparent by providing guidelines for the reimbursement of expenses incurred by Councillors and delegated committee members, and by requiring regular reporting and disclosure of these expenses to the public. Additionally, the policy outlines the accountability and reporting processes, including the monitoring of expenses by the Chief Executive Officer and the reporting of expenses to the Audit and Risk Committee, further enhancing transparency in Council operations.
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