



CUMBERLAND
CITY COUNCIL

General Manager's Expenses And Facilities Policy

AUTHORISATION & VERSION CONTROL

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POLICY SUMMARY

To allow for the General Manager to receive adequate and reasonable expenses and provisions to carry out the functions of the position, ensuring accountability and transparency.

PART A – INTRODUCTION

1. INTRODUCTION

This policy is made having regard to the provisions of the Office of Local Government Circular to Council number 11/14 dated 8 July 2011 regarding the Appointment and Oversight of General Managers. The Guidelines made pursuant to section 23A of Local Government Act 1993 requires that the Council must have policies to guide the Mayor in the Mayor's role in the day-to-day management of the General Manager addressing the following:

- Approving leave
- Approving expenses incurred
- Managing complaints about the General Manager

The Guidelines requires that these policies be kept under regular review.

2. POLICY OBJECTIVES

2.1. The objectives of this policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by the General Manager whilst undertaking Council related duties
- enable facilities of a reasonable and appropriate standard to be provided to the General Manager to support them in undertaking their Council related duties
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to the General Manager

3. PRINCIPLES

3.1. The General Manager commits to the following principles:

- **Proper conduct:** Council staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
- **Reasonable expenses:** Providing for the General Manager to be reimbursed for expenses reasonably incurred as part of the role
- **Appropriate use of resources:** Providing clear direction on the appropriate use of Council resources in accordance with best practice and community expectations
- **Accountability and transparency:** Clearly stating the expenses and facilities provided to the General Manager

4. PRIVATE BENEFIT

4.1. The General Manager must not obtain private benefit from any expense or facility provided under this policy.

4.2. Private use of Council equipment and facilities by the General Manager 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.** The General Manager 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, the General Manager must reimburse Council.

5. APPROVAL OF LEAVE

5.1. Procedure for Leave Approval

All leave to be taken by the General Manager, where it is possible to do so, must be applied for in advance and in writing via the same means that a non-senior member of Council staff is required to undertake and to be in advance approved by the Mayor.

5.2. Procedure for Urgent Leave Approval

In the event of a need for urgent leave such as in respect of sick leave or concessional leave, the General Manager is to notify the Mayor or an appropriate Council staff member to in turn notify the Mayor of the absence as soon as it is reasonably possible to do so. Upon return from leave the General Manager is to make the leave application to be approved by the Mayor retrospectively. All leave taken by the General Manager will be recorded in Council's leave register by the pay officer.

PART B – EXPENSES

6. RE-IMBURSEMENT OF EXPENSES

The General Manager is entitled to be reimbursed for any reasonable expense properly incurred on Council business and the expense must not have a private benefit. Original documents evidencing payment for the expense incurred must be approved by the Mayor and surrendered to Council to support the reimbursement.

7. APPROVAL OF EXPENSES

The General Manager will:

- Keep records of expenses, travel and motor vehicle use as required by Council from time to time
- Be reimbursed by Council for expenses properly incurred on Council business, subject to Council's prior approval to this expense being incurred
- Only use any credit card provided by Council for expenses incurred on Council business
- Return any credit card provided by Council on request from Council

8. GENERAL TRAVEL ARRANGEMENTS AND EXPENSES

8.1. Travel

- All travel by the General Manager should be undertaken using the most direct route and the most practicable and economical mode of transport.
- Travel by motor vehicle will be at the General Manager's full cost as this is part of their overall remuneration package.
- Costs of vehicle hire and/or taxi fares which are reasonably incurred while attending conferences will be reimbursed by the Council.

8.2. Out-of-pocket Expenses

- Reasonable out-of-pocket expenses will be reimbursed for costs associated with attending the conference, seminar or function, including meals, refreshments and entertainment, but excluding expenses of a normal private matter or contain a personal benefit.

8.3. Accompanying Person

- No objection is raised to the General Manager being accompanied by their accompanying person subject to Council not being involved in further registration, travel and accommodation costs and any out of pocket or peripheral expenses.

8.4. Carer Expenses

- Carer expenses incurred to facilitate attendance are of a private nature and will not be reimbursed by Council.

8.5. Interstate, overseas and long distance intrastate travel expenses

- In accordance with Section 4, Council will scrutinise the value and need for the General Manager to undertake overseas travel. The General Manager should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- The General Manager seeking approval for any long distance intrastate travel must submit a case to, and obtain the approval of, the Mayor prior to travel.
- The General Manager seeking approval for any interstate or overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 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
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s
- For interstate and long distance intrastate journeys by air, the class of air travel is to be economy class.
- For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- For air travel that is reimbursed as Council business, the General Manager will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

8.6. Representing Council on a board or other third party

- The General Manager seeking to represent Council on a Board of Directors, or in any other capacity by virtue of holding the office of General Manager must comply with the following requirements:
 - (i) The General Manager must seek approval to represent Council via Council resolution.
 - (ii) Any travel and associated expense claims associated with representation of Council must be handled in accordance with this policy.
 - (iii) Payments or expenses claimed from any third party must be refused unless a Council resolution endorses this.

(iv) Any payments or expenses claimed from a third party endorsed by Council resolution must be claimed by Council directly from the third party. Council will claim the amount as outlined in the Council resolution and reimburse that amount to the General Manager, subject to the relevant form being filled out and claim approved by the Mayor.

(v) Any breach of the above may constitute a breach of the Code of Conduct.

8.7. Travel expenses not paid by council

- Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

8.8. Accommodation and meals

- Council will reimburse costs for accommodation and meals whilst the General Manager is undertaking prior approved travel or professional development outside the Sydney metropolitan area.
- The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- The General Manager will not be reimbursed for alcoholic beverages.

8.9. Refreshments for council related meetings

- Appropriate refreshments will be available for Council meetings, Council Committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.
- As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually, as well as Councils Catering Procedure as endorsed by Council's Leadership Team.

9. PROFESSIONAL DEVELOPMENT, CONFERENCES AND SEMINARS

9.1. Conferences and seminars

- Council is committed to ensuring the General Manager is up to date with contemporary issues facing council and the community, and local government in NSW through the attendance of relevant professional development opportunities, as well conferences and seminars.
- The General Manager requires the approval in writing of the Mayor to attend professional development, conferences or seminars should they:
 - require payment by Council of a registration fee or accommodation costs
 - require travel outside of metropolitan Sydney
 - require the granting of leave
- Should the General Manager request interstate or international travel approval for a conference or seminar, approval must be sought via Council resolution per clause 8.5.
- Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the Mayor. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clause 8.8.

9.2. Local Government Professionals National Congress

- The General Manager may wish to attend the Local Government Professionals National Congress on behalf of Council.
- For the Local Government Professionals National Congress only, the General Manager may seek written approval from the Mayor for long distance intrastate or interstate travel in accordance with this policy.
- For the Local Government Professionals National Congress only, Council will meet the costs of the official conference dinner for an accompanying person of the General Manager.
- All other expenses incurred by the General Manager in the attendance of the Local Government Professionals National Congress must be in accordance with this policy.

PART C - FACILITIES

10. INFORMATION AND COMMUNICATION TECHNOLOGY

- The General Manager will be provided with Information Communication Technology equipment. The following equipment shall be provided under this clause:
 - Smart Phone
 - Notebook or Tablet device
 - Mobile phone plan with included data allowance

ICT equipment will be issued in accordance with Councils corporate standard issued equipment and corporate mobile phone plan.

PART D - PROCESSES

11. PAYMENT IN ADVANCE

- The Council will normally pay registration fees, accommodation deposits and airline tickets direct in advance. Where this is not appropriate or possible, a cash advance or cheque/s made out to the relevant payee/s will be provided to the General Manager subject to a reconciliation statement being submitted for approval by the Mayor.
 - The maximum value of a cash advance is \$100 per day of the conference, seminar or professional development to a maximum of \$300
 - Requests for advance payment must be submitted to the Mayor for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
 - Out of pocket expenses may be paid to the General Manager in advance upon written request subject to a reconciliation statement together with a refund of any unexpended amount being submitted for approval by the Mayor, within one month of the expense being incurred. Any unexpended cash together with the approved reconciliation must be returned to the Chief Financial Officer without delay upon the Mayor's authorisation.

12. TIMEFRAME FOR REIMBURSEMENT

- Unless otherwise specified in this policy, the General Manager must provide all claims for reimbursement within one month of an expense being incurred. Claims made after this time cannot be approved.

13. NOTIFICATION

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

14. DISPUTE RESOLUTION

- If the General Manager disputes a determination under this policy, the General Manager should submit the dispute in writing to the Mayor, detailing the nature of the dispute.

15. RETURN OR RETENTION OF FACILITIES

- All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon the cessation of employment.
- Should the General Manager desire to keep any equipment allocated by Council, then this policy enables the General Manager to purchase any such equipment at an agreed fair market price or written down value for the item of equipment. This excludes the General Manager's motor vehicle, which will be disposed of at public auction in accordance with Council's Fleet Management Procedure.

16. REIMBURSEMENT TO COUNCIL

- If Council has incurred an expense on behalf of the General Manager that exceeds reasonable incidental private use or is not provided for in this policy:
 - Council will invoice the General Manager for the expense.
 - the General Manager will reimburse Council for that expense within 14 days of the invoice date.
- If the General Manager cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the Mayor.

17. PUBLICATION

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

18. AUDITING

- The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

19. BREACHES

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

Part E – Appendices

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Office of Local Government Guidelines for the Appointment and Oversight of General Managers (pursuant to Section 23A of the Local Government Act 1993)
- Councillor Expenses & Facilities Policy

Related Council policies:

- Code of Conduct

Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
Accompanying Person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to the General Manager
Appropriate Refreshments	Means food and beverages, excluding alcohol, provided by Council to support the General Manager undertaking Council related business
Act	Means the Local Government Act 1993 (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code Of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
General Manager	Means the General Manager of Council
ICT	Means Telecommunications and Information Communications and Technology
Incidental Personal Use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Long Distance Intrastate Travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
NSW	New South Wales
Official Business	Means functions that the General Manager is required or invited to attend to fulfil their role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none">• civic receptions hosted or sponsored by Council• meetings, functions, workshops and other events to which attendance by the General Manager has been requested or approved by Council
Professional Development	Means a seminar, conference, training course or other development opportunity relevant to the role of the General Manager
Regulation	Means the Local Government (General) Regulation 2005 (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year