



# **POLICY ON PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE GENERAL MANAGER**

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## 1.0 Purpose

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To allow for the General Manager to receive adequate and reasonable expenses and provisions to enable the General Manager to carry out the functions of the position.

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## 2.0 Scope

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Applicable to the General Manager.

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## 3.0 Approval of the General Manager's Leave

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The General Manager is entitled to take leave in accordance with his/her Contract of Employment with Mosman Council.

### Procedure

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.

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.

In accordance with Council's sick leave policy all Council staff are required to provide a doctor's certificate for any absence exceeding two days or after three separate periods in each service year.

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## 4.0 Approval of expenses and credit card payments

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In accordance with the Contract of Employment clause 12 provides that the General Manager will:

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

Refer also to Clause 4.5 concerning governance of credit facilities.

### 4.1 Re-imburement 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 personal benefit. Original documents

evidencing payment for the expense incurred must be approved by the Mayor and surrendered to Council to support the reimbursement.

#### **4.2 Mobile Phone**

The General Manager shall be provided with a mobile phone to be used in compliance with the standards set out under Council's adopted IT Corporate Practices.

#### **4.3 Tablet Based Devices**

The General Manager is entitled to be provided with a Council issued tablet-based device including supporting software and mobile data plan with Council's current service provider and printer.

#### **4.4 Option to purchase Mobile Phone and Tablet Based Device**

At the cessation of the General Manager's employment, the General Manager can purchase the issued mobile phone and tablet-based device (provided they have not been procured under a commercial leasing agreement) at the current second hand market value for the device based on its make and model. Any Council proprietary telephone number allocated to the issued mobile phone is to remain with Council.

#### **4.5 Credit Cards**

The General Manager has the following core responsibilities under the *Guideline on the Use and Management of Credit Cards* issued under Section 23A of the *Local Government Act 1993* by the Office of Local Government in September 2021:

1. The proper management and administration of credit cards within the Council.
2. All cardholders must understand and be accountable for the responsible use of credit cards.

The General Manager is entitled to be issued with a credit card. The *Council Credit Card Corporate Practice and Procedures* applies to all Council officers (including the General Manager) who either use or manage corporate credit cards, fuel cards, Cabcharge cards and/or have access to Cabcharge voucher facilities.

The Corporate Practice and Procedures establishes a framework for the use and management of credit cards to ensure that risks associated with their use and management are minimised. It applies equally to credit cards, fuel cards, Cabcharge cards, Cabcharge vouchers, together with any further credit card type facilities that may be utilised by Council such as store cards and purchasing cards.

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### **5.0 Conferences and seminars**

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#### **5.1 Approval to attend Conferences and Seminars**

The General Manager requires a resolution of Council or the approval in writing of the Mayor to attend professional 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

Overseas travel

The cost of overseas travel for purposes such as conferences and delegations to friendship communities shall not be met by Council. In extenuating circumstances, any agreement to meet the cost of overseas travel either in whole or part, shall be specifically resolved by a meeting of Council and be subject to a detailed report to Council on the aspects of the trip relevant to Council business within three months of the completion of the travel.

## **5.2 Registration**

The Council will pay all normal registration costs which are charged by organisers, including those relating to official luncheons, dinners and tours which are relevant to the interests of the Council.

## **5.3 Costs Incurred**

Payment or reimbursement of costs incurred shall be subject to the following requirements:

- (a) the travel is on Council business being to and from conference or seminars of the local government related organisations
- (b) only reasonable allowances are claimed or accepted towards necessary out-of-pocket expenses
- (c) the travel is undertaken with all due expedition, by the shortest route and the most practicable and economical of transport subject to any personal medical considerations
- (d) any time occupied in other than Council business is not included in the calculation of expenses to be paid
- (e) the claim, to be approved by the Mayor, is made not later than three months after the expenses were incurred, and must be supported by original receipts/ tax invoices
- (f) the expense must not be for personal benefit

## **5.4 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 within 10 days of the close of the conference, seminar or function. Any unexpended cash together with the approved reconciliation must be returned to the Chief Financial Officer without delay upon the Mayor's authorisation.
- 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 10 days of the close of the conference, seminar or function. Any unexpended cash together with the approved reconciliation must be returned to the Chief Financial Officer without delay upon the Mayor's authorisation.

## **5.5 Categories of Payment or Reimbursement**

Subject to the provisions of 5.3 above:

### **(i) Travel**

- All reasonable travel costs (other than motor vehicle costs) will be met by the Council. Where appropriate, travel will be provided by air (economy class). Depending upon the circumstances, it may be more appropriate for travel to be undertaken by car or train. Where trains are used the Council will provide first class travel, including sleeping berths where necessary
- Travel by motor vehicle will be at the General Manager's full cost as this is part of the

## **Payment of Expenses and Provision of Facilities to General Manager**

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- remuneration package
- Other out of pocket expenses associated with travel by motor vehicle such as parking fees and road tolls may be claimed, noting that the driver is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business
- Costs of vehicle hire and/or taxi fares which are reasonably incurred while attending conferences will be reimbursed by the Council

(ii) Accommodation

Reasonable accommodation costs (including meals) including the night before and/or after the conference where this is necessary will be met by the Council.

(iii) 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.

The use of any bar facilities is to be reasonable and in conjunction with the conduct of Council business and functions and in accordance with other policies of Council.

(iv) Spouse/Partner

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

(v) Carer Expenses

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

## **6.0 Dispute resolution**

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All disputes by the General Manager relating to the administration of this policy must be in writing to the Mayor detailing the grounds of the dispute.

All such disputes if not resolved by the Mayor and if agreed to by the General Manager will be referred to Full Council for determination.

## **7.0 Related Information**

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### **7.1 Legislative Provisions and Government Policy Provisions**

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*
- Office of Local Government Guidelines for the Appointment and Oversight of General Managers (pursuant to Section 23A of the *Local Government Act 1993*)
- Local Government General Managers Performance Management Guidelines – LGSA and LGMA
- The *Guideline on the Use and Management of Credit Cards* issued under Section 23A of the *Local Government Act 1993* by the Office of Local Government in September 2021

## 7.2 Other Government Policy Provisions

Office of Local Government Guidelines for the payment of expenses and the provision of facilities to mayors and councillors, Model Code of Conduct for Local Councils in NSW, Circulars to Councils and ICAC publications.

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.

The Office of Local Government require that all General Managers be employed under its "Standard Contract of Employment". This contract details at Clause 9 the various leave entitlements available to the General Manager and the conditions of granting such leave. In addition Clause 12 of the contract details specific requirements relating to expenses and credit cards.

Section 440 of the *Local Government Act 1993* requires Council to adopt the Model Code of Conduct. Clause 12.10 states that the Mayor is responsible for assessing complaints made against the General Manager for breaches of the Code of Conduct with the following clauses details how these complaints must be investigated, actioned and reported on. The Code more than adequately addresses complaint handing and will not be addressed further in this policy.

### Note.

All references in the policy to "approved by the Mayor" mean "approved by the Mayor under delegated authority".

## 8.0 Review

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This policy will be reviewed within the first 12 months of each term of Council.

## 9.0 Contact

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Enquiries should be directed to the Manager Governance on 9978 4010 or [council@mosman.nsw.gov.au](mailto:council@mosman.nsw.gov.au)

## 10.0 Amendments

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Date	Amendment	Reference
4 October 2011	Adopted	CS/52
7 August 2012	Option of tablet-based device in Clause 2.3	CS/36
8 October 2013	Reviewed and adopted	CS/69
7 October 2014	Reviewed and adopted	CS/32
8 September 2015	Reviewed and adopted	CS/33

6 September 2016	Reviewed and adopted	CS/27
5 December 2017	Reviewed and adopted	CS/44
3 May 2022	Reviewed and adopted	CS/17