



# Councillor Support Policy

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Director Corporate Services		

## Statement and Purpose

This policy supports the Mayor and councillors to perform their role, as defined under the *Local Government Act 2020*, without disadvantage, by making available to the Mayor and the councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.

## Scope

The policy applies to the Mayor and councillors.

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## Policy

### 1. General

- (1) The Mayor and councillors are entitled, under section 42 of the Act, to the resources and facilities reasonably necessary to enable them to effectively perform their role.
- (2) This policy ensures that the resources and facilities are in accordance with the Act and meet the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the council.
- (3) The Mayor and councillors will be provided with the resources and facilities reasonably necessary to enable them to effectively perform their role.

### 2. Additional support

The Mayor and councillors will be provided with reasonable additional facilities and support that may be required:

- (a) because of a disability; or
- (b) because the Mayor or councillor is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*.

### 3. Office facilities

#### 3.1 Mayor

An office will be provided for the Mayor at the Wangaratta Government Centre.

#### 3.2 Councillors

- (1) A shared office will be provided at the Wangaratta Government Centre for councillors.
- (2) The councillor office will include:
  - (a) a work desk;
  - (b) access to a meeting room
  - (c) a kitchenette; and
  - (d) a small lounge.
- (3) The councillor office area will be suitable for office work, reading, research, and small meetings.

#### 3.3 Office access

- (1) The Mayor and councillors are entitled to have access to the Wangaratta Government Centre public areas and office areas allocated to them between the hours of 7.00am and 10.00pm, 7 days per week.

- (2) Office access must provide for the requirements of the *Disability Discrimination Act 1992*
- (3) Visitors must only be provided access to Mayor and councillor office areas if accompanied by a councillor or member of Council staff.
- (4) Security access cards issued to councillors remain the property of the Council and must be returned to the Council within 7 days of the end of a councillor's term of office.

### **3.4 Meeting rooms**

- (1) Councillors may book meeting rooms in the councillor office and public areas of the Wangaratta Government Centre for meetings that are necessary to enable them to effectively perform their role.
- (2) A councillor must attend a meeting for which they have made a meeting room booking.

## **4. Meals and refreshments**

- (1) The councillor office kitchenette will be stocked with light refreshments.
- (2) Where Council meetings are held at times that extend through normal mealtimes, councillors will be provided suitable food and refreshments served on the premises.

## **5. Parking and transport**

### **5.1 Parking**

- (1) Councillors will be provided with a car parking permit which entitles them to park in designated parking bays at the council office and across the municipality when performing their role.
- (2) The car parking permit issued to councillors does not allow vehicles to park in areas designated as loading zones, bus zones, no stopping areas, mail zones, clearways, disabled bays, taxi zones or school drop off zones.
- (3) The Mayor will be provided with a designated car parking space at the Wangaratta Government Centre.

### **5.2 Mayor's car**

- (1) The Mayor will be provided with a fully registered, insured, maintained, and fuelled car for use by the Mayor to perform their role and for their private use.
- (2) The Council will meet the cost of regular cleaning of the Mayor's car.
- (3) The Council will provide a roadside assistance service subscription for the Mayor's car.

- (4) The vehicle type and usage provided under this clause will be in accordance with the Council's policy on motor vehicles as determined by the Chief Executive Officer from time to time.

### **5.3 Council vehicles**

- (1) Where practicable, and by prior arrangement, a Council pool vehicle may be made available to councillors where use of private vehicles or other means of transport is not practical or available.
- (2) Councillors must complete the vehicle inspection form and logbook as required.

## **6. Equipment**

### **6.1 Use**

- (1) Equipment issued to councillors remains the property of the Council and must be returned within 7 days of the end of a councillor's term of office.
- (2) Councillors must read and comply with Council's corporate policies in respect to the use of equipment.
- (3) Broken or faulty pieces of equipment issued by the Council will be replaced or repaired.

### **6.2 Councillor office**

The councillor office will have the following equipment:

- (a) appropriate office furniture;
- (b) multifunction printer and scanner;
- (c) 1 tablet docking stations, including a screen keyboard and mouse for each, with internet connections;
- (d) Wi-Fi internet connection;
- (e) a fixed telephone landline handset and connection; and
- (f) a selection of stationery.

### **6.3 Mayor's office**

The Mayor's office will have the following equipment:

- (a) appropriate office furniture;
- (b) a tablet docking station, including a screen, keyboard, and mouse, with internet connection;
- (c) Wi-Fi internet connection; and
- (d) a fixed telephone landline handset and connection.

#### 6.4 Personal equipment

Each councillor will be provided with the following equipment fully installed, maintained, and subscribed by the Council:

- (a) a multifunction printer and scanner;
- (b) a Wi-Fi capable mobile telephone with access to mobile voice and data networks;
- (c) a Wi-Fi capable computer tablet or laptop with access to mobile data networks;
- (d) a tablet or laptop docking station, if needed, including a screen, keyboard, and mouse;
- (e) a broadband internet connection at the councillor's place of residence;
- (f) an in-car hands-free phone kit in the councillor's personal car, if required; and
- (g) a paper shredder.

#### 6.5 Reasonable private use

- (1) Councillors may use equipment provided by the Council for reasonable private use.
- (2) What is reasonable is to be judged according to the Councillor's role and individual circumstances.
- (3) The following are not considered to be reasonable private use:
  - (a) international calls except where conducting Council business;
  - (b) calls and data use via information or service providers which incur a significant per minute charge;
  - (c) councillor purchases of phone and tablet apps.

#### 6.6 Loss or theft

- (1) Loss or theft of equipment must be reported immediately to the Chief Executive Officer or delegate.
- (2) Lost items are to be replaced at the Councillor's expense.
- (3) Stolen devices must be reported to Victoria Police.
- (4) Stolen devices will be replaced by Council.

### 7. Administrative support

- (1) Dedicated administrative support will be provided to councillors during normal office hours including:
  - (a) diary management;
  - (b) general follow up and preparation of correspondence;
  - (c) contact activities;

- (d) relevant bookings on behalf of councillors including meeting rooms, vehicles, transport, accommodation, civic events, and conferences;
  - (e) responding to invitations;
  - (f) issue research;
  - (g) speech notes;
  - (h) councillor resource requests;
  - (i) councillor reimbursement requests.
- (2) Support will be overseen by the Executive Services Department.

## **8. Stationery and postage**

### **8.1 General stationery**

- (1) Stationery issued to councillors remains the property of Council and unused stationery must be returned to the Council within 7 days of the end of a councillor's term of office.
- (2) Councillors must, on request, be supplied with standard stationery, including:
- (a) paper;
  - (b) envelopes;
  - (c) writing implements;
  - (d) removable computer storage media;
  - (e) writing pads;
  - (f) notebooks;
  - (g) printer consumables;
  - (h) business cards; and
  - (i) personal diary.

### **8.2 Personalised stationery**

- (1) Councillors will be provided with personalised Council digital stationery for use in relation to Council business.
- (2) Personalised stationery consists of:
- (a) a personalised letterhead digital template; and
  - (b) a personalised email signature for use with their Council email account.
- (3) Personalised stationery will carry the following disclaimer – *'This correspondence reflects the position of the writer and should not be regarded as communicating any formal position of, or as binding in any way on, the Wangaratta Rural City Council'*.
- (4) Personalised stationery must not publish information that purports to be on behalf of the Council.

### 8.3 Name badges

Each councillor will be supplied with a personal Council name badge.

### 8.4 Business cards

- (1) Each councillor will be supplied with personalised Council business cards.
- (2) On request, the business card may include reference to a councillor's social media addresses set up and maintained by the councillor for the purposes of their Council role.
- (3) Councillor business cards must not include a reference to a councillor's personal social media addresses that do not relate to the performance of their Council role.

### 8.5 Postage

- (4) Postage will be provided for councillors related to Council business and processed through the Council mailing system.
- (5) Stationery and postage must not be used by a Councillor for any personal, business, political or election related purposes.

## 9. Correspondence

- (1) Correspondence marked personal, private, or confidential will be given to the respective councillor unopened.
- (2) Incoming mail will be opened by the business unit responsible for opening incoming mail, registered, and referred to the relevant actioning member of Council staff.
- (3) An acknowledgement letter will be sent, and a copy of the original correspondence will be provided to relevant councillors.
- (4) The member of Council staff actioning the correspondence will reply on behalf of the Council and a copy of the response will be provided to relevant councillors.
- (5) Responses to correspondence addressed to the Mayor or councillors from Federal or State politicians or Mayors of other municipalities will be drafted by the member of Council staff actioning the correspondence for the Mayor's signature.
- (6) Constituent email correspondence to individual councillors requiring follow up will be logged as a request or complaint, as the case may be, in the customer action request system.

## 10. Information

### 10.1 Council web page

- (1) Councillor information will be published on Council's website containing councillor's:

- (a) official Council portrait photograph;
  - (b) contact details;
  - (c) ward map;
  - (d) committee representation roles;
  - (e) ward meeting details.
- (2) By request, the Council web page may link to a councillor's private, externally-hosted and resourced webpage or social media page maintained for the purpose of performing their Council role provided that a disclaimer is included which identifies the external site as not officially representing the Council.

## **10.2 Councillor intranet**

Electronic information provided for councillors will be made available through a councillor intranet page.

## **10.3 Photocopying**

Councillor may request small amounts of photocopying directly related to carrying out their Council role.

## **10.4 Publication subscriptions**

Councillors will be provided with access to, newspapers or newspaper articles, journals, magazines, and other publications relevant to their Council role, as required.

## **10.5 Photographic images**

- (1) On request, councillors will be provided with access to the Council image library for a purpose associated with their Council role.
- (2) Council images remain the property of the Council and are copyright and must not be used for any personal, business, political or election-related material.
- (3) Use of Council images must be approved by the Chief Executive Officer or delegate.
- (4) Councillors may update their official Council portrait annually using a Council-engaged photographer.

## **11. Health and wellbeing**

### **11.1 Protective clothing**

- (1) Councillors will be provided with protective clothing and personal protective equipment necessary for the performance of their Council role.
- (2) Councillors may be required to return protective clothing and personal protective equipment at the completion of the activity for which it was provided, if safe to do so.

## 11.2 Counselling

Councillors may access the Council Employee Assistance Program counselling service.

## 12. Training and development

### 12.1 Councillor induction training

- (1) The Mayor and councillors must, under section 32 of the Act, complete Councillor induction training within 6 months after the day the Councillor takes the oath or affirmation of office.
- (2) The Chief Executive Officer will ensure that the Councillor induction training is available to be taken by a Councillor from the day the Councillor takes the oath or affirmation of office.
- (3) Councillor induction training will be conducted in the prescribed manner and address any prescribed matters.

### 12.2 Professional memberships

Council will, on request, organise and pay for councillor memberships of peak Australian local government bodies including, but not limited to the:

- (a) Victorian Local Governance Association;
- (b) Australian Local Government Association;
- (c) Australian Local Government Women's Association.

### 12.3 Training and conferences

- (1) Councillors may attend conferences and training sessions relevant to their Council role to improve their knowledge, skills, and ability to make informed decisions.
- (2) The Chief Executive Officer or delegate will assist councillors to analyse their requirements and identify appropriate training and conferences to meet their needs.
- (3) The Council will pay for registration, meals, accommodation, transport, and parking costs related to training and conferences.
- (4) Provision for the cost of training and conferences will be included in the Council, budget.
- (5) Councillors must discuss their desire to attend interstate or overseas training or conferences, with the Mayor and Chief Executive Officer, prior to any arrangements being made.
- (6) A councillor proposing to undertake a training or conference event with a total cost to Council, inclusive of accommodation and transport and all other reimbursable expenses, in excess of \$2,000 (plus GST) will require approval by resolution of Council at a meeting open to the public.

- (7) Proposals for councillor international travel for Council business must be approved by Council resolution in a meeting open to the public. The proposal must include specific details regarding the objectives of the travel, its potential community benefits, and detailed costing.
- (8) The costs of a partner accompanying a councillor on a Council business trip will be borne by the councillor unless it is approved by Council resolution having demonstrated that there is a bona fide business or representational purpose or necessity for the presence of the partner.
- (9) Within 14 days of return from training or a conference approved by a resolution of Council, the councillor must provide a written report for inclusion in the agenda of the next practicable scheduled Council meeting.

### **13. Civic representation**

Councillors will be supported to attend civic and community events and functions when performing their Council role.

### **14. Insurance and legal protection**

#### **14.1 Indemnity**

- (1) The Council must, under section 43 of the Act, indemnify and keep indemnified each councillor against all actions or claims whether arising during or after their term of office in respect of anything necessarily done or reasonably done or omitted to be done in good faith:
  - (a) in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act; or
  - (b) in the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act.
- (2) Councillors do not have parliamentary privilege. A Councillor can be subject to civil action by a person who considers that the councillor has defamed them or has acted in a way that improperly harms them, whether this occurs in a meeting, in the media, at events, in hard copy or electronic publications such as emails, text messages or on social media or internet websites.
- (3) Councillors may have legal protection against defamation under 'qualified privilege' when undertaking their Council duties, however, only when comments are made by them in good faith and without malice.
- (4) If a councillor is subject to a civil action, he or she will have to deal with the matter as an individual even if Council is paying the legal costs.
- (5) In some cases the Council, or its insurers, may refuse to provide indemnity for a councillor's actions or statement because the action or statement was either not

considered to have occurred in the course of performing a Council duty or not considered to be done in good faith.

- (6) In the event a councillor makes a defamatory comment, unless they were acting in good faith and without malice, the Council will not provide resources to legally defend the councillor if they are sued.

#### 14.2 Legal

- (1) Legal advice obtained on behalf of the Council relating to Council matters will be procured by the Chief Executive Officer or be authorised by a Council resolution.
- (2) A councillor may seek legal advice at their own expense but must not direct a member of Council staff to do so on their behalf.
- (3) Councillors will not be supported in respect of:
  - (a) costs for legal proceedings that do not involve a councillor performing their Council role; or
  - (b) costs of legal representation, where approved by an arbiter, in a councillor conduct complaint matter; or
  - (c) costs of legal representation, where approved by a councillor conduct panel, in a councillor conduct panel matter; or
  - (d) costs for legal work where the legal work is initiated, organised, or commissioned by a councillor.

#### 14.3 Insurance

- (1) Councillors are covered under the following Council insurance policies while performing their Council role:
  - (a) public liability;
  - (b) professional indemnity;
  - (c) councillors' and officers' liability; and
  - (d) personal accident (accompanying partners are also covered).
- (2) Council will pay the insurance policy excess in respect of a claim made against a councillor arising from performing their Council role, where that claim is accepted by an insurer.

#### 14.4 Workcover

- (1) A councillor injured while performing their Council role may be entitled to claim worker's compensation under the *Accident Compensation Act 1985*.
- (2) Councillors may make a worker's compensation claim in accordance the *Accident Compensation Act 1985* and relevant Council policies and procedures.

## Definitions

Act	<i>Local Government Act 2020</i>
Audit and Risk Committee	The audit and risk committee established by the Council under section 53 of the Act
Chief Executive Officer	The person occupying the office of Chief Executive Officer of the Council, and includes a person acting in that office
Carer	Has the same meaning as the definition under section 4 of the <i>Carers Recognition Act 2012</i>
Council	The Wangaratta Rural City Council comprised of elected councillors and led by the Mayor
Council	The Rural City of Wangaratta, led by the Chief Executive Officer
Councillor	A councillor of the Council
Council meeting	A meeting of the Council convened in accordance with the governance rules
Delegate	A member of Council staff to whom powers, functions and duties have been delegated by an instrument of delegation
Delegated committee	A committee established by the Council under section 63 of the Act
Mayor	The Mayor of the Council and any person appointed by the Council to be acting as Mayor
Member	A member of the delegated committee

## References

### Legislation

- *Accident Compensation Act 1985*
- *Carers Recognition Act 2012*
- *Local Government Act 2020*

### Internal policies

- Public transparency policy

## Review

The policy may be amended by the Council at any time.

It must be reviewed by the Council, and amended if necessary, at least once in each Council term.