



**POLICY NO: CCC017**

# **POLICY FOR SPONSORSHIP MANAGEMENT**

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**CERTIFIED A TRUE COPY OF POLICY ADOPTED BY COUNCIL**

COUNCIL RESOLUTION DATE	26 JULY 2017
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**History of Revisions:**

Version	Date	TRIM Doc. #
1	19 June 2017	D12760341

## **A. POLICY SUMMARY**

- A1 This policy has been developed to provide guidance on:
- (a) sponsorship awarded to external parties by Central Coast Council and;
  - (b) sponsorship received from external parties by Central Coast Council.
- A2 This Policy is to be read in conjunction with the supporting guidelines for the Central Coast Council Sponsorship Program.

## **B. POLICY BACKGROUND**

- B1 Council undertakes financial or in-kind sponsorship agreements with external parties. These agreements can involve either the awarding or receiving of sponsorship. Council can do this by a commercial arrangement where benefits are received by both parties under a written agreement.
- B2 External parties can be an individual, a private sector company, corporation or other government agency in exchange for goods or services.
- B3 This policy provides a framework which guides the management of Council's Sponsorship Program in a manner that is aligned to the outcomes Central Coast Council aims to achieve and in accordance with the Local Government Act NSW 1993 and the Independent Commission Against Corruption (ICAC)'s Sponsorship in the Public Sector guidelines.
- B4 This policy and associated guidelines determines the types of organisations or industries that Council considers would and would not be appropriate to partner with in regards to sponsorship.

## **C. POLICY ADMINISTRATION**

- C1 This Policy will be reviewed every three years.
- C2 This Policy is managed by the Community Engagement Unit within the Connected Communities group.

## **D. DEFINITIONS**

- D1 **Agreement** means a sponsorship agreement that governs the legal relationship between a Recipient and Sponsor.
- D2 **Awarded** means outgoing sponsorship funding is paid to the external party to assist in meeting the local government area's strategic goals and objectives and provides a benefit to the local community.

- D3 **CEO** means the Chief Executive Officer of Council.
- D4 **Council** means Central Coast Council, being the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.
- D5 **In-Kind** means the provision or receipts of goods and services to support or enhance an initiative to the value of the goods or services at a reduced rate or free of charge.
- D6 **Non-pecuniary Interest** are private or personal interests the person has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
- D7 **Organisation** means any group, incorporated or unincorporated operating for a defined purpose or function.
- D8 **Pecuniary Interest** - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
- (a) the person, or
  - (b) the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
  - (c) a company or other body of which the person, or a nominee, partner or employer of the person, is a member.
- D9 **Recipient** means an individual or organisation that, for a specified term, receives a contribution in cash and/or in-kind in return for providing negotiated commercial benefits to a sponsor. See also definition of "sponsor".
- D10 **Sponsor** means an organisation that, for a specified term, provides a contribution in cash and/or in-kind with the intention of receiving negotiated commercial benefits.
- D11 **Sponsorship** is a commercial arrangement in which a sponsor provides a contribution in money or in-kind to support an activity in return for certain specified benefits. (Source ICAC – Sponsorship in the Public Sector).
- D12 **The Act** means the Local Government Act NSW 1993.

## **E. POLICY STATEMENTS**

### **Jurisdiction**

- E1 This Policy applies to all Sponsorships awarded and received by Council.

- E2 This Policy covers all elected members of Council, all employees of Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council premises or facilities and all activities of the Council.
- E3 This Policy does not apply to:
- a) Council's Community Grants Programs
  - b) Community service advertising support for events
  - c) Bequests and endowments; and
  - d) Joint ventures or consultancies and donations or gifts which are given for philanthropic reasons such as where a financial or in-kind donation is made without any expectation of any reciprocal or return benefit.
- E4 This policy does not confer any delegated authority upon any person. As per the Local Government Act 1993, any delegations will be through a resolution by Council.
- E5 When awarding sponsorship, Council must also consider the provisions relating to the granting of financial assistance under the Local Government Act in exchange for specified benefits that help meet Central Coast Council's objectives.
- E5 All awarded Sponsorship allocations are endorsed by Council for final approval.
- E6 Final approval for all received sponsorship rests with the Council CEO or senior delegated officer.

### **General**

- E7 Successful applicants must operate within the Central Coast area and/or be able to demonstrate that the activity will benefit residents of the Central Coast community.
- E8 Council will consider application requests or receipt of sponsorship from reputable organisations whose public image, products and services are consistent with the values, goals and specific policies of Council.
- E9 The following companies, partnerships, sole traders or individuals are not considered by Council as suitable for sponsorship agreements, include those:
- a) Involved in the manufacture, distribution and wholesaling of tobacco-related products, pornography and/or addictive drugs;
  - b) Found guilty of illegal or improper conduct by ICAC or any similar authority;
  - c) Involved in political fields, e.g. political parties;
  - d) Unacceptable sponsorship record with Council or with any other government authority.



- E10 A sponsorship agreement does not imply that Council endorses a recipient's organisation or its products or services. The Council logo may only be used according to the terms of the sponsorship agreement.
- E11 Sponsorship applications will be declined if the Council assessment concludes that the risks are unacceptably high or Council will receive insufficient value from the proposal.
- E12 Proposals from employees or Councillors of Central Coast Council (both in a paid or voluntary capacity) are not eligible to apply for funding in Council's Sponsorship Program.
- E13 Council must ensure all sponsorship agreements do not compromise, be perceived to compromise or call into question the integrity and values of Council.
- E14 A sponsorship agreement may be refused and/or terminated if deemed by Council as a real or perceived conflict, or where a breach of the terms of an agreement has occurred.
- E15 Where practicable, opportunities for external organisations and individuals to Sponsor Council programs and services will be advertised in Council notices published in a local newspaper and be available on Council's website.
- E16 Council's Sponsorship program will be advertised in Council notices published in a local newspaper and be available on Council's website where practical.
- E17 All applications for awarding of Sponsorship will be assessed by a 'Community Grants and Sponsorship Advisory Committee.' The exception to this is applications for large scale signature events that are outside of the annual Sponsorship funding allocation. Recommendations of this Committee will be reported to Council. This Committee will consist of:
- a) Group Leader Connected Communities or representative (1 Vote)
  - b) Councillor 1 (1 Vote)
  - c) Councillor 2 (1 Vote)
  - d) Councillor 3 (1 Vote)
- E18 All incoming sponsorship proposals to Council must be received, assessed and managed in accordance with the 10 sponsorship principles detailed in the Independent Commission Against Corruption (ICAC) 2006 Guidelines for Sponsorship in the Public Sector.
- E19 All incoming sponsorships proposals to be received by Council will be approved by:
- 1. Business Unit Manager of the team receiving the sponsorship and within their delegation; and
  - 2. Unit Manager, Community Engagement (for sponsorships under \$30,000)
  - 3. Group Leader, Connected Communities (for sponsorships over \$30,000).
- E20 Council staff and funding assessors are required to declare any potential pecuniary or non-pecuniary conflict of interest.

- E21 All approved sponsorship requests will be described in a written agreement or proposal signed by Council's CEO or delegated senior officer.
- E22 All sponsorship program agreements will be reported annually through Council's Annual Report.
- E23 All approved sponsorship funds must be reported on and all funds acquitted.

#### **F. POLICY IMPLEMENTATION - PROCEDURES**

- F1 Implementation of this policy is supported by guidelines for the Sponsorship Program to guide staff in its implementation.
- F2 The guidelines will be reviewed annually and amended as required under the delegation of the Group Leader Connected Communities.
- F3 It is the personal responsibility of all Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy.

#### **Associated documents**

- F4 Related Policies and Legislation:

##### **Central Coast Council**

- Central Coast Council Code of Conduct CCC002
- Sponsorship Program – Guidelines
- Community Strategic Plan
- Accessible Events Guide

##### **NSW Government**

- Local Government Act NSW 1993 (relevant section 356)
- NSW Anti-Discrimination Act 1977

##### **Federal Government**

- Commonwealth Disability Discrimination Act 1992
- Commonwealth Disability (Access to Premises - Buildings) Standards 2010

**Other**

- Independent Commission Against Corruption (ICAC) Guidelines for Sponsorship in the Public Sector