

SHIRE OF NANNUP – Council Policy



Policy Number:	ADM23
Policy Type:	Administration
Policy Name:	Attendance at Events (Elected Members and CEO)
Policy Owner:	Chief Executive Officer
Date of Approval	
Council Resolution #	

POLICY STATEMENT

Section 5.90A of the *Local Government Act 1995* requires each local government to prepare and adopt a policy that deals with matters relating to the attendance of Elected Members and the CEO at Events and for Council to actively consider and determine the purpose, relevance and prospective benefit to the community arising from such attendance.

OBJECTIVE AND PURPOSE

The objectives of this policy are to provide a transparent and accountable framework for the Shire to determine whether the attendance of an Elected Member and/or the CEO at an Event should be approved by the Shire when the provision of –

- (a) tickets to the Event;
- (b) payments in respect of attendance at the Event;
- (c) hospitality, entertainment or professional advice; and/or
- (d) travel Contributions,

mean that attendance at the Event would involve the Elected Member and/or the CEO receiving a Gift.

DEFINITIONS

Term	Means
Act	<i>Local Government Act 1995</i>
CEO	Chief Executive Officer
Shire	Shire of Nannup
Council	Council of the Shire of Nannup
Donor	the person who made the invitation to the Event which includes provision of one or more of the following: (a) tickets to an Event; (b) payments in respect of attendance at an Event; (c) hospitality, entertainment and/or professional advice at an Event; (d) a Travel Contribution, and includes related parties to the Donor
Gift	Has the meaning given in section 5.57 of the Act
Event	Has the meaning given in section 5.90A(1) of the Act
Excluded Gift	Has the meaning given in section 5.62(1B) of the Act
Interest relating to a Gift	Has the meaning given in section 5.59 of the Act.
Regulations	Means <i>Local Government (Administration) Regulations 1996</i>
Travel	Has the meaning given in section 5.57 of the Act.
Travel Contribution	Has the meaning given in section 5.57 of the Act

SCOPE

This policy applies to Elected Members and the CEO who opt to apply for an Approval to Attend an Event when attendance at the Event involves receiving a Gift.

IMPLICATIONS

Where attendance at an Event has been approved in accordance with this policy the value of the invitation (including tickets, hospitality or associated benefits) will not be considered a disclosable financial interest for the purposes of sections 5.62 and 5.63 of the *Local Government Act 1995*, including where the value exceeds \$300 and the donor has a matter before Council.

Notwithstanding the above –

- a) All gifts associated with attendance at Events must be disclosed in accordance with the *Local Government (Administration) Regulations 1996*, including inclusion in the relevant gift register; and
- b) the requirements for disclosure of gifts below the prescribed threshold (being \$300 per gift or \$1,000 cumulative from the same donor within a 12-month period) do not give rise to a financial interest but must still be recorded where required under the Regulations.

IMPLEMENTATION

1. Application of the Policy

- a) An Elected Member or the CEO is not required to seek approval to attend an event where:
 - they pay the full cost of attendance personally and do not seek reimbursement; or
 - attendance does not involve the receipt of any gift or financial benefit.
- b) Approval under this Policy should be sought where attendance involves –
 - complimentary or subsidised tickets;
 - hospitality, entertainment or benefits provided by a third party;
 - travel or accommodation paid or subsidised by a third party;
 - payments or honoraria in connection with attendance.

2. Application for an Approval to Attend an Event

- a) An Elected Member and/or the CEO seeking approval must submit a request in writing (or via the approved form) prior to the event.
- b) The request must include sufficient information to enable assessment, including –
 - details of the event;
 - the identity of the donor;
 - the estimated value of the financial benefit;
 - the role of the attendee at the event;
 - the expected benefit to the Shire.

3. Decision Making Authority

- (a) In the case of a Request for Approval to Attend an Event from an Elected Member, the CEO is authorised to make a decision.
- (b) In the case of a Request for Approval to Attend an Event from the CEO, to the Shire President is authorised to make a decision; or
- (c) The Council, where a matter is referred or where required.

A decision-maker may approve, refuse, or refer an application to Council.

4. Assessment Criteria

In determining whether to approve attendance, the decision-maker must consider -

a) *Benefit to the Shire:*

- alignment with the Shire's Strategic Community Plan or key priorities;
- opportunities to promote the Shire or strengthen stakeholder relationships;
- civic, ceremonial, advocacy or representational value; and
- relevance to the role of the Elected Member or CEO.

b) *Nature of the Event*

- purpose and significance of the event;
- whether attendance is requested in an official capacity;
- the expected attendees and stakeholders present;
- location of the event and its relevance to the district.

c) *Nature of the Benefit*

- total estimated value of tickets, hospitality and travel;
- whether the benefit is reasonable and proportionate to the attendee's contribution;
- any contribution (monetary or non-monetary) made by the attendee (e.g. speaking role, representation).

d) *Risk Considerations*

- potential conflicts of interest;
- relationship between the donor and the Shire;
- whether the donor has current or prospective matters before Council.

5. Payments and Costs

- a) Where attendance is approved, the Shire may pay for:
 - event tickets;
 - reasonable travel and accommodation expenses; and
 - associated costs considered necessary for attendance.
- b) Where a partner attends, any associated costs must be reimbursed unless expressly approved by Council.

6. Effect of Approval

- a) Where approval is granted under this Policy, any gift associated with attendance is taken to be an Excluded Gift for the purposes of the Act.
- b) This removes the requirement to disclose an interest relating to that gift in Council decision-making, but does not remove any obligation to disclose the gift where required.

7. Record Keeping and Reporting

- a) The CEO must maintain a register of all approved attendances, including -
 - name of attendee;
 - event details;
 - donor;
 - estimated value of benefit;
 - decision-maker;
 - reasons for approval.
- b) The CEO must report to Council annually on approvals granted under this Policy.

8. Invitations and Administration

- a) Invitations should clearly identify:
 - the intended attendee;
 - the role expected of the attendee; and
 - whether the invitation is transferable.
- b) Invitations received without a nominated attendee will be allocated by the CEO in consultation with the Shire President, having regard to organisational benefit and availability.

AUTHORITIES AND ACCOUNTABILITIES

- a) As required by section 5.90A(5) of the Act, the CEO must publish an up-to-date version of this policy on the Shire's website.
- b) The CEO must record any decisions made in accordance with this Policy along with relevant justifications, including those made by the Shire President, in an Event Assessment Register.
- c) An Elected Member or the CEO who attends an approved Event must still declare the acceptance of the invitation as a gift and disclose in accordance with the Gift legislative requirements.

ROLES AND RESPONSIBILITIES

- a) The Executive Manager Corporate Services is to include provision in the Shire's annual budget to address the costs associated with this Policy; and
- b) Adopt procedures for the processing and approval of requests by Elected Members and the CEO to attend Events in accordance with this Policy.

DISPUTE RESOLUTION

Any disputes regarding the application of this Policy are to be resolved by the Shire President in relation to Elected Members; and by the CEO in relation to employees.

EVALUATION AND REVIEW

The Policy is to be reviewed every two years through consultation with Elected Members to ensure that it meets its objective and provides clear accountability requirements unless legislative amendments require an immediate review.

Revision Frequency - Annual (1yr) , Biennial (2yr) , Triennial (3yr)

RELATED DOCUMENTS

Application to Attend and Event Form
Event Attendance Assessment Register

REFERENCES

Section 5.90A of the *Local Government Act 1995* and relevant provisions of the *Local Government (Administration) Regulations 1996*.

Council Member, Committee Members and Candidate Code of Conduct

RESPONSIBILITY FOR IMPLEMENTATION

Chief Executive Officer

Version OCM Ref. #	Date:	Next Review	ECM Reference #
1.			