

Policy Type

Council

Policy Purpose

Section 5.90A of the *Local Government Act 1995* requires that local governments have an attendance at events policy. The purpose of the policy is for Council to actively consider the purpose of and benefits to the community from Elected Members and the CEO attending events.

The policy provides a framework for the acceptance of invitations to various events, clarifies who will pay for tickets or the equivalent value of the invitation.

This policy applies to Elected Members and the CEO in attending any event in their official capacity

Policy Statement

Section 5.90A of the Local Government Act 1995 provides that a local government must prepare and adopt (by absolute majority) an Attendance at Events policy. This policy is made in accordance with those provisions. Certain gifts received by an Elected Member and the CEO are specifically excluded from the conflict of interest provisions, including a gift that is received in accordance with an 'Attendance at Events Policy' (section 5.62(1B))

(1) Approved Events

1. Events that fall into the following categories are Approved Events under this Policy and Elected Members and the CEO may accept such invitations:
 - (a) Concerts
 - (b) Conferences
 - (c) Functions
 - (d) Sporting events; and
 - (e) Other hospitality occasions.
2. Events which are free to the public or a paid for by the Elected Member or the CEO (with no reimbursement sought) are also approved events under this policy.
3. A Pre-Approved Event in accordance with this Policy includes:
 - (a) Where the Elected Member or the CEO is attending an event in an official capacity, such as:
 - performing a speaking role or some other welcoming role
 - participating as a member of a discussion panel or judging panel
 - presenting at the event as part of the event program

- representing the City of at a sponsorship acknowledgement event or award ceremony, where the primary purpose of attendance is not for the entertainment of the individual Elected Member or employee, but enable the City to fulfil its role, and exercise its rights and benefits, as a sponsor
- presenting awards or prizes to others on behalf of the City
- attending an exhibition or display where the City, its programs or services are being showcased at the event.

(b) Where the ticket is offered by:

- the Western Australian Local Government Association
- the Australian Local Government Association
- Local Government Professionals WA
- a department of the Public Service
- a government department of another State, a Territory or Commonwealth
- a State or Federal Member of Parliament, other than for party political events or fundraisers
- a local government or regional local government
- major professional or industry association(s) relevant to local government activities
- a stakeholder partner of the City
- a civic / cultural / community organisation within the City
- educational institutions or
- a not-for profit organisation.

(2) Council Approval by Resolution for Events

1. Attendance at events not listed in Clause 1 of this Policy will require Council approval, by simple majority, in order for the ticket to that event to become an Excluded Gift.

In considering the matter, Council is to consider:

- (a) the donor;
- (b) the location of the event in relation to the district of City;
- (c) the role of the Elected Member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
- (d) the City's position as a sponsor of the event (if applicable),
- (e) the benefit of City representation at the event,
- (f) the number of invitations / tickets received, and
- (g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

2. Expenses relating to free events:

- (a) Where an event is free however travel and accommodation is required to attend the event, the City may contribute to related expenses if Council resolve that attendance is in the public interest.



3. Expenses related to paid events:
 - (a) If Council resolves that an Elected Member or the CEO should attend a paid event, the City will pay the cost of attendance and reasonable expenses, such as travel and accommodation.

4. Guests of ticket recipients:
 - (a) Unless approved by resolution of Council, where a guest of a Elected Member or of the CEO attends an event, any tickets for that person, if paid for by the City, must be reimbursed by the Elected Member or CEO.

(3) Non-Approved Events

1. Any event that is not an Approved Event as per clause 1 or not an Event with Council Approval by Resolution as per clause 2 s considered a Non-Approved Event. This means a ticket to a Non-Approved Event is not an Excluded Gift and the Act's disclosure of interest provisions apply.

(4) Distribution of Tickets to Approved Events

1. Where an invitation to attend an event (including tickets) is extended to the CEO or City of Cockburn generally, the CEO has the right to:
 - (a) Accept the invitation or tickets
 - (b) Decline the invitation or tickets
 - (c) Offer the invitation or tickets to an Elected Member or another officer on a rotational and equitable basis.
2. Where an invitation to attend an event (including tickets) is extended to the Mayor, the Mayor has the right to:
 - (a) Accept the invitation or tickets
 - (b) Offer the invitation or tickets to the Deputy Mayor;
 - (c) If the Deputy Mayor declines, the Mayor will offer the invitation to another City of Cockburn Elected Member on a rotational and equitable basis.
3. Invitations to attend an event addressed to the Council and/or Mayor will be published on the Hub.
4. Where invitations to attend an event (including tickets) are extended to multiple unspecified Elected Members, the Mayor will:
 - (a) Distribute the invitations or tickets to Elected Members on a rotational and equitable basis.



5. Where an invitation to attend an event (including tickets) is extended to one or more specified Elected Members, those Elected Members have the right to:
- (a) Accept the invitation or tickets;
 - (b) Decline the invitation or tickets;
 - (c) Offer the invitation or tickets to the CEO or another City of Cockburn Elected Member on a rotational and equitable basis.

(5) Disclosure Requirements

1. Gift Disclosures

- (a) The Act's Gift disclosure obligations apply and therefore require Elected Members (s5.87A) and the CEO (s5.87B) to disclose Gifts regardless of a Gift being an Excluded Gift under s.5.62(1B).
- (b) The acceptance of an invitation to an event, including tickets, is considered a Gift and where required is to be disclosed and added to the City's Gift Register.

2. Interest Disclosures

- (a) Any Gift received over \$300 is specifically excluded from the conflict of interest provisions if:
 - the Gift relates to attendance at an event where attendance has been approved by resolution of Council or in accordance with this Policy (refer section 5.62(1B) of the Act), or
 - the Gift is from specified entities (detailed in *Local Government (Administration) Regulations 1996* regulation20B).
- (b) This means Elected Members and the CEO are not required to disclose an interest in a matter concerning a donor to be considered by Council due to their attendance at an event, regardless of the value of the Gift.
- (c) However, to support transparency in decision making, Elected Members and the CEO are strongly encouraged to disclose an impartiality interest detailing attendance at an event, if a relevant matter were to be considered by Council.



Definitions

Event is defined under s5.90A(1) of the Act as a:

- concert;
- conference;
- function;
- sporting event;
- prescribed occasion.

Excluded Gift is defined under s5.62(1B) of the Act as a) a ticket to an event; AND b) attendance at the event is approved in accordance with this Policy (refer Section 1); OR c) the gift is made by prescribed entities (refer Admin Regulation 20B).

Gift is defined under s5.57 of the Act as:

- the conferral of financial benefit from one person to another, unless adequate consideration in money or money’s worth is provided to the donor in return; or
- a travel contribution (including accommodation incidental to a journey).

Guest for the purpose of this policy does not include a Council Member or City of Cockburn employee.

Ticket includes an admission ticket to an event, or an invitation to attend an event, or a complimentary registration to an event, that is offered by a third party.

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