

Attendance at Events and Functions

Shire of Donnybrook Balingup Council Policy EXE/CP-5



Strategic Outcome Supported: 11 – Strong, visionary leadership

OBJECTIVE

1. Pursuant to the *Local Government Act 1995*, this policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the Shire.

SCOPE

2. The purpose of the mandatory council policy is to provide transparency about the attendance at events of Elected Members, the CEO and employees.
3. Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

DEFINITIONS

4. **CEO** means Chief Executive Officer.
5. **Shire** means Shire of Donnybrook Balingup.
6. **Event** in accordance with the Act: event includes, but not limited to the following:
 - a. A concert;
 - b. A conference;
 - c. A function;
 - d. A sporting event; and
 - e. An event described in this policy.
7. **Gift** means a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral: or a travel contribution.

POLICY STATEMENTS

Provision of tickets to event

8. All invitations or offers of tickets for an elected member or CEO to attend an event should be in writing and addressed to the CEO, Shire President or Councillor/s.
9. All invitations or offers of tickets for an employee to attend an event should be in writing and addressed to the employee in their capacity as a Shire employee.
10. Any invitation or offer of tickets not addressed as stated above is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.

Approval of attendance

11. In making a decision on attendance at an event, the Council will consider:
 - a. Who is providing the invitation or ticket to the event?;
 - b. The location of the event in relation to the Shire of Donnybrook Balingup (within the district or out of the district);
 - c. The role of the Elected Member or CEO when attending the event (participant, observer, presenter) and the value of their contribution;
 - d. Whether the event is sponsored by the Shire;
 - e. The benefit of the Shire of Donnybrook Balingup 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.
12. This policy does not apply to tangible gifts or money, travel or accommodation. Any contribution to travel, subject to the exceptions as prescribed in the *Local Government Act 1995*, must be disclosed in writing to the CEO within 10 days of receipt of the contribution.
13. Contributions to travel costs, whether financial or otherwise are now incorporated within the definition of gift.
14. Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy.

Payments in respect of attendance

15. Where an invitation or ticket to an event is provided free of charge, the Shire may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.

16. For any events where a member of the public is required to pay, unless previously approved and listed below, the council will determine whether it is in the best interests of the Shire for an Elected Member or the CEO or another employee to attend on behalf of the Council.
17. If the Council determines that an Elected Member or CEO should attend a paid event, the Shire of Donnybrook Balingup will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
18. If the CEO determines that an employee should attend a paid event, the Shire will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
19. Where partners of an authorised Shire representative attend an event, any tickets for that person, if paid for by the Shire, must be reimbursed by the representative unless expressly authorised by the Council.

Perceived or actual conflict

20. Event attendance may create a perceived or actual conflict, which may preclude Elected Members participating or employees providing advice at a future meeting.
21. If the amount of an event ticket (gift) is less than \$1,000, and relates to a matter before Council, Council may allow the disclosing Elected Member to participate on the condition that the interest, the Council's decision and the reasons for that decision are recorded in the minutes.
22. If the amount gift is above \$1,000 the Council or CEO must apply to the Minister for permission to allow the member or employee to participate.

Authorised Events in advance

23. The following situations are specifically excluded where the event ticket (gift) is received from one of the following organisations:
 - a. WALGA (but not LGIS);
 - b. Local Government Professionals Australia (WA);
 - c. Australian Local Government Association;
 - d. A department of the public service;
 - e. A government department of another State, a Territory or the Commonwealth; and
 - f. A local government or regional local government.
24. The gift is still required to be recorded on the "gift register".

Compliance and Enforcement

25. Compliance with this policy is mandatory for all Elected Members. Non-compliance may constitute a breach of the applicable Code of Conduct and/or the *Local Government Act 1995* and may result in investigation and enforcement action under the relevant statutory provisions, including the imposition of penalties where applicable.

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DELEGATION AND AUTHORISATION

26. The CEO is authorised to approve any attendance to events that comply with this policy and criteria set out below:
 - a. The location of the event is within Western Australia;
 - b. 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 are in accordance with annual budget allocations; and
 - c. An expression of interest was sent out to the appropriate people to gauge interest in attending.
27. The CEO is authorised to approve reimbursement or contribution of appropriate expenses for attendance, such as travel and accommodation in accordance with annual budget allocations.

LEGISLATION

- *Local Government Act 1995*
- *Local Government (Rules of Conduct) Regulations 2007*
- *Local Government Regulations Amendment (Gifts) Regulations 2019*
- *Department Circular No 11-2019 – New Gifts Framework*

APPENDIX

28. Nil.

GOVERNANCE

Related Policy(s):

Nil.

Related Procedure(s):

Nil.

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Revision Requirements and Version Control:

Responsible Department(s):	Executive			
Review to be conducted by:	Governance Coordinator			
Revision Frequency:	<input checked="" type="checkbox"/> Annual (1yr)	<input type="checkbox"/> Biennial (2yr)	<input checked="" type="checkbox"/> Triennial (3yr)	
Current Version Date:				Next Due:
Policy Version Details and Information:				
#:	Synopsis:	Date:	Ref.:	Synergy:
1	Initial adoption of policy	24/11/2021	191/21	NPP7781
2	Reviewed with minor grammatical changes and reformatted to new template	19/03/2024	162/09-24	NPP11879
3	Reviewed and reformatted to new template, removal of explicit section references to legislation, added enforcement provisions.	25/02/2026	17/02-26	NPP18912