

## ELM11 ATTENDANCE AT EVENTS

Aim	To addresses attendance at any events, including concerts, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government and to provide transparency about the attendance at events of Elected Members, the CEO and other employees.
Application	Elected Members, CEO and Employees in their capacity as an Elected Member or employee of the Shire.
Statutory Environment	<i>Local Government Act 1995, section 5.90A</i>
Principles	Strategic Community Plan 2017 – 2027 (2019 Desktop Review) Goal 05 Inspiring Governance Objective 3 Council Leadership
Approval Date	OMC 10 March 2020
Monitor and Review	Office of the CEO
Last Review	N/A
Next Review	December 2022
Review Period	Every 2 years

### DEFINITIONS

**District:** is defined as the Pilbara Region of Western Australia and also includes the local government areas of Karratha, Port Hedland, East Pilbara, Meekatharra, Upper Gascoyne, Carnarvon and Exmouth.

**Elected Member(s):** includes the Shire President and all Councillors.

**Gift** means a single gift or cumulative gifts within any rolling 12month period, and is not limited to either calendar or financial year.

**Shire:** means the local government of the Shire of Ashburton.

**Event** is as defined in Section 5.90A (1) of the Local Government Act 1995

### Acronyms

- ALGA Australian Local Government Association
- CEO Chief Executive Officer
- GST Goods & Services Tax
- LGIS Local Government Insurance Services
- WALGA Western Australian Local Government Association

## **POLICY STATEMENT**

Attendance at an event in accordance with this policy will exclude the recipient from the requirement to disclose a potential conflict of interest if the ticket is a gift from a donor and the value of the donation or discount is above \$300 and the donor has a matter before Council. Any gift of a free or discounted ticket or attendance received that is \$300 or less (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

- All values quoted in this policy are exclusive of GST where relevant.
- If an Elected Member receives a gifted or discounted ticket **in their name**, in their role as an Elected Member, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.
- Whilst the law permits gifts greater than \$300 to be accepted by the CEO, in their role with the Shire, all other employees, personally, are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event, or as a gift pursuant to Section 5.50 of the Local Government Act 1995 (gratuity on termination).
- If an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct re notifiable and prohibited gifts.
- An event does not include training, which is dealt with separately via Policies ELM05 Councillor Training/Conference Attendance and ELM06 Councillor Accommodation, Travel and Incidental Expenses Whilst on Council Business
- Nothing in this Policy shall be construed as diminishing the role of the CEO in approving attendance at activities or events by other employees that in the opinion of the CEO, are appropriate, relevant and beneficial to the Shire of Ashburton and its employees.
- Attendance at an event by an Elected Member or CEO not contemplated with by this Policy shall be determined by the Council.

Elected Members, the CEO and Directors and Managers occasionally receive tickets or invitations to attend events to represent the Shire to fulfil their leadership roles in the community. The event may be a paid event or a ticket/invitation may be gifted in kind, or indeed it may be to a free/open invitation event for the community in general.

### **Pre-Approved Events**

In order to meet the policy requirements tickets and invitations to events must be received by the Shire (as opposed to in the name of a specific person in their role with the Shire).

Individual tickets and associated hospitality with a dollar value above \$1,000 (inclusive of travel if relevant) provided to the Shire, Elected Member, CEO or employee are to be referred to Council for determination.

The Shire approves attendance at the following events by Elected Members, the CEO and employees of the Shire:

- a) Advocacy or lobbying of Members of Parliament or Ministerial briefings (Elected Members, the CEO and Directors and Managers only);
- b) Any free event held within the Shire of Ashburton;
- c) Events run by ALGA, WALGA, LGIS or major professional bodies associated with local government at a local, state and federal level and Local, State or Federal Government or Government Agency or Department

- d) Meetings or Events hosted by Clubs, organisations, schools or Not for Profit Organisations within the Shire of Ashburton or District to which the Shire President, Elected Member, CEO or employee has been officially invited;
- e) Shire hosted, run or sponsored ceremonies, tournaments, functions and events and functions and events with employees;
- f) Community art exhibitions within the Shire of Ashburton or District;
- g) Cultural events/festivals within the Shire of Ashburton or District;
- h) Opening or launch of an event or facility within the Shire of Ashburton or District;
- i) Recognition of Service events within the Shire of Ashburton or District;
- j) Returned & Services League of Australia events within the Shire of Ashburton or District; and
- k) Where Shire President, Elected Member or CEO representation has been formally requested.

All Elected Members, the CEO and employees with the approval of the CEO or their respective Director, are entitled to attend a pre-approved event. If there are more Elected Members wishing to attend the event than free or discounted tickets provided, then the Shire President shall allocate the tickets.

#### **Approval Process**

Where an invitation is received to an event that is not pre-approved, it may be submitted for approval prior to the event for approval as follows:

➤ Events for the Shire President may be approved by the Deputy Shire President, events for Councillors may be approved by the Shire President, events for the CEO may be approved by the Shire President; and events for employees may be approved by the CEO or their respective Director.

Considerations for approval of the event includes any justification provided by the applicant when the event is submitted for approval, the benefit to the Shire of the person attending, alignment to the Shire's Strategic Objectives and the number of Shire representatives already approved to attend.

Where an Elected Member, CEO or employee attends a pre-approved event or has an event approved through this process and there is a fee associated with the event, including for attendance of a partner, then the cost of the event, together with reasonable cost of accommodation and travel, if required, may be authorised for payment by the CEO from the Shire's relevant budget line.

#### **Other matters**

Any event that is not pre-approved above, is not submitted through an approval process as detailed herein, or is received personally is considered a non-approved event and must be submitted to the Council for determination, unless one or more of the following circumstances applies:

1. If the event is a free event to the public then no action is required and it is approved.
2. If the event is ticketed and the Elected Member, CEO or employee pays the full ticketed price and does not seek reimbursement, then no action is required and it is approved.

### **Conference Registration, Bookings, Payment and Expenses**

Shall be dealt with in avoidance with Council Policies:

- ELM05 Councillor Training/Conference Attendance
- ELM06 Councillor Accommodation, Travel and Incidental Expenses Whilst on Council Business

### **Dispute Resolution**

All disputes regarding the approval of attendance at events are to be determined by the Shire President in relation to Elected Members and the CEO in relation to other employees.

### **Procedures**

Organisations that desire attendance at an event by a particular person(s), such as the Shire President, Deputy President, Elected Member, CEO or particular officer of the Shire, should clearly indicate that on the offer, together with what is expected of that individual, should they be available, and whether the invite/offer or ticket is transferable to another Shire representative.

Free or discounted Invitations/offers or tickets that are provided to the Shire without denotation as to who they are for, are be provided to the CEO and attendance determined by the CEO, in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event, inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Elected Member or employee.

### **Forms and Templates**

The 'Gifts Register Report' Form is required to be completed and lodged within 10 days if a gift of a ticket or attendance is made to the recipient for a concert, conference, function or sporting event to them in their name, due to or as part of their role with the Shire of Ashburton, as follows;

- If the gift is provided to the Elected Member and the discount or free value is over \$300, with the CEO;
- If the gift is provided to the CEO and the discount or free value is over \$300, with the Shire President; and
- If the gift is provided to an employee, other than the CEO, and the discount or free value is over \$50, with the CEO.

### **Associated Documents**

ELM04 Code of Conduct

ELM05 Councillor Training/Conference Attendance

ELM06 Councillor Accommodation, Travel and Incidental Expenses Whilst on Council Business