

HEAD OF POWER

- *Local Government Regulation 2012, section 194*

INTENT

The purpose of this policy is to provide guidelines for activities Council sponsors through the Arts, Culture, Tourism Facilities and Events Branch (the Branch) and for those activities for which the Branch might seek external funding or sponsorship to support its activities.

SCOPE

This policy applies to employees in the Branch. There is a requirement to coordinate grant and fundraising activities across the Branch and the Community and Environment Department to avoid unintentional conflicts or to leverage opportunities across Council.

DEFINITIONS

Branch means the Arts, Culture, Tourism Facilities and Events Branch of Council.

Employee means a local government employee as defined in the *Local Government Act 2009*.

POLICY STATEMENT

1. Council funds the core operational activities of the Bundaberg Regional Art Galleries and the Moncrieff Entertainment Centre but additional sources of funding may need to be sought to add value from time to time. In addition, Council is regularly approached by the community to support activities through sponsorship.
2. This policy is designed to:
 - a) provide political, ethical and legal guidance to the development and delivery of sponsorship agreements between Council and potential fundraising or sponsorship related stakeholders within and outside the region.
 - b) create opportunities for mutual benefit between the Branch and its stakeholders within or outside the Bundaberg Region.
 - c) provide financial or other in-kind resources to enhance and extend the Branch's profile and activities in the Region.
 - d) create opportunities for Council to further engage with business, industry, government and community.
 - e) ensure that sponsorship of events provide an adequate return on investment.

3. Exclusions

- 3.1 The Branch will avoid entering into sponsorship agreements with enterprises which are considered to:
 - Diminish, or are seen to diminish, public confidence in the Branch and, therefore, Council.

- Have the potential to reflect negatively on the Branch and therefore Council.
- Discriminate based on race, sex, age, disability or religion.

3.2 The Branch will avoid entering into sponsorship agreements that might be perceived to endorse an organisation with unethical, unprofessional or unviable business practice, or who produce or offer goods or services that may be harmful to others or of inferior quality.

Examples of industries or products that will not be considered as sponsors include:

- Firearms/weapons.
- Pornography.
- Tobacco products.
- Companies involved in activities detrimental to the community or environment.
- Companies involved in illegal activities.
- Gambling products and services.

3.3 Council may refuse or cancel any sponsorship request or agreement which either contravenes this Policy or which may adversely impact either the community or Council in any way that may not be described explicitly in this Policy.

3.4 A clause must be included in all agreements which gives Council the opportunity to cancel any sponsorship or fundraising arrangement which contravenes this Policy without any financial impact to Council.

3.5 There should be no real or apparent conflict between the objectives and mission of the sponsor and those of the Branch or any other branch or department within Council.

4. Conflict with other Council sponsorships

4.1 Proposed fundraising opportunities should be discussed with the Branch Manager Arts, Culture, Tourism Facilities and Events who will coordinate with the General Manager Community and Environment to clarify any conflicts that might arise across other areas of Council.

4.2 While fundraising activities are generally considered operational in nature, the General Manager Community and Environment may refer agreements to Council if there is a concern that there may be unintended financial, legal or political ramifications.

5. Suitable activities for raising funds by Council facilities

The Branch may seek grants or sponsorship for any of its core activities which include but are not limited to:

- a) Programs, events or projects.
- b) Community engagement activities.
- c) Education opportunities or awards relating to the Branch's activities.
- d) Asset maintenance or improvement.

6. Agreements

It is a requirement that all grant or sponsorship relationships are recorded in a written contractual agreement compliant with Council's policies. Verbal agreements are prohibited under this policy.

7. Appropriate sponsorship benefits when sponsoring community activities

The Branch is often approached to sponsor or support community activities. Each venue has its own range of goods and services that may be provided as part of a sponsorship to the community, the details of which may be negotiated by the coordinators of the venues within the confines of this policy.

Sponsorship may only be provided to bona fide, not-for-profit community activities where the return value to Council and its facilities can be demonstrated.

8. Sponsorship levels and delegations

Regarding sponsorship or funds raised by the Branch, the Branch Manager Arts, Culture, Tourism Facilities and Events is able to enter into sponsorship or fundraising arrangements so long as the stipulations of this policy are adhered to.

Regarding sponsorship provided to the community, benefits provided to not-for-profit community activities from the Branch may be allocated up to a value of \$1,000 per sponsorship.

For sponsorship between \$1,001 and \$5,000, the Branch Manager Arts, Culture, Tourism Facilities and Events will make transparent recommendations to the General Manager Community and Environment based on agreed criteria.

Sponsorships valued above \$5,000 will be referred directly to Council.

Criteria for awarding sponsorships from the Branch include:

- Must be a not-for-profit activity by a bona fide not-for-profit group or be designed for bona fide fundraising purposes for recognised community benefit.
- The breadth of community benefit (which might include numbers of people involved, the diversity of people involved or the relevance and timeliness of a particular project).
- The connection to Council's Bundaberg Region Arts and Culture Strategy and a demonstrated ability to deliver on aspects of that Strategy.

9. Prohibited sponsorship benefits

Items prohibited from being used as sponsorship benefits are those:

- a) which might involve the facility's budget being compromised.
- b) that may impinge on Workplace Health and Safety policies or procedures or the facility's venue hire policy.
- c) which contravenes a licence or other contract held by Council.
- d) which contravenes a policy or procedure of Council.

- e) requests to operate Council property or equipment by non-Council or non-qualified employees.

10. Appropriate acknowledgement of Council sponsorship

Minimum requirements are an acknowledgement and the inclusion of Council's and the relevant facility's logo in promotional material used by the sponsored entity and/or verbal acknowledgment at sponsored events. Acknowledgement should be negotiated in a reasonable proportion to the value of the sponsorship.

11. Due Diligence

It is expected that the Branch coordinators and team leaders will:

- a) Have proposals checked and approved by Council if the agreement is outside the approved sponsorship agreement or if an external funding or sponsorship agreement is to be entered into by Council.
- b) Ensure the agreement will not contravene any part of this policy or any other Council policy or procedure.
- c) Be aware of the background of the other party or parties and their associates within the limits of what could be deemed reasonable.
- d) Check there is no adverse impact on any existing licence, contract or agreement held by Council.
- e) Ensure the agreement is mutually beneficial.

12. Conflict of Interest

This policy assumes that all activities are undertaken within the confines of Council's Employee Code of Conduct Policy which includes specific guidance about what constitutes a conflict of interest.

If there are any real or perceived conflicts of interest between a beneficiary of the fundraising or sponsorship agreement, this is to be declared to the Branch Manager Arts, Culture, Tourism Facilities and Events and the agreement should be enacted by the relevant manager or referred to the General Manager.

ASSOCIATED DOCUMENTS

- Bundaberg Region Arts and Culture Strategy 2019-2023
- Employee Code of Conduct Policy
- Procurement Policy

DOCUMENTS CONTROLS

Council will review this policy biennially or in response to changes in law or best practice.

POLICY OWNER

Branch Manager Arts, Culture, Tourism Facilities and Events.