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## S160. Sponsorship - Council Activities and Events

**Title:** Sponsorship – Council Activities and Events Policy

**Policy No:** S160.

**Keywords:** Sponsorship, sponsor, key stakeholder

**Responsible Officer:** Divisional Manager – Human Services and Facilities

### 1. PURPOSE AND AUTHORITY

This policy provides guidance on the roles and responsibilities of all key stakeholders in the management of sponsorship with Council and agreed sponsors.

### 2. POLICY STATEMENT

The policy outlines the requirements in engaging sponsorship and the processes required to ensure that there is no conflict of interest with Council.

### 3. POLICY STATEMENT

1. There may be some circumstances when the public interest would be best served by Council making sponsorship opportunities widely known, e.g. by calling for expressions of interest and not limiting to invitation.
2. Every sponsorship proposal is to be assessed against the possibility of a conflict of interest and, in particular, may be refused or terminated in any case where, during the life of the sponsorship, the sponsor:
  - a. has a current application or matter before the Council, or the Council becomes aware of the possibility of an application or matter coming before the Council in the near future.
  - b. is, or is likely to be, subject to regulation or inspection by the Council which may impose or imply conditions, or where the sponsorship in question may limit the Council's ability to carry out its functions fully and impartially.

In any of these circumstances, and subject to the size of the sponsorship, the proposal must be referred to the elected Council for determination.

3. Every sponsorship arrangement is to be particularised and formalised in the form of a written sponsorship agreement (which may take the form of an exchange of letters) which clearly sets out:
  - a. the benefits, including economic benefits, available to Council and to the sponsor
  - b. any personal benefits available to staff of the sponsor and the sponsor's relatives
  - c. the form or forms of sponsorship acknowledgment which will be available
  - d. the scope of uses which the sponsor can make of the sponsorship arrangement.
  - e. the term of the sponsorship and any conditions regarding renewal
  - f. consequences of changes which may occur over time, e.g. a shift in the relationship, new policies, new corporate missions or objectives
  - g. financial accountability requirements
  - h. provisions for termination or suspension of the sponsorship agreement
  - i. any relevantly applicable special conditions.
  - j. No Councillors or staff members of Council are to receive a personal benefit from a sponsorship.
4. There is to be no real or apparent conflict between the objectives and mission of Council and those of the sponsor. Specifically, in relation to sponsorship products, the following are excluded:

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- a. companies, partnerships or sole traders who conduct a significant part of their business activities for or with respect to, or derive a significant part of their income from, the manufacture, distribution and wholesaling of tobacco related products.
  - b. companies, partnerships or sole traders who conduct a significant part of their business activities for or with respect to, or derive significant part of their income from, the manufacture, distribution and wholesaling of alcohol related products (but not excluding the negotiation of sponsorship agreements with licensed clubs, restaurants, hotels or other licensed venues or with the manufacturer of wine products and/or their distributors in support of Council's major event program through cash or in kind sponsorship).
  - c. companies, partnerships or sole traders whose products or services are injurious to health, or are seen to be in conflict with Council's policies and responsibilities to the community.
5. Where sponsorship takes a form of provision of a sponsor's product, the product is still to be evaluated for its fitness for purpose against objective operational criteria which are relevant to the Council's needs. Council should generally not endorse products but reserves the right to endorse a product based on merit in individual cases.
  6. Council is to ensure that sufficient resources are available to enable the promised sponsor benefits to be delivered. In addition, Council is to provide sufficient information on progress for the sponsor to evaluate the outcomes of the sponsorship.

#### **4. SCOPE**

This Policy applies to all Council officials and all sponsorship arrangements.

#### **5. DEFINITIONS**

**Key Stakeholder** – a person, group or organisation that has interest or concern in an organisation. Stakeholders can affect or be affected by the organisation's actions, objectives and policies. Some examples of key stakeholders are creditors, directors, employees, government, suppliers, unions, and the community from which the business draws its resources.

**Sponsorship** – a contribution in money or kind by the corporate sector or private individuals (sponsors) in support of a Council activity for a benefit. The benefit may include (but is not limited to) brand exposure, brand association, hospitality and/or naming rights (permanent or temporary). It does not include the selling of advertising space, joint ventures, consultancies, and gifts or donations where the reciprocal benefit provided by the Government agency does not extend beyond some modest acknowledgment.

**Sponsor** – the business, organisation, group or individual providing the sponsorship.

#### **6. IMPLEMENTATION**

This Policy will be implemented at all times that Council approves or enters into sponsorship arrangements.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

#### **7. MONITORING AND BREACHES**

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

#### **8. REPORTING**

No specific compliance reporting is required under this Policy.

#### **9. POLICY REVIEW**

This Policy will be subject to review every two (2) years.

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For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Department of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

#### **10. RELEVANT REFERENCES AND LEGISLATION**

Local Government Act 1993  
Independent Commission Against Corruption Act 1988

#### **11. RELEVANT COUNCIL POLICIES**

The Manly Council Code of Conduct

#### **12. REVISION SCHEDULE**

Minute No	Date of Issue	Action	Author	Checked by
PS53/11	2 May 2011	Periodic Review	Secretariat, Corporate Services	Manager, Administration
	September 2013	Comprehensive Policy Review – placed into new template minor deletions and insertions	Divisional Manager, Human Services & Facilities	Governance, Legal & Risk
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance