

# Attendance at Events Council Policy

## Responsible directorate: Governance and Strategy

**Objective:** To establish the requirements around the attendance at events where tickets are offered to Elected Members and employees.

### 1. Application:

This policy applies to Elected Members and employees where tickets to events are offered to them in their official capacity or role at the City.

### 2. Definitions:

“**Chief Executive Officer**” means the Chief Executive Officer of the City.

“**City**” means the City of Joondalup.

“**employee**” means the Chief Executive Officer and other employees of the City.

“**event**” has the meaning given to it under the *Local Government Act 1995*.

**Note:** Section 5.90A (1) of the Act states the following:

**event** includes the following:

(a) a concert

(b) a conference

(c) a function

(d) a sporting event

(e) an occasion of a kind prescribed for the purposes of this definition.

“**gift**” has the meaning given to it under the *Local Government Act 1995*.

**Note:** Section 5.57 of the Act states the following:

**gift** means:

- a. *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*
- b. *a travel contribution.*

*For the purposes of the above definition:*

- **travel** includes accommodation incidental to a journey;
- **travel contribution** means a financial or other contribution made by 1 person to travel undertaken by another person.

“**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.

### 3. **Statement:**

Due to the nature of a local government’s business, Elected Members and employees deal regularly with third parties and from time to time may be offered tickets to attend events. The City acknowledges the acceptance of tickets, and therefore attendance at events, can provide opportunity to work and network with stakeholders to legitimately further the interests of the City or the Joondalup community.

To ensure the City is carrying out its functions impartially, Elected Members and employees must be able to demonstrate they are not improperly influenced by third parties through the acceptance of tickets to events. It is therefore important for the City to manage any real or perceived conflicts of interest in terms of decision-making undertaken by Elected Members (when meeting as a Council) or employees, when tickets are accepted and used.

The policy provides a framework for the acceptance of tickets to events by Elected Members and employees and to actively consider the purpose of and benefits to the community in attending. It also details what disclosure requirements are needed when attending events by Elected Members and employees and a range of other governance arrangements when attending events.

The purpose of this policy is to comply with the requirements of section 5.90A of the *Local Government Act 1995* and the City’s *Code of Conduct*.

### 4. **Pre-approved events:**

Subject to clause 11.3, the acceptance and subsequent use of a ticket by an Elected Member or employee for an event within the Perth Metropolitan Area is deemed a pre-approved event under the following circumstances:

- a. Where the Elected Member or employee is attending an event in an official capacity, such as:

- i. performing a speaking role or some other welcoming role;
  - ii. participating as a member of a discussion panel or judging panel;
  - iii. presenting at the event as part of the event program;
  - iv. representing the City of Joondalup 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;
  - v. presenting awards or prizes to others on behalf of the City; and
  - vi. 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:
- i. the Western Australian Local Government Association;
  - ii. the Australian Local Government Association;
  - iii. Local Government Professionals;
  - iv. a department of the Public Service;
  - v. a government department of another State, a Territory or Commonwealth;
  - vi. a State or Federal Member of Parliament, other than for party political events or fundraisers;
  - vii. a local government or regional local government;
  - viii. major professional or industry association(s) relevant to local government activities;
  - ix. a stakeholder partner of the City;
  - x. a civic/cultural/community organisation within the City of Joondalup;
  - xi. educational institutions; or,
  - xii. a not-for profit organisation.

## **5. Non-approved events:**

- 5.1. Subject to clause 11.3, the acceptance and subsequent use of a ticket by an Elected Member or employee, for an event that is not a pre-approved event as per clause 4, must be approved by the Chief Executive Officer (or by the Mayor for the Chief Executive Officer).
- 5.2. In making a decision to approve the attendance at an event detailed in clause 5.1, the Chief Executive Officer (or the Mayor) is to consider:
  - a. who is providing the ticket to the event (the organiser of the event, or a third party);

- b. the location of the event in relation to the City's district;
  - c. the role of the Elected Member or employee when attending the event (ie presenter, participant or observer);
  - d. whether the event is sponsored by the City;
  - e. the Elected Member's or employee's justification of the benefit to the City and the City's community through the attendance at the event;
  - f. how many people should be authorised to attend the event;
  - g. any costs associated in attending the event; and
  - h. whether advice following the attendance at the event is required under clause 5.3.
- 5.3. Elected Members or employees that attend paid events may be required to provide advice to the Chief Executive Officer (at the Chief Executive Officer's discretion) on the outcomes of their attendance and the benefits to them and the City in attending the event. The advice may cover the following topics:
- i. The nature of the event.
  - ii. The stated benefits to the City or the Joondalup community in attending the event.
  - iii. What the Elected Member or employee observed by attending the event.
  - iv. Any networking links that were made or stakeholder interactions.
  - v. How attendance benefited the Elected Member's or employee's role at the City generally.

## **6. Free tickets to the City for events:**

- 6.1. Where tickets are given to the City as opposed to an Elected Member or employee directly, the Chief Executive Officer may allocate the tickets as he/she sees fit, if attendance is deemed to satisfy the approval criteria detailed within this policy.
- 6.2. The Chief Executive Officer may allocate a ticket to an Elected Member under clause 6.1 where the purpose of attendance is to enable the Elected Member to perform their role as a community representative and to network and liaise with community individuals/groups within the district.

## **7. Complimentary tickets and benefits under sponsorship agreements:**

- 7.1. Where the provision of complimentary tickets or a benefit exists under a current sponsorship agreement or arrangement between the City and a third party, the management and allocation of tickets or benefits (unless expressly stated) shall be determined by the Chief Executive Officer and disclosed in accordance with this policy.
- 7.2. An Elected Member may be allocated a ticket or benefit by the Chief Executive Officer under clause 7.1 on the basis that attendance would enable the Elected Member to perform their role as a community representative and to network and liaise with community individuals/groups within the City's district.

## **8. Costs for tickets:**

- 8.1. Where there is ticket cost for the Elected Member to attend a pre-approved event or non-approved event, the Elected Member will be reimbursed the cost of the ticket under the *Elected Members' Entitlements Council Policy*. Any ticket costs for an employee to attend a preapproved event or non-approved event, will be paid for by the City, or the cost reimbursed to the employee.
- 8.2. Where a ticket can be purchased for a non-approved event, and in the opinion of the Chief Executive Officer it is in the interests of the City for one or more Elected Members or employees to attend in order to assess and understand any possible impacts on the Joondalup community or City business, then one or more tickets for that event can be purchased by the City, at full cost, on behalf of the Elected Member or employee.
- 8.3. Subject to the approval of the Chief Executive Officer, tickets for accompanying persons (such as spouse, family member or relative) will not be purchased by the City, however the Elected Member or employee may purchase a paid ticket at their own expense.

## **9. Travel and accommodation costs:**

- 9.1. The City may pay or reimburse reasonable travel and accommodation costs for an Elected Member or employee to attend an event.
- 9.2. Any travel costs paid by the City whereby an Elected Member or employee uses their own vehicle on official business is to be calculated at the same rate contained in section 30.6 of the *Local Government Officers' (Western Australia) Interim Award 2011*.
- 9.3. Accommodation costs may be paid for events outside the Perth Metropolitan Area, interstate or internationally. Any accommodation costs paid by the City is to be calculated at the same rate contained in clause 29 of the *Local Government Officers (Western Australian) Interim Award 2011*.
- 9.4. Documentary evidence is required for all expenses or costs claimed by an Elected Member or employee. Original tax invoices and receipts are required for audit purposes and to enable GST to be claimed.

## **10. Exemptions:**

- 10.1. The requirements of this policy do not apply to any training or conference event attended by an Elected Member in accordance with the City's *Elected Members' Entitlements Council Policy*, or any training or conference event for the professional development of employees that are paid for by the City.
- 10.2. The requirements of this policy do not apply where an Elected Member or employee is the City's representative on a board or external organisation where the Elected Member or employee is required to attend an event for the purposes of fulfilling their role on the board or external organisation.

## **11. Disclosure requirements relating to tickets:**

- 11.1. Where an Elected Member or employee is offered a ticket, and the ticket falls under the definition of a gift, details of the ticket is to be disclosed in accordance with the sections 5.87A–5.87C of the *Local Government Act 1995* (for Elected Members and the Chief

Executive Officer) or the City's *Code of Conduct* (for employees).

11.2. For the purposes of clarity, a disclosure is to be made to the Chief Executive Officer (or Mayor if it is the Chief Executive Officer) within 10 days of the Elected Member or employee receiving the ticket, and is to include:

- i. a description of the ticket;
- ii. the name and address of the person who gave the ticket;
- iii. the date on which the ticket was received;
- iv. the estimated value of the ticket at the time it was made; and
- v. the nature of the relationship between the person who made the ticket and the person who received it.

11.3. Employees must adhere to the provisions of the City's *Code of Conduct* in relation to the acceptance of gifts and make any necessary disclosures.

## 12. Reporting:

12.1. The disclosure information for tickets received by Elected Members and employees that are deemed a gift, will be listed within the City's Gift Register(s).

12.2. In accordance with the section 5.62(1B) of the *Local Government Act 1995* attendance at an event in accordance with this policy will exclude the Elected Member from the requirement to disclose an interest when the donor of the ticket has a matter before Council (or a committee).

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**Creation date:** May 2020 (CJ067-05/20)

**Formerly:**

**Amendments:**

**Last reviewed:**

**Related documentation:**

- City of Joondalup Code of Conduct
- Elected Members Entitlements Council Policy
- Local Government (Administration) Regulations 1996
- Local Government Act 1995

**File reference:** 108509