



Council Member and CEO Attendance at Events

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	To establish the requirements around the attendance at events where tickets are offered to Council Members and the CEO.

Context

The City of Nedlands (the City) is required under section 5.90A of the *Local Government Act 1995* to adopt a Policy on Council Member and CEO attendance at events.

Council Members and the CEO as representatives of the City may be requested to attend events or may be offered tickets to events by third parties. In order to carry out their functions impartially, Council Members and the CEO are required to demonstrate that they are not improperly influenced by third parties through the acceptance of these invitations to events.

The policy aims to provide transparency concerning the attendance at events by Council Members and the CEO.

Policy Scope

This policy applies to Council Members and the CEO of the City of Nedlands, attending in their official capacity at an event. This policy does not apply to City of Nedlands employees other than the CEO.

Policy Statement

An invitation or ticket to an event provided directly to an individual (which means personally to a Council Member or the CEO) is to be treated as a gift (gift as defined in section 5.57 of the Act).

Council Members or the CEO may accept these invitations, subject to disclosing the acceptance of the invitation / ticket as a gift (if valued at over \$300), in accordance with the provisions of the City's Code of Conduct for Council Members, Committee Members, and Candidates, and the relevant gift provisions in the *Local Government Act 1995*, as they apply to Council Members and the CEO, if they have not provided appropriate consideration for the ticket/ invitation. The gift will be disclosed on the City's public Register of Gifts.

A Council Member or the CEO may attend an event and not disclose it as a gift if they have purchased the ticket themselves.



1. Attendance at Approved Events

The following events are considered Approved Events for the purpose of this policy:

Where the Council Member/CEO is attending an event in an official capacity, such as:

- performing a speaking role or some other welcoming role
- participating as a member of a discussion panel or judging panel
- presenting at the event as part of the event program
- representing the City of Nedlands at a sponsorship acknowledgement event or award ceremony, where the primary purpose of attendance is not for the entertainment of the individual Council Member/CEO, but enable the City to fulfil its role, and exercise its rights and benefits, as a sponsor
- presenting awards or prizes to others on behalf of the City
- attending an exhibition or display where the City, its programs or services are being showcased at the event.

Where the ticket is offered by:

- the Western Australian Local Government Association (WALGA)
- the Australian Local Government Association (ALGA)
- Local Government Professionals WA
- a department of the Public Service
- a government department of another State, Territory or of the Commonwealth
- a State or Federal Member of Parliament, other than for party political events or fundraisers
- a local government or regional local government
- major professional or industry association(s) relevant to local government activities
- a stakeholder partner of the City
- a civic / cultural / community organisation within the City of Nedlands
- educational institutions or
- a not-for-profit organisation.

Council Members or the CEO may at their discretion attend an Approved Event on behalf of the City, where the invitation or ticket is provided to the City and no fee is payable for attending.

If a fee is payable for attendance at an Approved Event, the Mayor and CEO will seek expressions of interest from Council Members or the CEO to attend the Approved Event, provided the cost of attendance is within the approved budget.



Attendance at Approved Events are not treated as gifts and do not need to be included on the City's public Register of Gifts, as they are "excluded gifts" in accordance with section 5.62(1B) of the Act.

Attendance at Approved Events does not trigger a conflict of interest if a matter comes before Council or the CEO for consideration.

2. Attendance at Non-Approved Events

Unless otherwise addressed in this Policy, the acceptance and subsequent use of a ticket by a Council Member for an event that is not a pre-approved event must be approved by the CEO (or by the Mayor for the CEO).

In deciding to approve the attendance at an event, 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 Council Member when attending the event (i.e., presenter, participant, or observer)
- (d) whether the event is sponsored by the City
- (e) the Council Member'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
- (h) whether advice following the attendance at the event is required under this Policy.

Council Members who attend paid events may be required to provide advice to the CEO (at the CEO'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:

- The nature of the event.
- The stated benefits to the City or the Nedlands community in attending the event.
- What the Council Member observed by attending the event.
- Any networking links that were made or stakeholder interactions.
- How attendance benefited the Council Member's role at the City generally.

3. Free tickets to the City for events

Where tickets are given to the City as opposed to a Council Member directly, the CEO may allocate the tickets as he / she sees fit if attendance is deemed to satisfy the approval criteria detailed within this policy.



The CEO may allocate a ticket to a Council Member where the purpose of attendance is to enable the Council Member to perform their role as a community representative and to network and liaise with community individuals / groups within the district.

4. Complimentary tickets and benefits under sponsorship agreements

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 CEO and disclosed in accordance with this policy.

A Council Member may be allocated a ticket or benefit by the CEO under this Policy on the basis that attendance would enable the Council Member to perform their role as a community representative and to network and liaise with community individuals / groups within the City's district.

5. Costs for tickets

Where there is ticket cost for the Council Member to attend a pre-approved event or non-approved event, the Council Member will be reimbursed the cost of the ticket.

Where a ticket can be purchased for a non-approved event, and in the opinion of the CEO it is in the interests of the City for one or more Council Members to attend to assess and understand any possible impacts on the Nedlands community or City business, then one or more tickets for that event may be purchased by the City, at full cost, on behalf of the Council Member/s.

Tickets for accompanying persons (such as spouse, family member or relative) will not be purchased by the City, however the Council Member may purchase a paid ticket at their own expense.

6. Travel and accommodation costs

The City may pay or reimburse reasonable travel and accommodation costs for a Council Member to attend an event.

Accommodation costs may be paid for events outside the Perth metropolitan area, interstate or internationally.

Documentary evidence is required for all expenses or costs claimed by a Council Member and original Tax invoices and receipts are required for audit purposes.

7. Exemptions



Attendance by Council Members for any training or conference event will be in accordance with the City's Professional Development for Council Members Policy. Attendance by the CEO at conferences shall be in accordance with the CEO's employment contract.

The requirements of this policy do not apply where a Council Member is the City's representative on a board or an external organisation where the Council Member is required to attend an event for the purposes of fulfilling their role on the board or external organisation.

8. Reporting

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

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

9. Definitions

CEO means the Chief Executive Officer of the City.

Event has the meaning given to it under the *Local Government Act 1995*

Note: s. 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: s. 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

Related documentation

Attendance at Events Policy - Local Government Operational Guidelines (December 2019)

Related local law, legislation, and compliance requirements

Local Government Act 1995 s. 5.62(1B) – defines excluded gifts.

Local Government Act 1995 s. 5.90A(2) – requires local governments to adopt a policy in respect to event attendance by Council Members and the CEO.

Local Government Act 1995 s. 5.90A(5) - The CEO must publish an up-to-date version of the policy on the local government's official website.

Related delegation

Nil.

Document Control Box			
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Legislation:	<i>Local Government Act 1995</i> Part 5 <i>Local Government (Administration) Regulations 1996</i>		