

POLICY			
TITLE:	ATTENDANCE AT EVENTS	CODE:	EM.05
PURPOSE or OBJECTIVE:	To provide transparency and consider the purpose of, and benefits to the community from Elected Members and the Chief Executive Officer attending events.		
REFERENCE DOCUMENTS:	<i>Local Government Act 1995*</i> <i>Local Government (Administration) Regulations 1996*</i> Department of Local Government, Sport and Cultural Industries Operational Guideline – Attendance at events policy CM 102.1 Elected Members Meeting Attendance and Other Allowances CM 102.2 Elected Members and CEO Re-Imbursement of Expenses <i>*denotes Western Australian legislation and regulations as referenced in this policy</i>		

POLICY STATEMENT
<p>Section 5.90A of the <i>Local Government Act 1995</i> provides that a local government must prepare and adopt an Attendance at Events policy. This policy is made in accordance with those provisions.</p> <p>The policy enables Elected Members to attend certain events as representatives of Council, where tickets, or invitations have been provided to the City as a gift, without restricting an Elected Member’s ability to participate in Council Meetings. Certain gifts received by Elected Members and the Chief Executive Officer (CEO) are specifically excluded from the conflict of interest provisions. A gift that is received in accordance with this policy is excluded from the conflict of interest provisions.</p>

1. Scope

This policy applies to all Elected Members and the CEO. This policy is not intended to provide guidance on the acceptance of a gift.

2. Definitions

<i>Accompanying Person</i>	The spouse or partner of the Mayor (or of the Mayor’s nominated representative), when the Mayor has been invited to attend an authorised function or event in an official capacity.
<i>Act</i>	<i>Local Government Act 1995</i>
<i>Authorised Event</i>	An event an Elected Member is attending or performing a role in an official capacity in the following circumstances: <ol style="list-style-type: none"> WALGA’s Local Government Week functions. Australian or West Australian Local Government events. Advocacy lobbying or Ministerial briefings. Events hosted by City of Canning based clubs or not for profit organisations. Meetings, hosted by the City, for clubs or organisations within the City. City hosted ceremonies, functions or events. City hosted events with employees. City sponsored functions or events. Cultural events/festivals within the City.

	(j) Events run by Local, State or Federal Government. (k) Events run by schools within the City. (l) Opening or launch of an event or facility within the City. (m) Recognition of Service events. (n) Where Mayoral or CEO representation has been officially invited. (o) Where the Mayor and an accompanying person have been officially invited.
<i>CEO</i>	Chief Executive Officer of the City of Canning
<i>City</i>	Local Government of the City of Canning, as per the <i>Act Division 2, Section 2.5</i>
<i>Council</i>	The council of the City of Canning
<i>Elected Member</i>	(a) An elected Mayor of the City of Canning; or (b) A Councillor on the council.
<i>Mayor</i>	Person elected by electors of the district as Mayor to the Council of the City of Canning.
<i>Official Capacity</i>	Elected Members carrying out their role as per the functions defined in s.2.8 or s. 2.9 or s.2.10 of the <i>Local Government Act 1995</i> , and as such representing the Council of the City.
<i>Regulations</i>	<i>Local Government (Administration) Regulations 1996</i>

3. Legislative Context

- (1) Section 5.90A of the Act requires the City to prepare and adopt* a policy that deals with matters relating to the attendance of Elected Members and the CEO at events, including:
 - (a) The provision of tickets to events; and
 - (b) Payments in respect of attendance; and
 - (c) Approval of attendance by the local government and criteria for approval; and
 - (d) Any prescribed matter.

**Absolute majority required*

- (2) A policy or an amendment to the policy must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (3) The CEO must publish an up-to-date version of the policy on the City's website.

4. Invitations or Tickets to Events

- (1) Invitations or offers of tickets should be in writing and sent to the City.
- (2) A ticket or invitation not sent to the City is not captured by this policy, and is subject to both the gift and interest provisions of the Act.
- (3) By way of legislation, invitations or offers of tickets from the following organisations are excluded from the conflict of interest provisions, but gifts from these sources (if over \$300) must still be disclosed and published on the gifts register:
 - (a) WALGA (but not LGIS);
 - (b) Local Government Professionals Australia (WA);
 - (c) Australian Local Government Association;
 - (d) A department of the public service or statutory authority;
 - (e) A government department of another State, a Territory or the Commonwealth; and
 - (f) A local government or regional local government.
- (4) Any other invitation or offer of tickets not sent to the City are not captured by this Policy, and must be disclosed

5. Authorised Events

An authorised event is defined in Part 2 of this Policy. An authorised event also includes events listed at Attachment 1. Attendance at an authorised event will exclude the gift holder from the requirement to disclose an interest, if the donor has a matter before Council and the ticket is above \$300. However, receipt of the gift will still be required to be disclosed and published on the gifts register in accordance with the gift provisions.

6. Payments in Respect of Attendance

- (1) Whilst consideration should be given to the nature of the City's relationship with, and the location of the donor of the tickets, or the event, it is preferable for the City to pay for tickets to the event, rather than accept the gift (of free or discounted tickets).
- (2) Where an invitation or ticket to an event is provided free of charge, the City may reimburse appropriate expenses for attendance, such as travel and accommodation, in accordance with policy CM102.2 Reimbursement of Expenses.
- (3) For any events where a member of the public is required to pay, unless previously approved and listed in Attachment 1, the Council, or its authorised representative, will determine whether it is in the best interests of the City for an Elected Member or the CEO, or another officer to attend on behalf of the Council.

7. Approval of Attendance

(1) Authorised Events

Elected Members and the CEO may attend authorised events as defined in Part 2 and those events contained in Attachment 1 of this policy. By way of this policy, and in accordance with the legislation, attendance at authorised events shall exclude the Elected Member from the requirement to disclose an interest, if the donor has a matter before Council and the ticket value is above \$300.

(2) Non-authorised events – located within the State of Western Australia

- (a) Where an invitation or tickets to an event located within Western Australia are provided to the City free of charge, and not as an authorised event (Part 2) or listed on *Attachment 1 -Events authorised in advance*, the Council (or the CEO where delegated authority exists) is to determine if, and which Elected Members shall attend the event, subject to the following conditions:
 - i. Events for the CEO are to be presented to Council and not determined under delegated authority.
 - ii. The CEO, when exercising this delegated authority, is to take into consideration the criteria as outlined in part 7(4) of this policy.
 - iii. Approval under delegated authority must occur prior to the date of the event.
 - iv. Approval under delegated authority must be recorded on Attachment 1 – Events authorised in advance.
- (b) Delegated authority to the CEO, if granted, is for the purpose of assisting and advising Elected Members to understand their obligations in disclosing interests at a meeting, and not intended to stop or prohibit any Elected Member from attending an event of their choice.
- (c) Approval to attend events exercised under delegated authority shall exclude the Elected Member from the requirement to disclose an interest, if the donor has a matter before Council and the ticket value is above \$300.

(3) Non-authorised events – located inter-state or internationally

- (a) A request for attendance by an Elected Member or the CEO to an event that is located inter-state or internationally, at the expense of the City, or is gifted free of charge, is to be submitted to Council by way of a Notice of Motion (or a report in the case of the CEO) and is to include the relevance and anticipated benefit it will have for the Elected Member and the City.
- (b) Where possible, the cost of registration, travel (if it involves flights or hire car) and accommodation will be booked and prepaid by the City, in accordance with the provisions of Policy CM102.2 - Reimbursements of Expenses.

- (c) The City will, on production of receipts, reimburse incidental travel and accommodation expenses incurred by an Elected Member in accordance with Policy CM102.2 – Elected Members and CEO Reimbursements of Expenses.
 - (d) Within 2 months after the event, Elected Members and the CEO are to submit a written post event report to Council, containing relevant observations and identifying benefits gained for the City. The report shall be presented at an Ordinary Council Meeting as a “Report of Delegates”.
- (4) Criteria to be considered for non-authorised events
- When considering requests for attendance at non-approved events (as contained in parts 7(2) and (3) above), the following shall be taken into consideration:
- (a) Whether it is in the best interests of the City for an Elected Member or the CEO to attend on behalf of the City.
 - (b) Any justification provided by the Elected Member or CEO when the event is submitted for approval.
 - (c) The location of the event in relation to the City.
 - (d) The benefit to the City of the Elected Member or CEO attending.
 - (e) The benefit of City or local government representation at the event.
 - (f) The role of the Elected Member or CEO when attending the event (participant, observer, presenter).
 - (g) The number of invitations or tickets received.
 - (h) The cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

8. Travel/Accommodation Expenses Associated with Attendance at an Event

- (1) Elected Members and the CEO who are approved to attend an event as described in Part 7(1), (2) and (3):
 - (a) May be entitled to accommodation and/or travel in accordance with the provisions of Policy CM102.2 – Elected Members and CEO Reimbursement of Expenses.
 - (b) May be entitled to claim reimbursement for expenses incurred in attending an event in accordance with the provisions of Policy CM102.2 – Elected Members and CEO Reimbursement of Expenses.
 - (c) Are required to submit a claim for any reimbursement of expenses in accordance with the provisions of Policy CM102.2 – Elected Members and CEO Reimbursement of Expenses.
- (2) Accompanying carer
 - (a) Where an Elected Member is attending intrastate, interstate or overseas professional development, and has a disability as defined in the Disability Services Act 1993, the City will meet the cost of a carer to accompany that Elected Member where that carer is a person who provides ongoing care or assistance.
 - (b) The costs provided by the City for an accompanying carer will include travel, meals, registration, accommodation and participation in any programs that the Elected Member they are accompanying is attending.

9. Publication of Register

- (1) The City will publish on its website a register that details the:
 - (a) Date;
 - (b) Location;
 - (c) Cost; and
 - (d) Purpose;

of all events attended by Elected Members or the CEO, where the City has incurred a financial expense. Such Register is to be able to identify costs and reimbursements for individual Elected Members and be updated not less than quarterly.

- (2) The Register is referred to as the Register of Elected Member’s Allowances, Payments and Re-imbursements.

Attachment 1 – Events Authorised in Advance

Event	Date of Event	Approved Attendee/s	Approved estimated contribution cost	Date of Council resolution or CEO delegation
Canning Show	November 2020	All Councillors and partners CEO and partner	24 tickets @ \$15ea Total cost \$360	
ATP Cup	January 2021	Mayor Hall	1 ticket at \$150	

GOVERNANCE REFERENCES

Statutory Compliance	Section 5.90A of the <i>Local Government Act 1995</i> * provides that a local government must prepare and adopt an Attendance at Events policy. Regulations 20B of the <i>Local Government (Administration) Regulations 1996</i> * prescribes gifts that are excluded from the disclosure of interest provisions.
Process Links	Nil

POLICY ADMINISTRATION

Program responsible		Officer Title	
Canning Community & Commercial		Director Canning Community and Commercial	
Version	Decision Reference	Meeting type and date	Delegation No. (or N/A)
1	CC-054-20	OCM 20.10.2020 New Policy	475