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Ku-ring-gai Council

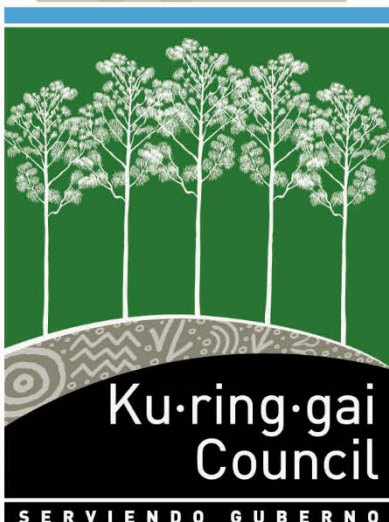
Policy

Grants, Sponsorships, Donations and Environmental Rebates

Version Number 1

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Grants, Sponsorships, Donations and Environmental Rebates Policy

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Related Legislation:	The Local Government Act (1993) section 365 Independent Commission Against Corruption Act (1998) Local Government (General) Regulation 2021 – Reg 217
Related Policies (Council & Internal)	Ku-ring-gai Council Code of Conduct
Related Documents - Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements, etc	<p>Grants</p> <ul style="list-style-type: none"> Community Grants – Arts and Cultural Grant Guidelines Community Grants – Community Development Grant Guidelines Community Grants - General Information for Applicants Community Grants – Small Equipment Grant Guidelines Heritage Homes Grants Guidelines Donations Ku-ring-gai Library Collection Management Strategy <p>General</p> <ul style="list-style-type: none"> Advice of Pecuniary Interest Form Conflict of Interest register Ku-ring-gai Community Strategic Plan <p>Sustainability rebates</p> <ul style="list-style-type: none"> Application for pre-approval – Bushfire Wise rebate

	<p>Application for final claim – Bushfire Wise rebate Application for final claim - Energy Smart rebate Application - Water Smart rainwater tank rebate Application for pre-approval – Water Smart rainscape rebate Application for final claim – Water Smart rainscape rebate Environmental Levy Grant Application Guidelines Net Zero Grants Guidelines Pool pump application for pre-approval Pool pump Rebate application form Terms and conditions for Bushfire Wise rebate Terms and conditions for Smart Programs and Greenstyle Home Assessment Terms and conditions for Water Smart rainwater tank rebate Terms and conditions for Water Smart rainscape rebate</p> <p>Sponsorships</p> <p>Events and Festivals Program Guidelines Sustainable Event Management policy</p>
Other References	<p>Department of Premier and Cabinet – Good Practice Guide to Grants Administration (2022) Independent Commission Against Corruption – Sponsorship in the Public Sector Guidelines (2006)</p>

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Policy

Purpose and objectives

Ku-ring-gai Council's grants, sponsorships, donations, and environmental rebates programs aim to provide support for projects that align with the themes in Ku-ring-gai Council's Community Strategic Plan promoting:

- Community, people, and culture
- Natural environment
- People, places, and infrastructure
- Local economy
- Leadership

This policy outlines Council's processes for the administration of grants, sponsorships, donations, and environmental rebates, and provides guidance to individuals and organisations when applying for Council grants, sponsorships and environmental rebates, and making or receiving a donation.

Scope

This policy applies to Ku-ring-gai Council grants, sponsorships, donations and environmental rebates and outlines eligibility criteria and program specific requirements for Council to consider applications for, and for community organisations or individuals to receive a Council grant, sponsorship, or environmental rebate, or to make or receive a donation.

This policy applies to Council, Councillors, Council employees and all applicants for, and recipients of financial grants, sponsorships, donations, or environmental rebates made pursuant to this policy.

Responsibilities

The *General Manager* and *Directors* are accountable for ensuring compliance with this policy and its associated procedures, that appropriate resources are allocated to the implementation of this policy, addressing any conflicts or issues that arise during the application, assessment and funding process, and ensuring transparency in the allocation of program funding.

Managers are accountable for ensuring that staff are aware of and compliant with this policy and its associated procedures, overseeing the assessment of grants, sponsorships, donations and environmental rebate programs, and ensuring that records of applications and decisions are maintained.

All *employees* are accountable for compliance with this policy and its ethics framework and associated procedures, declaring and managing any conflicts of interest, and maintaining full and accurate records of all applications and decisions.

Councillors are accountable for approval of this policy and any amendments, allocation of funding to programs through the budget process, and considering and approving grant, sponsorship and donations applications presented at a Council meeting.

Under the Code of Conduct, Councillors, and Council employees must not conduct themselves in a manner that is improper, unethical or involves the misuse of their position to obtain a private benefit. Councillors, managers, and employees must disclose and manage any pecuniary or non-pecuniary interests they may have in the administration of Council's grants, sponsorships, donations and environmental rebates programs.

Policy statement

Ku-ring-gai Council's grants, sponsorships, donations and environmental rebates programs support projects that strengthen the social and cultural life of the area while protecting its unique environment. Through these programs Ku-ring-gai Council partners with the community to further the strategic directions outlined in Ku-ring-gai's Community Strategic Plan.

Ku-ring-gai Council recognises and respects the vital contribution of individuals and the community in developing and delivering projects that contribute to a vibrant, inclusive, resilient, innovative, and sustainable local government area. Through its grants, sponsorship, donations and environmental rebates programs, Ku-ring-gai Council provides financial support for a diverse range of projects that contribute to the themes outlined in Ku-ring-gai's Community Strategic Plan.

This policy provides the framework for managing grants, sponsorships, donations, and environmental rebate applications. It sets the expected outcomes of our programs and the principles that guide grant, sponsorship, donations, and environmental rebates administration at Ku-ring-gai Council.

The policy includes:

1. Grant, sponsorship, donations, and environmental rebate principles
2. Ethics framework
3. Grant and sponsorship processes
4. Donations processes
5. Environmental rebates processes
6. Code of Conduct and conflicts of interest

Grants, sponsorships, and donations play an important role in community development and support active participation in civic life. They empower the community to address issues that matter to them and drive projects to create a more inclusive, creative, and resilient Ku-ring-gai.

This policy is supported by relevant annual grant, sponsorship, and rebates guidelines, accessed via Ku-ring-gai Council's website.

Local Government Act 1993

In accordance with Section 356 of the Act:

1. "A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
2. A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
3. However, public notice is not required if-
 - a. The financial assistance is part of a specific program, and
 - b. The program's details have been included in the Council's draft Operational Plan for the year in which the financial assistance is proposed to be given, and
 - c. The program's proposed budget for that year does not exceed 5 percent of the Council's proposed income from the ordinary rates levied for that year, and
 - d. the program applies uniformly to all persons within the council's area or to a significant group of persons within the area".

Council will disclose in its Annual Report the total of all financial donations that have been made in accordance with Local Government (General) Regulation 2021 – Reg 217.

Grant, sponsorships, donations and environmental rebate principles

The grants, sponsorships, donations and environmental rebates programs align with Ku-ring-gai's Community Strategic Plan.

Partnerships and building relationships

Ku-ring-gai Council is committed to building and maintaining relationships based on trust and respect with individuals and organisations committed to addressing social, cultural, economic, heritage and environmental issues. Ku-ring-gai Council recognises the contributions, skills, resources, and commitment that individuals, organisations and communities bring to the funding partnership.

Ku-ring-gai Council is committed to connecting individuals and organisations to networks, resources and knowledge which can strengthen the delivery of projects. Ku-ring-gai Council partners with a range of organisations to deliver on its objectives. This includes grants, sponsorships, donations environmental rebates to eligible non-profit organisations, local businesses, community groups and individuals who have demonstrated they are best placed to deliver public benefit and meet the relevant program guidelines.

Diversity and inclusion

Ku-ring-gai Council values the perspectives and experiences of the communities that live in, work in and visit our local area, and believe this diversity strengthens us. We support the development and delivery of projects that contribute to a more inclusive and equitable Ku-ring-gai where everyone has access to essential services and facilities that enhance wellbeing and quality of life. Ku-ring-gai Council partners with organisations, individuals and local communities to build on the strengths of our communities and enable them to thrive and be resilient.

Ku-ring-gai Council is committed to ensuring that our grants, sponsorships, donations and environmental rebates programs are inclusive and accessible to our diverse communities. We encourage applications which address the needs of young people, older people, people with disability, indigenous groups and individuals, culturally and linguistically diverse communities, women and LGBTIQ+ communities.

Empowering communities

Ku-ring-gai Council strengthens relationships within our community by actively building and maintaining networks, connecting people and business, and ensuring all our diverse communities can participate in civic life. Ku-ring-gai Council funds and supports organisations, businesses, and individuals to address local issues and needs through programs, projects, and events.

Community resilience and Climate Wise Communities

Ku-ring-gai Council is committed to building the capacity of communities, to reduce their environmental impact and increase their resilience in the face of extreme weather events. Organisations applying for grants, sponsorships, donations and environmental rebates are required to show adequate consideration of any environmental impacts and benefits. Organisations are to ensure that any events or programs funded through Ku-ring-gai Council grants and sponsorships are delivered in an environmentally sustainable way.

Efficient use of public funds

Ku-ring-gai Council is committed to ensuring that all grants, sponsorships, donations and environmental rebate funds are used efficiently and prudently to achieve the desired outcomes. Council is committed to conducting due diligence on funding recipients, monitoring the progress of funding programs to ensure they are on track and delivering value, and taking appropriate action if funds are not used as intended or if programs are not achieving their goals.

Ethics framework

Through the grants, sponsorships, donations and environmental rebates program Ku-ring-gai Council does not support any activities or entities that:

- market, promote or advertise products or services in a misleading or deceitful manner
- produce, promote or distribute products or services likely to be harmful to the community
- unlawfully discriminate, or encourage unlawful discriminatory behaviour, including discrimination based on ability, culture, religion, age, gender and sexual orientation in marketing and/or advertising practices
- include or promote party political activities
- promote alcohol, tobacco related products, gambling or entertainment steaming services
- manufacture, distribute or promote alcoholic products where the grant or sponsorship would be related to the provision of services or activities for young people
- contribute to the suppression of human rights
- pollute land, air or water
- destroy or waste non-renewable resources
- are in legal conflict with Council
- have an active involvement in building development in Ku-ring-gai.

The grants, sponsorships, donations and environmental rebate partners must be reputable individuals or bodies.

The objectives of the organisation or individual must not conflict with the values and objectives of Council.

Grants and sponsorships process

Process for advertising grants and sponsorships

Council must make grant and sponsorship opportunities widely known by using broadly based, open processes that are not limited solely to invited organisations.

This may be achieved by a call for expressions of interest, public notices or an invitation to apply, or by advertisement in local print media, Council website and social media. The advertisement must refer to the criteria against which expressions will be assessed.

Eligibility criteria

The eligibility criteria for each of the grant and sponsorship funding streams are contained in the relevant guidelines document accessed via Ku-ring-gai Council's website.

Assessment - grants

Assessment and selection are based on merit including:

- demonstration of correlation with the eligibility criteria, outlined in the relevant grant guidelines
- relevance to the priority funding areas outlined in the relevant grant guidelines
- demonstration of correlation with the specific priorities outlined in the relevant grant guidelines
- providing value for money
- evidence that the applicant has the experience and expertise to deliver the project objectives
- applicants must not have any outstanding acquittals for previous grants.

Assessment - sponsorships

Applicants must demonstrate that their project:

- significantly benefits the local economy by attracting visitors from outside Ku-ring-gai
- generates positive media and brand exposure for Ku-ring-gai Council from within and outside the area
- is held within the boundaries of the Ku-ring-gai Local Government Area
- meets the assessment criteria contained in Council's sponsorships guidelines including: cultural tourism, economic development, social and community development, innovation and sustainability.

To be eligible for sponsorship, applicants must be:

- financially solvent
- a sole trader or individual
- either a for-profit organisation or legally constituted not-for profit organisation, or auspiced by a not-for profit organisation
- a resident of Ku-ring-gai, if applying as an individual.

Assessment process

Once an application is received the relevant manager or delegate will:

- complete an eligibility check against the guidelines.
- confirm that previous acquittals have been received, if relevant.
- convene an assessment panel which may consist of:

- staff with knowledge and expertise relevant to the grant or sponsorship application; and
- independent community members.
- heritage home grants are referred to the Ku-ring-gai Heritage Reference Committee for assessment against the heritage home grants guidelines
- provide assessment guidelines for each grant or sponsorship category which aids the assessors in their determination.
- manage any potential conflicts of interest between the assessors and the applications.
- ensure all staff assessing any grant or sponsorship application have completed the following training modules within the previous two years:
 - Fraud and Corruption Awareness
 - Conflict of Interest
 - Privacy and Personal Information Protection.

Once all applications have been assessed, the relevant manager or delegate will:

- convene an allocation meeting attended by the assessment panel, and
- manage any potential conflicts of interest between the assessors and the applications at the meeting.

Once the assessment panel has made a determination and recommendations for grant or sponsorship funding allocation, the relevant manager or delegate will prepare a report for an upcoming meeting of Council, outlining grant or sponsorship applications and the assessment panel recommendations.

Final decision making in relation to grant and sponsorship approvals will be determined by Council at an Ordinary Meeting of Council.

Should the grant round be oversubscribed applicants may be allocated less funding than the amount requested.

Funding agreements

A funding agreement is negotiated with the organisation or individual for any funding approved under the grants and sponsorships programs.

Funding agreements detail the responsibilities of each party in the delivery of the project, including:

- project deliverables, and milestone schedule if applicable.
- acknowledgement requirements, including marketing, branding and on-site presence at events, if relevant.
- payments and/or in-kind support provided by Council; and
- final reporting requirements.

Project reporting and accountability

An acquittal report must be completed and returned by the funding recipient for funding or support offered through Council's grants and sponsorships programs, within the timeframe and requirements detailed in the relevant grant guidelines, including;

- a declaration certifying that grant monies have been spent in accordance with the funding agreement
- project outcomes
- copies of all receipts related to expenditure of grant monies.

Unacquitted funding

In the circumstance that an individual or organisation has not complied with acquittal timeframes and requirements in accordance with a funding agreement, the following actions are considered:

- The funding recipient is made ineligible to apply for future Council funding; and
- At the discretion of the General Manager, actions may be taken to recover unacquitted funds.

In kind requests and requests received outside the advertised time frames

In kind sponsorship requests, for example permission to use Council's logo, and requests for sponsorship or donations that are received outside the advertised time frames, for example in response to a natural or community emergency, will be considered against the following:

- The sponsorships eligibility and assessment criteria set out in this policy
- The grant, sponsorships, donations and environmental rebate principles set out in this policy, and
- The ethics framework set out in this policy.

Council will make the final determination regarding these requests, unless under exceptional circumstances where the Mayor will make the final determination.

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Donations

A donation is a financial, in-kind, or material contribution to an individual or organisation, with no expectation of any activity or benefit in return. It assumes a philanthropic motivation and is voluntarily and freely given.

Donations can be provided by:

- an individual or organisation to Council (an incoming donation); or
- Council to an individual or organisation (an outgoing donation).

Incoming donations assessment

Council and nominated staff will assess whether the donation can be used in the way the donor has requested prior to accepting the donation. This includes any public recognition or acknowledgment requested by the prospective donor

Council will only accept the donation of public facilities or contribution towards public facilities on public land where it is in the best interest of the community in general. This should be guided by Council's:

- Adopted Community Strategic Plan
- Adopted Section 711 Contributions Plan
- Plan of Management for the public land on which the facility is to be located
- Council's work program or priority list for that type of facility
- Council's Policy for the Management of Community and Recreation Land and Facilities.

Council staff will assess prospective donations (financial and non-financial) with a value up to and including \$20,000. Any proposed financial donation over \$20,000 or item believed to be valued in excess of \$20,000 will be assessed by an Ordinary Meeting of Council to determine the suitability of the donation.

In the instance that Council assesses an offer, Council officers will supply all relevant documentation to accompany a report to Council, the decision of which will be disclosed publicly through Council's Business Paper.

Items of significant value will need to be assessed by Council staff as to the insurance requirements:

- Relevant for artworks, documents and artefacts of local historical and/or cultural significance, books of value and other materials
- Council staff will need to consider matters of insurance cost, risk and opportunity to store the item safely as a part of any assessment process involved in determining whether to accept the article as a donation
- All insurance costs will transfer to Council when taking receipt of such an article and whilst all due care will be taken the burden of risk will remain with the donor, should the article be lost, stolen or damaged.
- Donations must not impose or imply conditions that could limit, or appear to limit, Council's ability to carry out its functions fully, impartially or ethically.

Council does not have deductible gift recipient (DGR) status. No tax-deductible receipts will be issued to donors. Donors will need to receive independent financial advice regarding tax and GST implications.

Acceptable donations to Council

An acceptable donation is one that Council deems to represent an appropriate sum of money or in-kind items/goods/services for a project or activity that falls within the normal scope of Council services.

It is important that Council consider the reasons for the donation and assess this accordingly. It is equally important that Council investigates the entity that is making the donation.

When considering whether to accept a donation, Council should consider the best interests of the public, public accountability, public perceptions and the potential risks as well as the potential benefits. Where Council accepts a donation, Council will respect the wishes of the donor as far as possible.

Examples of acceptable donations to Council may include, but not be limited to:

- financial donations, including offers of donations of, or towards, public facilities on public land
- public facilities including buildings (kiosks, lights, shelters, sheds etc) and structures (benches, playground equipment, barbeques, walkways etc)
- library materials which meet the Ku-ring-gai Library Collection Management Strategy
- documents, photographs, memorabilia, artefacts, diaries and records of historical and/or cultural significance
- artworks created by local artists for display in public places or which record events of local cultural/historical significance.

Unacceptable donations to Council

Examples of unacceptable donations may include, but not be limited to:

- financial donations, items or in-kind donations that may infer excessive restrictions or exclusivity of use or benefit to only the donor
- financial donations, items or in-kind donations from individuals or entities that conflict, or could be perceived to conflict, with the grants, sponsorships, donations and environmental rebates ethics framework as set out in this policy.

Outgoing donations process

All requests for financial support (donations) are to be made in writing and addressed to the General Manager or Mayor. All applications for donations must include:

- name of individual, organisation or community group
- applicant contact details
- background to organisation or group (including your role within the Ku-ring-gai community)
- amount of funds requested
- need and purpose for the funding
- how will the funds be allocated
- timeframe for spending the funding
- proposed outputs and outcomes achieved with the funding.

Outgoing donations assessment

Donation requests will only be considered where there are existing programs or established funding sources.

Council will consider the ethics framework of this policy, as well as the Ku-ring-gai Community Strategic Plan in assessing suitability of the applicant, cause or activity in consideration for receiving an outgoing grant from Council.

Outgoing donations are covered by section 356 of the Local Government Act 1993, which is set out in the policy statement in this policy.

Acceptable donations to third parties

- Donations that align with outcomes identified in Ku-ring-gai's Community Strategic Plan
- Recipients who demonstrate a significant contribution to the social, economic and/or environmental well-being of Ku-ring-gai
- Community events that display a strong and relevant benefit to the local community
- A local, national, or international crisis that Council (and the community) deem necessary to support.

Unacceptable donations to third parties

Financial donations, items or in-kind donations to individuals or entities that conflict, or could be perceived to conflict, with the grants, sponsorships, donations and environmental rebates ethics framework as set out in this policy.

Environmental rebates process

Process for advertising rebates

Council rebate programs are advertised on Council's website and social media channels.

Eligibility criteria

The eligibility criteria and general terms and conditions for each of the rebate streams are contained in the relevant guideline documents accessed via Ku-ring-gai Council's website.

Council staff, and/or their immediate family members applying for an environmental rebate under must submit a completed Advice of Pecuniary Interest form with their application, which will be assessed by the relevant Manager and Director, with final approval by the General Manager who will consider the relationship between the applicants position and the rebate program.

Details of the application must be recorded in both the Conflict of Interest register and the employees personnel file.

Rebates process

All rebates are applied for via the application form on Council's website.

Rebate applications must be accompanied by proof of payment for the approved item and/or service, as outlined in the relevant rebate guidelines document accessed via Ku-ring-gai Council's website.

All rebate applications are assessed by Council staff to ensure the application and all relevant documentation meets the rebate guidelines.

Code of Conduct and conflicts of interest

Ku-ring-gai Council is committed to ensuring transparency and accountability in the administration of grants, sponsorships, donations, and environmental rebates. All Councillors, Council employees, and assessment panel members must disclose any conflicts of interest that may influence, or appear to influence, their impartial decision-making in relation to grant, sponsorship, donations or environmental rebates applications.

Councillors and Council employees are required to disclose any pecuniary or non-pecuniary interests related to the development or administration of grants, sponsorships, donations, and environmental rebate programs, in line with the Council's Code of Conduct.

Council employees must report any financial or significant non-financial interests by submitting the relevant "Advice of Pecuniary Interest" or "Advice of Non-Pecuniary Interest" form to their manager, director, and the General Manager.

This includes Council employees involved in assessing applications for grants or environmental rebates where they, or a close relative, are eligible to apply. Managers must ensure that any potential conflicts of interest are documented and addressed. This may include a process for reviewing applications where a Council employee has declared a conflict, requiring the withdrawal of the Council employee from the review panel and/or the involvement of an independent reviewer.

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Review and evaluation

To assess the effectiveness of the grants, sponsorship and environmental rebates programs, Council will conduct an evaluation of each of its programs at least every four years – in line with the review of this policy.

The evaluation process may involve measuring the impact and outcomes of programs using clearly defined metrics and seeking feedback from participants and Council staff on program performance and areas for improvement.

The findings from the evaluation process will be used to:

- identify where the programs can be strengthened or modified to achieve better outcomes
- inform decisions about resource allocation and funding priorities
- demonstrate to the community that Council is using public funds responsibly and effectively.

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Definitions

Term / Abbreviation	Definition
Assessment team	The person or persons responsible for assessing individual grants and or sponsorships against the grant or sponsorship guidelines.
Access and equity	The principles of access and equity include: <ul style="list-style-type: none"> • Equity for all people through the fair and appropriate allocation of resources; • Equality of opportunity for all people without discrimination; • Access for all people to goods and services provided by the organisation
Conflict of interest	A conflict between the public duty and private interests of a Councillor, employee, contractor or volunteer in which the Councillor, employee, contractor or volunteer has private interests which could improperly influence the performance of their official duties and responsibilities.
Council	Ku-ring-gai Council.
Council employee	A person who is engaged by Ku-ring-gai Council (Council) pursuant to a contract of employment on a permanent or casual basis, or for a specified period or task, as a Local Government Employee or Senior Executive Employee.
Donation	A provision of cash or items of value made voluntarily with no material benefit to the donor. Donations are generally given on charitable or philanthropic grounds.
Eligibility criteria	The conditions that must be met by an applicant to qualify for a grant, sponsorship or environmental rebate, as contained in the relevant grant guidelines.
Funding agreement	A contract between Council and the funding recipient that details how support will be provided and what the recipient is obliged to do to receive the support.
Grant	Funding or in-kind support given to a community organisation for a specified purpose and subject to certain terms and conditions. The funding is typically used to support projects or initiatives that contribute to Council's strategic objectives.
Grant or sponsorship guidelines	Refers to a document containing the relevant information required for potential grantees or sponsorship recipients to understand: the purpose, outcomes and objectives of the grant or sponsorship; the application and assessment process, and the operation of the grant.
Rebate	A subsidy or return of a set portion of the cost incurred by an individual or group in the purchase of a predetermined item or service. Under this policy it refers to subsidies available under Council's environmental and sustainability programs, and excludes rebates and other concessions on ordinary rates and charges.
Sponsorship	Negotiated agreement involving the provision of funds and/or in-kind support to deliver larger-scale projects, in exchange for acknowledgement, publicity or other recognition of sponsorship provided by Council as outlined in the sponsorship guidelines.