

14 February 2022

At the conclusion of the Environment Committee

## **Cultural and Community Committee**

**Agenda**

1. **Disclosures of Interest**

**Healthy Communities Sub-Committee**

2. **Policy - Adoption - Support for Charities Policy**

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1. Register to speak by calling Secretariat on 9265 9310 or emailing [secretariat@cityofsydney.nsw.gov.au](mailto:secretariat@cityofsydney.nsw.gov.au) before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

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Committee reports are available at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au)

## **Item 1.**

### **Disclosures of Interest**

Pursuant to the provisions of the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting.

Councillors are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting.

This will include receipt of reportable political donations over the previous four years.

In both cases, the nature of the interest must be disclosed.

**Item 2.****Policy - Adoption - Support for Charities Policy****File No: X080317****Summary**

This report seeks Council approval of the draft Support for Charities Policy (the Policy), which provides a framework for Council to identify how charity partners may be appointed and the types of charities that may be supported.

The draft Support for Charities Policy has been developed to provide guidance for the City of Sydney and Councillors when responding to requests for endorsement of charitable campaigns and projects, financial and / or in kind support to charities, support for unforeseen domestic and international humanitarian crises, invitations to the City to support or purchase tickets at fundraising events, and the appointment of designated charity partners for the City's major events and festivals.

The Policy covers the appointment of charity partners for major events and festivals, donating to a charity in the event of a humanitarian crisis, official charity partner fundraising at City of Sydney events and festivals and City support of charities other than official charity partners.

The Policy incorporates the existing Humanitarian Crisis Response Guidelines approved by Council on 18 October 2010 and the Support for Charities Guidelines which were approved by the Chief Executive Officer in May 2018.

## Recommendation

It is resolved that:

- (A) Council adopt the draft Support for Charities Policy as shown at Attachment A to the subject report;
- (B) Council rescind the current Humanitarian Crisis Response Guidelines 2010, as shown at Attachment B to the subject report, which are superseded by the Support for Charities Policy;
- (C) Council rescind the current Support for Charities Guidelines 2018, as shown at Attachment C to the subject report, which are superseded by the Support for Charities Policy; and
- (D) authority be delegated to the Chief Executive Officer to make minor editorial amendments to the Support for Charities Policy.

## Attachments

- Attachment A.** Support for Charities Policy
- Attachment B.** Humanitarian Crisis Response Guidelines 2010
- Attachment C.** Support for Charities Guidelines 2018

## Background

1. The City of Sydney recognises the valuable work that charities and charitable organisations do in providing services, and supporting and fundraising for a range of community, environmental, cultural and economic initiatives and needs.
2. The City receives many requests for support from charities and charitable fundraisers. The requests can take the form of requests for financial or in-kind support, and endorsement of a charity through City participation in a charitable event.
3. The draft Support for Charities Policy has been developed to ensure that these requests are considered in a transparent and equitable manner and provides a framework for Council to identify how charity partners may be appointed and the types of charities that may be supported.
4. The Policy covers the appointment of charity partners for major events and festivals, donating to a charity in the event of a humanitarian crisis, official charity partner fundraising at City of Sydney events and festivals and City support of charities other than official charity partners.
5. The Policy also lists criteria around endorsement of charities and City charitable fundraiser obligations. Any proposal to contribute money or provide financial assistance from the City to a charity is a council reserved function and must be approved by Council resolution.
6. The policy applies to full-time, part-time, casual, temporary and fixed term City employees and Councillors.
7. The policy will replace the Support for Charities Guidelines approved by the Chief Executive Officer in May 2018 and the Humanitarian Crisis Response Guidelines approved by Council on 18 October 2010.
8. The Humanitarian Crisis Response Guidelines are to be rescinded by Council with the approval of the Support for Charities Policy.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030

9. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
  - (a) Direction 2 - provides a road map for the City to become A Leading Environmental Performer - where charities that contribute to the City's environmental performance or response to environmental issues are supported.
  - (b) Direction 6 - Vibrant Local Communities and Economies - through support of the community and important causes to generate exposure, provide recognition and build diversity.

**Organisational Impact**

10. There is limited additional resourcing required for implementation of the policy. The policy clarifies processes around existing activities related to the support of charities.

**Risks**

11. The policy includes measures to reduce the risks associated with the support of charities or charitable donations.

**Social / Cultural / Community**

12. Implementation of the policy will support a diverse range of charities and causes to enable benefits for the broader community.

**Environmental**

13. If a relevant charity is supported, it may contribute to the City's environmental aims and assist with the promotion of environmental issues to the broader community.

**Economic**

14. There are no negative economic implications associated with implementation of this policy. The policy will enable the City to provide social support to disadvantaged communities.

**Financial Implications**

15. There are no fees associated with support for charities. There is no income generated for the City.
16. Council may determine to make a discretionary cash donation to charities to provide disaster recovery and redevelopment during or following a crisis.
17. Council may direct donations to specific programs or allow funds to be used at the discretion of the charity. The relevant funding source will be identified at the time a specific donation is recommended to Council.

**Relevant Legislation**

18. Charities Act 2013 (Cth).
19. Local Government Act 1993 (NSW).



### **Critical Dates / Time Frames**

20. There are no critical dates or time frames for this policy. The policy provides a framework for ongoing support of charities.

### **Public Consultation**

21. No public consultation was undertaken nor required for this policy.

**EMMA RIGNEY**

Director City Life

Stephen Gilby, Acting Executive Producer, Major Events and Festivals

# **Attachment A**

## **Support for Charities Policy**

# Support for Charities Policy

## Purpose

To provide guidance for City of Sydney employees and Councillors when responding to:

- requests for endorsement of charitable campaigns and projects
- requests for financial and / or in-kind support to charities
- unforeseen domestic and international humanitarian crises
- invitations to the City to support or purchase tickets (including tables / seats) at fundraising events
- appointment of designated charity partners for the City’s major events and festivals.

## Scope

This Policy applies to full-time, part-time, casual, temporary and fixed term City employees (including agency staff, students on placement and volunteers) and Councillors.

## Definitions

Term	Meaning
Charity	<p>The Charities Act 2013 (Cth) defines a charity as an entity:</p> <ul style="list-style-type: none"> <li>a) that is a not-for-profit entity; and</li> <li>b) all of the purposes of which are:               <ul style="list-style-type: none"> <li>i. charitable purposes that are for the public benefit; or</li> <li>ii. purposes that are incidental or ancillary to, and in furtherance or in aid of, purposes of the entity covered by subparagraph (i); and</li> </ul> </li> <li>c) none of the purposes of which are disqualifying purposes; and</li> <li>d) that is not an individual, a political party, or a government entity.</li> </ul>
Charitable purpose	<p>The Charities Act 2013 (Cth) defines a charitable purpose to include any of the following:</p> <ul style="list-style-type: none"> <li>a) the purpose of advancing health;</li> <li>b) the purpose of advancing education;</li> <li>c) the purpose of advancing social or public welfare;</li> <li>d) the purpose of advancing religion;</li> <li>e) the purpose of advancing culture;</li> <li>f) the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;</li> <li>g) the purpose of promoting or protecting human rights;</li> <li>h) the purpose of advancing the security or safety of Australia or the Australian public;</li> <li>i) the purpose of preventing or relieving the suffering of animals;</li> </ul>

Term	Meaning
	<ul style="list-style-type: none"> <li>j) the purpose of advancing the natural environment;</li> <li>k) any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs (a) to (j);</li> <li>l) the purpose of promoting or opposing a change to any matter established by law, policy or practice in the Commonwealth, a State, a Territory or another country if:               <ul style="list-style-type: none"> <li>i. In the case of promoting a change, the change is in furtherance or in aid of one or more of the purposes mentioned in paragraphs (a) to (k); or</li> <li>ii. In the case of opposing a change, the change is in opposition to, or in hindrance of, one or more of the purposes mentioned in those paragraphs.</li> </ul> </li> </ul>

**Policy Statement**

The City of Sydney recognises the valuable work that charities and charitable organisations do in providing services, support and fundraising for a range of community, environmental, cultural and economic initiatives and needs.

The City receives many requests for support from charities and charitable fundraisers. These requests can take the form of requests for financial or in-kind support, and endorsement of a charity through City participation in a charitable event. This Policy has been developed to ensure that these requests are considered in a transparent and equitable manner.

This Policy also provides a framework for Council to identify how charity partners may be appointed and the types of charities that may be supported.

This Policy covers four areas:

1. appointing charity partners for Major Events and Festivals
2. donating to a charity in the event of a humanitarian crisis
3. official charity partner fundraising at City of Sydney events and festivals
4. City support of charities other than official charity partners.

It also lists criteria around endorsement of charities and City charitable fundraiser obligations. It is noted that any proposal to contribute money or provide financial assistance from the City to a charity is a council reserved function and must be approved by Council resolution.

This Policy replaces the Support for Charities Guidelines 2018 and Humanitarian Crisis Response Guidelines 2010.

## Appointing charity partners

Charity partners can leverage their brand through the City's events while carrying out fundraising and promotion. Charity partners may be promoted through event media and marketing campaigns and public speaking opportunities.

The appointment of a charity partner for the City's Major Events and Festivals including Sydney Christmas, Sydney New Year's Eve and Sydney Lunar Festival, is made through an annual Expression of Interest process. Charity partners are appointed for one year with the option to extend for one year.

Each event is dedicated its own charity partner. The City encourages applications from a range of charities and may directly approach potential candidates as part of the process. An evaluation panel with a minimum of three staff representatives from City Life reviews all applications and presents its recommendation to the Director City Life and then via a Council Report to Council for endorsement. Once a charity partner is selected, contracts are prepared and issued.

Charity partners for other City produced functions or events outside of the City's Major Events and Festivals process may be recommended to Council for endorsement on an ad hoc basis by the Chief Executive Officer based upon staff recommendations. Donations or other financial assistance also require Council endorsement.

The City may also elect not to appoint a charity partner for an event.

## Donating to a charity in the event of humanitarian crisis

A humanitarian crisis occurs when a community's ability to cope is overwhelmed by the damage to its population, its economy or its environment due to an event or series of events. In the event of a humanitarian crisis, the Chief Executive Officer may recommend appointing an additional charity partner to a City produced function, event or festival. A charity partner can be approved on short notice by the Chief Executive Officer in consultation with the Lord Mayor. Any appointment must meet the criteria in this Policy.

Council may also determine to make a discretionary cash donation to charities which provide disaster recovery and redevelopment post a humanitarian crisis. Council may direct donations to specific programs or allow funds to be used at the discretion of the charity.

For international disasters, any donation will be provided in accordance with international protocols and paid through an appeal operated by an Australian charity. Any Australian charity selected for support by Council must be a signatory to the ACFID Code of Conduct, which can be found at [www.acfid.asn.au](http://www.acfid.asn.au). Council must also be able to support requests for the cause which may come from a range of organisations.

The Lord Mayor and Chief Executive Officer may recommend for all staff to be given the option to individually donate to a specific appeal through payroll. Council may also consider whether it will match donations by staff to the appeal.

Funding for Council donations in the event of a humanitarian crisis will be sourced from the General Contingency in the first instance.

## Official charity partner fundraising at City of Sydney events and festivals

Fundraising for an official or additional charity partner at City events and festivals can take place in the following cases:

- a. City staff and / or staff / volunteers of an official charity partner may collect donations at City of Sydney produced events or festivals on behalf of that charity
- b. an option to donate directly to an official or additional charity partner at a City of Sydney produced event or festival through electronic fund transfer directly into the charity's nominated bank account
- c. an option to donate directly to an official or additional charity partner through the ticketing process for a City of Sydney produced event or festival, with funds paid directly into the charity's nominated bank account
- d. an official or additional charity partner may sell merchandise or tickets for participation in activities at a City of Sydney produced event or festival for the purpose of fundraising, with all funds handled directly by the charity.

## City support for other charities

The City may support other charities not approved as official charity partners as follows:

### 1. Cash and in-kind support

#### a. Grants and Sponsorships

The City of Sydney's [Grants and Sponsorships Policy](#) provides the framework for the provision of cash or in-kind support other than as dealt with in this Policy.

#### b. Other support

The Chief Executive Officer in consultation with the Lord Mayor may approve requests from other charities to fundraise at smaller City of Sydney produced functions, events and festivals, based on recommendations from City staff or in the event of a humanitarian crisis.

### 2. Endorsement of charities

Endorsement is distinct from a request for cash or in-kind support. A charity may request endorsement from the City in the form of, for example:

- a. staff providing services or participating in a fundraising activity (eg participating in a charity walk or run to raise money, or holding a fundraising morning tea)
- b. the purchase of ribbons (or other small tokens) to be worn by frontline staff
- c. the City providing space or a location for sales or collection of material in a City owned building (eg the public leaving donations of dog food for the RSPCA at Neighbourhood Services Centres)
- d. the involvement of staff in volunteer work
- e. marketing and public relations support
- f. the purchase of a table at a fundraising event

- g. requests for tickets to City of Sydney produced events
- h. requests to share free tickets with community members (e.g. through Community Centres).

The City receives many requests for endorsement by charities. Approval for endorsement must be given by the Chief Executive Officer.

The WHS manager must be consulted where participation may have implications for health and safety (such as participation in novel physical activities).

Approval for the use of the City of Sydney's logo is granted according to the City of Sydney's Brand Policy. Promotional support is available via listings on the City of Sydney's What's On website and may be considered for inclusion in City centres. Any other promotional or marketing support requires approval of the Executive Manager, Strategy and Communications.

Approval for the purchase of a table at a fundraising event will be given by the Chief Executive Officer in consultation with the Lord Mayor. Invitations to attend fundraising events will be managed by the Protocol Manager, and will be provided firstly to Councillors, then to Executive and then to relevant staff.

Support for other charities through cash in kind or through an endorsement is representative of the City's support in its organisational entirety.

## Criteria for endorsement of charities

To ensure that the City is consistent in the way in which it treats requests for charitable endorsement, the following criteria must be considered in all cases. In line with the Grants and Sponsorship Policy, priority will be given to endorsing charities/charitable fundraisers which:

- contribute toward a coordinated approach to service delivery and the development of responses to emerging social, cultural environmental or economic issues
- strengthen formal and informal support networks, reduce isolation and increase community participation and opportunities
- increase access to the achievement of basic rights for people with the greatest need
- promote a balanced debate aimed at achieving social harmony
- raise funds for a cause or organisation which is in keeping with the City's priorities and ethics
- raise funds for a cause or organisation experiencing exceptional circumstances involving genuine hardship including domestic or international humanitarian crises
- are reputable and not-for-profit
- provide a benefit or service to the people of the City of Sydney or support an issue which falls within the City's role as a capital city council or facilitate City of Sydney residents and visitors to support efforts to respond to a domestic or international humanitarian crisis
- are not for political purposes
- are not for overtly religious or other activities that could be perceived as divisive within the community.

All requests must be assessed using the above criteria and the definitions of charity and charitable purpose under the Charities Act 2003 (Cth), with a final decision to be made by Council.

## City charitable fundraiser obligations

Obligations around Charitable Fundraising are clearly set out in the NSW Fair Trading Charitable Fundraising Guidelines available from <https://www.fairtrading.nsw.gov.au/news-and-updates/news/new-guidelines-for-charitable-fundraising>

It is recommended that these are carefully reviewed and that Legal Services are contacted prior to commencing any fundraising activities to ensure legislative compliance.

Collection of money by Council on behalf of a charitable organisation should be managed in the following way. The fundraising must take place at a City run event and be clear that it is taking place on behalf of the City. Any other form of fundraising must meet all applicable legislative requirements.

1. The organisation must be:
  - (a) a designated charity partner of a City managed event as endorsed by Council;
  - (b) identified as providing disaster recovery and redevelopment following a humanitarian crisis as endorsed by the Chief Executive Officer in consultation with the Lord Mayor;
2. Those collecting funds on behalf of Council must wear name badges clearly identifying who they are and hold an authority from the City. Collection of money may only take place at a Council operated function or event and it must be clear that the appeal is being conducted by or on behalf of the City.
3. Fundraising money may be collected by a donation box. City staff collecting money with buckets, or the use of electronic transfer tap facility depositing funds directly into a nominated City account specifically dedicated to the relevant cause. Receipts must be issued for all donations, except where money is deposited into a donation box or directly deposited into a designated account for that charitable purpose.
4. Receipts for donations obtained in any other way than outlined above must be written and issued immediately for all money received even where not requested by a donor.
5. Gross money collected must be counted by the person who collected the donation along with one other staff member of the City and a receipt issued to the collector immediately. Receipts must contain consecutive numbering and have 'the Council of the City of Sydney' clearly printed.
6. All money must be paid directly into an account specifically designated by that charitable fundraiser.
7. Any guidelines relating to operating expenses, deduction of moneys and investment of funds under the Regulations must be met.
8. Records of all income and expenditure and any particulars required by the Regulations with respect to any appeal must be maintained for at least seven years.
9. Before undertaking to collect funds on behalf of a charity at a City operated event, City of Sydney's Legal Services should be consulted to ensure all legislative requirements are met.



## Responsibilities

Detailed responsibilities are outlined in each of the four areas above:

1. appointing charity partners
2. donating to a charity in the event of a humanitarian crisis
3. official charity partner fundraising at City of Sydney events and festivals
4. City support for other charities.

## Consultation

This Policy has been developed in consultation with Major Events and Festivals, Corporate Partnerships, Social Programs and Services, Grants, Workforce Services, Venue Management, Protocol, City Business and Safety, Sustainability Programs and Legal and Governance.

## References

Laws and Standards
<ul style="list-style-type: none"> <li>• Charities Act 2013 (Cth)</li> <li>• Local Government Act 1993 (NSW)</li> </ul>
Policies and Procedures
<ul style="list-style-type: none"> <li>• Grants and Sponsorship Policy</li> <li>• A City for All, Towards a socially just and resilient Sydney</li> <li>• Creative City, Cultural Policy and Action Plan 2014 – 2024</li> <li>• Environmental Action 2016-2021 - Strategy and Action Plan</li> <li>• Economic Development Strategy</li> <li>• Tickets Allocation Principles and Distribution Procedure</li> </ul>

## Review period

This policy will be reviewed every four years.

## Approval Status

The Council approved this policy on [DD MONTH YYYY].

### Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	(Date, month, year)	Approved by Council	20XX/XXXXXX
Reviewed	(Date, month, year of when it was approved by CEO or Council)	Briefly summarise key changes	20XX/XXXXXX (Governance to populate)
Commence Review Date	(Date, month, year – should be 9 months prior to the end of the next review period)		
Approval Due Date	(Date, month, year of when the next review of the policy is due to be finalised/ approved)		

### Ownership and approval

Responsibility	Role
Author	Acting Executive Producer, Major Events and Festivals
Owner	Director, City Life
Endorser	City of Sydney Executive
Approver	City of Sydney Council

# **Attachment B**

<p><b>Humanitarian Crisis Response Guidelines 2010</b></p>
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# Humanitarian Crisis Response Guidelines

## **PURPOSE**

The purpose of this document is to provide a framework to guide Council decisions in responding to humanitarian crises created by natural disasters.

### ***Development***

Since 2005, Council has resolved to make donations to a variety of charities in response to a number of natural disasters in India, Pakistan, Southeast Asia for the 2005 tsunami, China, Burma, Haiti and the Victorian bushfires.

On 16 August 2010, Council resolved that the CEO, in consultation with the Lord Mayor develop guidelines for the City's provision of support in the event of future humanitarian crises, which take into account

- (i) the scale of the crisis;
- (ii) the capacity of the domestic government and local organisations and agencies to respond to the crisis;
- (iii) the need for ongoing support once the immediate crisis has passed; and
- (iv) the impact of any such crises in our immediate region.

Staff have consulted aid agencies, researched the AUSAID website (the Australian Government's Aid program), and the requirements of the Australian Council for International Development (ACFID) in the development of this policy.

### ***Values***

Providing humanitarian aid assists Council to respond to the United Nations Millennium Development Goals

## **SCOPE**

These guidelines will assist Council's decision making in relation to its response to humanitarian crises caused by natural disasters.

## **POLICY CONTENT**

Council may determine to respond to natural disasters by making a donation to charities which provide humanitarian assistance in the relevant countries.

Council will confirm that the affected country has made an official request for assistance. To take uninvited action would breach international protocols and show a lack of respect for the affected country's sovereignty.

Council will give preference to:

- developing countries
- countries in Australia's neighbourhood, i.e. the Asia Pacific region
- other countries with whom Australia has a development partnership, as listed on AUSAID's website
- Australian natural disasters

The amount contributed will be determined by resolution of Council and will be by way of cash donation to a charity that:

- contributes to disaster recovery and re-development post crisis, and

- is a signatory to the ACFID Code of Conduct.

Council will consider whether its donation will be directed to specific programs, or to be used at the discretion of the agency.

Council may also consider whether it will match donations by staff to the specified charity for the specified natural disaster.

As it is not possible to foresee natural disasters, funding for donations will be sourced from the General Contingency in the first instance.

## **CONSIDERATIONS**

### ***Countries***

Council will consider responding to humanitarian crises created by natural disasters in developing countries in the Asia Pacific region having regard to the scale of the crisis and the capacity of the domestic government and local organisations and agencies to respond to the crisis.

This approach is congruent with the Australian Government Aid program (AUSAID) that focuses on the Asia Pacific region, where two-thirds of the world's poor (some 800 million people) live, yet they receive less than one third of global aid. Australia helps reduce the adverse impacts of natural disasters on vulnerable populations. Developing countries are also highly vulnerable to a range of natural hazards, including tropical cyclones, floods, landslides, droughts, volcanic eruptions, earthquakes and tsunamis.

The long-term effects of disasters and crises undermine growth prospects and hard-won development gains. Where capacity to deliver services is low or insecurity prevails, vulnerability to hazards and conflict increases and poverty is exacerbated. In many cases long term relief is required after a natural disaster.

Council will consider making donations to agencies which support rehabilitation and reconstruction activities in areas that have been struck by disaster. To reduce the likelihood of a similar disaster happening again, recovery and reconstruction efforts that are underpinned by the 'build back better' principle means that steps are taken to ensure that disaster affected communities will be more resilient to future natural hazard events.

### ***Cash donations***

The most effective way Council and members of the public can support a relief effort is by cash donation to one of the many non-government agencies that are appealing for support.

Unfortunately no matter how well-intentioned, gifts of clothing, tinned food, toys, blankets, footwear, cooking supplies and medical supplies are rarely practical or appropriate. Time, money and labour are often wasted in Australia storing, sorting and throwing out donations that are inappropriate for the climate and culture and do not meet the priority needs of the populations affected. Managing such donations also causes major problems for relief authorities in-country, taking paid workers and unpaid volunteers away from the main job of helping people.

Cash allows disaster relief professionals to procure exactly what is needed in a disaster situation. It is the most efficient donation because it does not use up scarce resources, such as transportation routes, staff time, and warehouse space and because it can be transferred

very quickly. Cash also supports the economy of the disaster-stricken region and avoids giving which is culturally, dietary, and environmentally inappropriate. Cash donations do not require transportation costs, which can outweigh the value of materials donated.

### ***ACFID Code of Conduct***

To address the issue of checking whether a charitable organisation in Australia is reputable in relation to Australian overseas aid agencies, the Australian Council for International Development (ACFID) actively consulted with its member organisations, as well as other non-member organisations, to develop the set of principles and standards that form the Code of Conduct (Code).

The Code of Conduct sets out standards in the fields of organisational integrity, governance, communication with the public, finances, personnel and management practice. It aims to enhance standards of operation throughout the international development community to ensure that public confidence is maintained in the use of community contributions to overseas aid.

As a self-regulatory and sector wide Code, the signing on by international development organisations is voluntary, although it is a requirement of ACFID membership. Compliance to the standards is tested predominantly through compliance monitoring of annual and financial reporting requirements, annual self assessment and the investigation of complaints.

### ***Responsibilities***

These guidelines, and any donations approved by Council, will be managed by the Manager Culture and Libraries.

## **REFERENCES**

### **Related Legislation & Standards**

Local Government Act 1993.

### **Related Policies and Procedures**

Grants and Sponsorships Policy.

## **APPROVAL AND REVIEW**

### **Review Period**

Manager Culture and Libraries will review this policy every 2 years

### **Next Review Date**

November 2012

### **TRIM Reference Number**

Document number: 2010/228892-01

## **AUTHORISATION**

Approved by Council on 18 October 2010

## Resolution of Council

**18 OCTOBER 2010**

**ITEM 8.4 HUMANITARIAN CRISIS RESPONSE GUIDELINES (S087265)**

It is resolved that:

- (A) Council adopt the Humanitarian Crisis Response Guidelines shown at Attachment A to the subject report; and
- (B) Councillor Burgmann's contribution in this matter be acknowledged.

Carried unanimously.



# **Attachment C**

<p><b>Support for Charities Guidelines 2018</b></p>
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# Support for Charities Guidelines

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## Purpose

To provide guidance for internal City of Sydney staff when responding to:

- Requests for endorsement of charitable campaigns and projects
- Requests for financial support to charities
- Invitations to the City to support or purchase tickets (including tables/seats) at fundraising events.

## Scope

The City of Sydney recognises the valuable work that charities and charitable organisations do in providing services, support and fundraising for a range of community, environmental, cultural and economic initiatives and needs.

The City receives many requests for support from charities and for charitable fundraisers. These requests can take the form of requests for financial or in-kind support, purchase of a table at a fundraising event and/or endorsement of a charity by City participation in a charitable event. To ensure that these requests are considered in a transparent and equitable manner, the *Support for Charities Guidelines* has been developed.

The overarching Policy which guides requests from charities and for charitable fundraisers is the *Grants and Sponsorship Policy*. The *Grants and Sponsorship Policy* is the primary document, and the *Support for Charities Guidelines* provide guidelines for circumstances that are not clearly a cash or value-in-kind grant or sponsorship request.

These guidelines do not apply for requests to be a designated charity for a City produced event. These requests are assessed by Director City Life and are decided by the Chief Executive Officer in consultation with the Lord Mayor.

## Definitions

The Charities Act 2013 defines

Term	Meaning
A <b>charity</b> as	<p>An entity:</p> <ul style="list-style-type: none"> <li>(a) <i>that is a not-for-profit entity; and</i></li> <li>(b) <i>all of the purposes of which are:</i> <ul style="list-style-type: none"> <li>(i) <i>charitable purposes that are for the public benefit; or</i></li> <li>(ii) <i>purposes that are incidental or ancillary to, and in furtherance or in aid of, purposes of the entity covered by subparagraph (i); and</i></li> </ul> </li> <li>(c) <i>none of the purposes of which are disqualifying purposes; and</i></li> <li>(d) <i>that is not an individual, a political party, or a government entity</i></li> </ul>
A <b>charitable purpose</b> as	<p>Any of the following:</p> <ul style="list-style-type: none"> <li>(a) <i>the purpose of advancing health;</i></li> <li>(b) <i>the purpose of advancing education;</i></li> <li>(c) <i>the purpose of advancing social or public welfare;</i></li> <li>(d) <i>the purpose of advancing religion;</i></li> <li>(e) <i>the purpose of advancing culture;</i></li> <li>(f) <i>the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;</i></li> <li>(g) <i>the purpose of promoting or protecting human rights</i></li> <li>(h) <i>the purpose of advancing the security or safety of Australia or the Australian public;</i></li> <li>(i) <i>the purpose of preventing or relieving the suffering of animals</i></li> <li>(j) <i>the purpose of advancing the natural environment;</i></li> <li>(k) <i>any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs (a) to (j)</i></li> <li>(l) <i>the purpose of promoting or opposing a change to any matter established by law, policy or practice in the Commonwealth, a State, a Territory or another country if:</i> <ul style="list-style-type: none"> <li>(i) <i>In the case of promoting a change, the change is in furtherance or in aid of one or more of the purposes mentioned in paragraphs (a) to (k); or</i></li> <li>(ii) <i>In the case of opposing a change, the change is in opposition to, or in hindrance of, one or more of the purposes mentioned in those paragraphs.</i></li> </ul> </li> </ul> <p>For the purpose of these guidelines, the above definitions will be used.</p>

## Related policies

- Grants and Sponsorship Policy
- A City for All, Social Sustainability Policy (2016)
- Creative City, Cultural Policy and Action Plan 2014 – 2024 (2014)
- Environmental Strategy and Action Plan 2016-2021 (2017)
- Economic Development Strategy (2013)
- Tickets Allocation Policy (internal use only)

## Legislative Framework

In relation to the provision of support through cash in the form of grants or sponsorships, the Local Government Act 1993, s356, states:

- (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 management 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 per cent 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.*
- (4) *Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

S377 of the Act states:

*A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:*

*- A decision under section 356 to contribute money or otherwise grant financial assistance to persons.*

There are no requirements under the Local Government Act 1993 in relation to the provision of support through assistance other than cash.

## Guidelines statement

Charities endorsed by the City of Sydney

The City receives many requests for endorsement by charities. Endorsement is distinct from a request for cash or in-kind support, which is managed through the Grants and Sponsorship Policy. A charity may request endorsement in the form of City participation in an event, for example:

1. staff providing services (eg staff taking part in a charity walk or run, or holding a fundraising morning tea);

2. the purchase of ribbons (or other small tokens) to be worn by frontline staff;
3. the City providing space or a location for sales or collection of materials in a City building (eg the public leaving donations of dog food for the RSPCA at Neighbourhood Services Centres);
4. the involvement of staff in volunteer work.
5. marketing and public relations support;
6. requests for tickets to City of Sydney produced events such as New Year's Eve or Chinese New Year;
7. the purchase of a table at a fundraising event.

To ensure that the City is consistent in the way in which it treats requests for charitable endorsement, the following guidelines will be used to determine if a charity should be endorsed. In line with the Grants and Sponsorship Policy, priority will be given to endorsing charities/charitable fundraisers which:

- (a) Contribute toward a coordinated approach to service delivery and the development of responses to emerging social, cultural environmental or economic issues.
- (b) Strengthen formal and informal support networks, reduce isolation and increase community participation and opportunities.
- (c) Increase access to the achievement of basic rights for people with the greatest need.
- (d) Promote a balanced debate aimed at achieving social harmony.
- (e) Raise funds for a cause or organisation which is in keeping with the City's priorities.
- (f) Raise funds for a cause or organisation experiencing exceptional circumstances involving genuine hardship.
- (g) Are reputable and not-for-profit.
- (h) Provide a benefit or service to the people of the City of Sydney or support an issue which falls within the City's role as a Capital City Council.
- (i) Are not for political purposes.
- (j) Are not for overtly religious activities that could be perceived as divisive within the community.

All requests will be assessed by Grants staff using the above guidelines and the definitions of charity and charitable purpose under the Act.

Approval for requests 1 – 4 above will be given by the Director City Life in consultation with the Director Workforce and Information Services if staff participate during working hours. The WHS manager will also be consulted should the participation have implications for health and safety (such as participation in novel physical activities). The Director City Life may approve the purchase of ribbons (or other small tokens) up to a maximum value of \$200 per charity per year, and will hold a budget for this purpose.

Approval for request 5 above, support in the form of publicity and promotion, (such as the display of posters or flyers in Neighbourhood Service Centres, Community Centres and Libraries, and

inclusion in ‘What’s On’ and use of other marketing tools including use of the City’s logo), will be given by the Director City Engagement, if the request involves significant marketing resources or time.

Approval for request 6 (tickets to City events) and 7 (fundraisers) above will be given by the Chief Executive Officer in consultation with the Lord Mayor. The Chief Executive Officer will hold a budget for that purpose. Invitations to attend fundraising events will be managed by the Protocol Manager, and will be provided firstly to Councillors, then to Executive and then to relevant staff.

### Cash and In-Kind Support for Charities

The City of Sydney’s Grants and Sponsorships Policy provides the framework for the provision of cash or in-kind support to all organisations. All decisions on grants or sponsorships for charities must be made in accordance with the Grants and Sponsorships Policy and the delegated authorities determined by that Policy.

The Grants and Sponsorships Policy can be viewed at:  
<http://www.cityofsydney.nsw.gov.au/community/grants-and-sponsorships>

### References

<b>Laws and standards</b>	<ul style="list-style-type: none"> <li>Local Government Act 1993, s356, s377</li> </ul>
<b>Policies, procedures and guidelines</b>	<ul style="list-style-type: none"> <li>Grants and Sponsorship Policy</li> <li>Grants and Sponsorship Procedure</li> <li>Humanitarian Aid Response Guidelines</li> </ul>

### Approval status

The Chief Executive Officer / Council approved this policy/procedure on XXX.

(A copy of the CEO’s signature should be inserted here.)

### Approval history

Stage	Date	Comment	TRIM Reference
Original Policy	January 2013	Endorsed by the Executive	2013/027019
Review	May 2018	Policy revoked, Guidelines adopted by Executive	2018/260079

### Ownership and approval

Responsibility	Role
Owner	Director City Life



Approved  
23 May 2018



Monica Barone, Chief Executive Officer