

Attachment A

Support for Charities Policy

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

Term	Meaning
	<ul style="list-style-type: none"> j) the purpose of advancing the natural environment; 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); 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"> 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 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.

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

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