



muswellbrook shire council

DRAFT Council Seeking Sponsorship Policy

MSC049E

Authorisation Details

Authorised by:		Internal/External:	External
Date:		Minute No:	
Review timeframe:	4 years	Review due date:	
Department:	Corporate Services		
Document Owner:	General Manager		
Community Strategic Plan Goal	Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community		
Community Strategic Plan Strategy	6.2 Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community		
Delivery Program activity	6.2.1 Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves		

This document is a controlled document. Before using this document, check it is the latest version by referring to Council's EDRMS and ensuring you are using the Last Approved Version. Printed or downloaded versions of this document are uncontrolled.

☎ (02) 6549 3700 @ council@muswellbrook.nsw.gov.au 📍 Campbell's Corner 60–82 Bridge Street Muswellbrook NSW 2333

📮 PO Box 122 Muswellbrook 2333 🌐 muswellbrook.nsw.gov.au 📺 📷 📱 muswellbrook shire council ABN 86 864 180 944

Table of Contents

1	Policy Objective	3
2	Risks being addressed.....	3
3	Scope.....	3
4	Definitions	3
5	Policy Statement	4
5.1	Advertisement.....	4
5.2	Assessment of Sponsorship Proposals	4
5.3	Conflict with Council's Regulatory or Inspectorial Responsibilities.....	4
5.4	Prohibition of Personal Benefits to Councillors and Employees.....	5
5.5	Non-Endorsement of Sponsor or Sponsor's Product or Service	5
5.6	Inclusion in Council's Annual Report.....	5
6	Dispute Resolution	5
7	Related Documents.....	5
7.1	Legislation and Guidelines	5
7.2	Policies and Procedures	5
7.3	Other Supporting Documents.....	5
8	Version History.....	6

1 Policy Objective

The objective of this policy is to ensure that the administration of the seeking of sponsorship activities follows best practice principles of corporate governance.

This policy aims to provide Councillors and staff with guidelines to be used when seeking, negotiating, securing, and maintaining corporate sponsorship agreements.

2 Risks being addressed

Effective sponsorship arrangements can bring many benefits, but they can also create corruption risks and may generate perceptions of unfair advantage for certain sponsors. Public officials need to understand these risks, and the management of sponsorship arrangements must be transparent.

In order to determine the risks posed, and to assess whether these risks are acceptable and can be managed, a risk assessment is undertaken for each potential sponsorship arrangement as it is proposed.

Risks could include:

- conflicts of interest;
- sponsorship that does not eventuate;
- embarrassment to Council;
- Council influenced or perceived to be influenced by a sponsor; and/or
- Council endorses or appears to endorse a sponsor's product or service.

3 Scope

This policy regulates any sponsorship received from a third party for any Council activity, function, or event. The policy applies to all Council staff and Councillors.

This Policy covers Council receiving sponsorship, not Council providing sponsorship.

4 Definitions

Term	Definition
Council	Muswellbrook Shire Council
Sponsorship received	A contribution in money or kind, generally by the corporate sector or private individuals, in support of a Council activity, function, or event. It does not include the selling of advertising space, joint ventures, consultancies, and gifts or donations where the reciprocal benefit provided by Council does not extend beyond the acknowledgment and terms of the agreement.
Personal Benefit	Something offered to or received by a council official, or someone personally associated with them for their personal use and enjoyment.

5 Policy Statement

5.1 Advertisement

Council maintains an open approach to seeking sponsorship. Expressions of interest will be advertised, where appropriate, for a specific event, activity, or purpose. The expressions of interest advertised will, in general terms, describe certain selection criteria required for sponsorship agreement.

If, after fourteen days from the publication of Council's advertisement, there has been no response, or only non-complying responses (that is, responses which do not comply with a set of predetermined criteria), individual organisations or persons may be approached with the approval of the General Manager or their designated Senior Officer.

All sponsorship agreements are to be approved by the General Manager. No formal agreement will be entered into without this approval.

Unsolicited proposals may arise by a potential sponsor without any action that Council has taken. In this situation, the sponsorship offer will be considered by the General Manager and delegates of their choosing. This is to ensure that no conflict of interest exists, and that the proposal is consistent with the market value of a similar agreement.

Note: In the case where Council is seeking large, high profile sponsorship agreements, methods not limited to tendering or expression of interest will be considered.

5.2 Assessment of Sponsorship Proposals

Sponsorship proposals are to be assessed against predetermined criteria which have been published in advance or which are circulated to organisations or persons who have submitted an expression of interest. The assessment shall be undertaken by persons who have relevant qualifications and can act, and be seen to act, impartially. Each proposal shall be assessed on the individual merits of the proposed sponsor and the products or services that are supplied or provided by that sponsor. Any consideration given by Council to the establishment of a sponsorship agreement shall give regard to the following:

- i. consistency with Council's Community Strategic Plan.
- ii. ensuring that sufficient resources are available to enable the promised sponsor benefits to be delivered.
- iii. each sponsorship agreement will include an early termination clause if the sponsor is found to be in breach of the Council's Model Code of Conduct. If a breach is suspected, a preliminary investigation will be undertaken to establish the merits of the allegation.
- iv. that agreements be entered into only with reputable organisations or persons whose public image, products, and services are consistent with the values, goals, objectives, and specific policies of MUswellbrook Shire Council.

5.3 Conflict with Council's Regulatory or Inspectorial Responsibilities

No sponsorship arrangements will be entered into which impose or imply conditions that would limit, or appear to limit, Council's ability to carry out its functions fully and impartially.

If a sponsorship agreement is entered into with an organisation or person who is, or is likely to be, subject to regulation or inspection by Council during the life of the agreement, the sponsor is to be informed in writing that their sponsorship will have no bearing on Council's regulatory or inspectorial responsibilities.

The sponsor is also to be informed in writing that should the sponsor engage in any activity that contravenes Council's regulations, the sponsorship agreement will be terminated immediately.

5.4 Prohibition of Personal Benefits to Councillors and Employees

No Councillor or employee, or members of their families, are to receive a personal benefit from a sponsorship. Should a Councillor or employee perceive a potential conflict of interest in dealing with a sponsor on Council's behalf, that potential conflict of interest is to be declared to the General Manager at the first opportunity.

5.5 Non-Endorsement of Sponsor or Sponsor's Product or Service

Sponsorship of Council activities will not involve explicit endorsement of the sponsor or the sponsor's product or service. Sponsorship excludes sponsor naming rights of any activity/event. Any sponsorship agreement which involves the exchange of products will be evaluated against the predetermined criteria. Council will accept the products only if deemed to be appropriate in the terms of the agreement.

5.6 Inclusion in Council's Annual Report

All sponsorship arrangements will be listed in Council's Annual Report. This listing will contain the name of the sponsor, the activity sponsored, the amount, and the duration of the sponsorship.

6 Dispute Resolution

The General Manager is the interpreter of this Policy and shall be the sole arbiter in respect to the application of this Policy.

7 Related Documents

7.1 Legislation and Guidelines

- Local Government Act 1993
- Local Government (General) Regulation 2021
- Independent Commission Against Corruption (ICAC) Sponsorship in the Public Sector May 2006

7.2 Policies and Procedures

- Model Code of Conduct

7.3 Other Supporting Documents

- Community Strategic Plan
- Delivery Plan
- Operational Plan

8 Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

Version No.	Date changed	Modified by	Amendments/Previous adoption details
1	3/10/2023	Manager Community Services / Business Improvement Officer	Draft version, extracted from Financial Assistance and Sponsorship Policy previously adopted by Council on 11/06/2019, Minute No. 325.