

Attendance at Events

Introduction

This policy is made in accordance with s.5.90A of the *Local Government Act 1995* (the Act).

Objective

To provide transparency about the attendance at events of Elected Members, the Chief Executive Officer or other Shire Officers.

Scope

This policy addresses attendance at any events, whether free of charge, part of a sponsorship agreement, or paid by the local government.

This policy applies to Members, the CEO and to other Shire Officers, where applicable.

Definitions

Term	Definition
Accommodation	Means accommodation paid for by the Shire, in accordance with its primary duty of care obligations, when an event, conference, meeting, or training is held over more than one day and it is not practical to commute back and forth for early starts.
Accommodation costs	Means the cheapest 3- or 4-star accommodation nearest to the venue.
Act	<i>Local Government Act 1995</i> .
Airfare costs	Return economy class flights to and from Perth Airport, and insurance costs related to flight bookings.
CEO	Chief Executive Officer
Conflict of interest	Pertains to the Interests relating to a gift and a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity. <i>Receipt of a gift – any gift, whether or not in a person’s capacity as council member or CEO – will create a relationship of a closely associated person and therefore an interest (sections 5.60 and 5.62).</i>
Council	Means the council of a local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire’s Standing Orders Local Law 2008</i> .

Term	Definition
Events	includes the following — (a) a concert; (b) a conference; (c) a function; (d) a sporting event; (e) an occasion of a kind prescribed for the purposes of this definition.
Interest	(a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and (b) includes an interest arising from kinship, friendship or membership of an association.
Member	means in relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
organisations prescribed https://www.dlgsc.wa.gov.au/docs/default-source/local-government/circulars/departamental-circular-11-2019---new-gifts-framework.pdf?sfvrsn=6bc50fd3_4	<ul style="list-style-type: none"> • WALGA (but not LGIS); • Local Government Professionals Australia (WA); • Australian Local Government Association; • A department of the public service; • A government department of another State, a Territory or the Commonwealth; and • A local government or regional local government.
Parking costs	Street parking costs, airport parking costs, and parking in secure parking businesses (e.g. Wilsons Parking).
Reasonable Expenses	Means claimable costs that are in accordance with policy that has been established by the Council by Resolution and are thereby deemed to be reasonable in the circumstances.
Regulations	Local Government (Administration) Regulations 1996.
Shire	the Shire of Toodyay.
Shire President	Means a mayor or president elected by the council from amongst the councillors.
Travel	Means the action of travelling from home to a location where an event is being held whether that be within the region, the State

Term	Definition
	<p>of WA or other places within Australia subject to the following conditions:</p> <ul style="list-style-type: none"> • Travel within the State of WA is to an approved event; • Any proposed interstate travel to other places within Australia must be approved through a formal decision of Council.

Policy Statement

If a Member, CEO, or other Shire Officer attends an event in accordance with this policy, then no conflict of interest arises. Receipt of gifts is still required in accordance with gift and interest provisions contained in the Act. Acceptance of tickets and attendance at an event other than in accordance with this policy may also give rise to an interest.

1. Provision of Tickets to Events

1.1 Invitations

All invitations or offers of tickets for a Member, CEO or Shire Officer to attend an event should be in writing and addressed to the CEO; either via email, or in person at the Shire's Administration Centre, 15 Fiennes Street, Toodyay.

Any invitation or offer of tickets received directly by a Member, or Shire Officer, not addressed to the CEO; should be referred to the CEO for consideration.

Where a Member or Shire Officer chooses to not refer the invitation or offer to the CEO for consideration, the Member or Shire Officer must ensure that it be disclosed in accordance with gift and interest provisions in the Act and provide a copy of that disclosure to the Shire President or the CEO, respectively.

1.2 Authorised Events

A list of events and attendees authorised by the Shire in advance of the event is provided in the table below. These Attendees are authorised to attend the events listed in accordance with this policy.

Event	Date of Event	Attendees	Shire's Contribution to cost
Targa West <i>(launch, pre-event and post event)</i>	March / August	Shire President and CEO Partners	Nil
Avon Descent <i>(4 VIP Functions)</i>	August	Shire President and CEO All Councillors Partners	Nil

Event	Date of Event	Attendees	Shire's Contribution to cost
Toodyay Race Club	October	Shire President and CEO All Councillors Partners	Nil
Toodyay Agricultural Show	Sept/October	Shire President and CEO All Councillors Partners	Nil
Toodyay District High School	Presentation of Awards throughout the year	Shire President and / or CEO	Nil
Sandakhan Scholarship Presentation	November	Shire President and / or CEO	Nil
Anzac Day	April	Shire President and CEO All Councillors	Free Event
Remembrance Day	November	Shire President and CEO All Councillors	Free Event

2. Approval of Attendance

Applications may be made to the Shire President (for Members) and the CEO (for Shire Officers) regarding any events not captured at Clause 1.2 above.

2.1 Member Considerations

When making a decision regarding attendance applications, the Shire President will consider:

- (a) who is providing the invitation or ticket to the event;
- (b) the location of the event in relation to the local government (within the district or out of the district);
- (c) the role of the Member or CEO when attending the event (participant, observer, presenter) and the value of their contribution;

- (d) whether the event is sponsored by the local government;
- (e) the benefit of local government representation at the event;
- (f) the number of invitations / tickets received; and
- (g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

2.2 Shire Officer Considerations

Where the CEO makes a discretionary decision regarding attendance applications, authorisation to attend may be given in regard to:

- (a) Events which meet a reasonable continuing professional development objective that is in accordance with the provisions of the Continuing Professional Development Policy; or
- (b) Professional Development activities within the provisions of the CEO's contract of employment;
- (c) Local events where the nominal combined value of tickets for the Shire Officer and partner is less than \$150 value; or
- (d) Invitations provided by:-
 - (i) organisations prescribed in the Department of Local Government, Sport and Cultural Industries Circular 11-2019; or
 - (ii) Regional Development Australia; or
 - (iii) a Local Government that is a member of the Avon Regional Organisation of Councils (AROC).

3. Payments in respect of attendance

- 3.1 Where an invitation or ticket to an event is provided free of charge, the Shire may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if Council determines attendance to be of public value, subject to Council Policy.
- 3.2 For any events where a member of the public is required to pay, unless previously approved and listed in Clause 1.2 above; Council will determine whether it is in the best interests of the local government for a Member or the CEO or another Shire Officer to attend on behalf of the Council.
- 3.3 If the Council determines that a Member or the CEO should attend a paid event, the Shire will pay the cost of attendance and reasonable expenses, such as travel and accommodation subject to the Continuing Professional Development Policy.
- 3.4 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the Council.

Reference Information

- [Local Government Payments and Gifts to Members](#) (GOV8);
- [Continuing Professional Development](#) Policy (GOV9);
- [Council Delegates Roles and Responsibilities](#) Policy (GOV12); and
- [Risk Management](#) (ADM18) – containing the Risk Matrix tables.
- https://www.dlgsc.wa.gov.au/docs/default-source/local-government/circulars/departamental-circular-11-2019---new-gifts-framework.pdf?sfvrsn=6bc50fd3_4

Legislation

Local Government Act 1995

- 5.90A. Policy for attendance at events;
- s.5.99A. Allowances for council members in lieu of reimbursement of expenses;
- s.5.100A. Gifts to council members.

Local Government (Administration) Regulations 1996 (Part 8 local government payments and gifts to members)

- r.31. Expenses to be reimbursed (Act s. 5.98(2)(a) and (3)).

Associated documents

Expense Reimbursement Form.

Gift Registration Form.

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