
Cessnock City Council

Community Sponsorship and Fee Waiver Policy

Date Adopted: **27 August 2023** Revision: **2**

1. POLICY OBJECTIVES

- 1.1. To establish a governing framework for the consideration of requests for financial and/or in-kind assistance, by way of sponsorship and/or fee waiving.
- 1.2. To ensure that the administration of such requests is conducted in a consistent, equitable, transparent and financially sustainable manner to provide maximum benefit to the community of the Cessnock Local Government Area (**LGA**).

2. POLICY SCOPE

This policy applies to all staff assessing requests from community organisations seeking either financial or in-kind assistance to undertake activities such as community projects, events, cultural programs, sporting programs and other community services.

3. POLICY STATEMENT

This policy sets out the principles and implementing guidelines for providing financial and/or in-kind support, ensuring that any arrangements are transparent and effective.

- 3.1. Financial and/or in-kind support may be provided by Council to community groups, not for profit organisations and other eligible applicants to support the provision of a range of activities and services that:
 - 3.1.1. Respond to an identified community need and provides benefit to the community;
 - 3.1.2. Are in accordance with key objectives of Council's Community Strategic Plan.
- 3.2. The activities and services may include, but not be limited to, community projects, events, cultural programs, sporting programs and other community services that provide benefit to the Cessnock LGA community.
- 3.3. Financial support, by way of reduced fees or fee waiver, may be provided by Council in cases of hardship or any other category that Council has determined it may consider waiving payment, or reducing a fee.
- 3.4. Council will only provide support under this policy if it is satisfied the applicant meets the eligibility criteria set out in the policy.

4. SPONSORSHIP

Principles for the Provision of Sponsorship

- 4.1. The following principles are specific to the provision of sponsorship by Council. These principles must be followed by Council staff when assessing and administering requests for support.

- 4.2. There must be no real or potential conflict of interests between the objectives of the policy and the mission of the benefactor and Council.
- 4.3. The opportunity for the provision of sponsorship by Council must be made as widely known as possible. Where a decision is made not to offer sponsorship widely, the reasons for doing so must be clearly documented.
- 4.4. **Sponsorship proposals must be presented to Council for a decision.**
- 4.5. Recommendations and approvals for sponsorship should be on the basis of established criteria, consistently applied by Council staff with no personal interest in the outcome.
- 4.6. **Sponsorship proposals must be assessed against the following predetermined and publicly available criteria:**
 - 4.6.1. The organisation seeking sponsorship must be community based;
 - 4.6.2. The organisation seeking sponsorship must be compatible with Council's values;
 - 4.6.3. The project or activity being sponsored must have local impact in the Cessnock LGA;
 - 4.6.4. The organisation seeking sponsorship must offer tangible benefits to Council in return for sponsorship;
 - 4.6.5. The organisation seeking sponsorship must not be actively involved in conflict with Council;
 - 4.6.6. The organisation seeking sponsorship must be seen to have the capacity to fulfil its sponsorship obligations.
- 4.7. The level of recognition and benefits available to Council as a sponsor must be commensurate to the scale of the sponsorship.
- 4.8. Each sponsorship proposal will be assessed on an individual basis and no on-going sponsorship beyond the terms set out in the relevant agreement should be implied or assumed.
- 4.9. Councillors or staff are not permitted to receive a personal benefit from sponsorship arrangements.
- 4.10. Council must monitor sponsorship arrangements to ensure the promised sponsor benefits are delivered. Sufficient and timely information must be provided by the sponsored organisation to enable Council to evaluate the effectiveness of the sponsorship.

5. FEE WAIVERS

Section 610 (E) of the *Local Government Act 1993* (NSW) (**Act**), allows Council to apply a reduced fee or waiver a fee in a particular case if it is satisfied that the case falls within a category of hardship or any other category that Council has determined it may consider waiving payment, or reducing a fee.

- 5.1. Council has determined the following categories;
 - 5.1.1. **Hardship** – where there is evidence that the payment of the fee or charge will impose unreasonable financial hardship on the applicant given their particular circumstances.

- 5.1.2. **Charity** – where the applicant is a registered charity and the fee is for a service that will enable the provision of charitable services to the community of the Cessnock LGA.
- 5.1.3. **Not For Profit** – where the applicant is an organisation that holds “not for profit” status and the fee is for a service that will enable the achievement of their objectives and betterment for the community of the Cessnock LGA and where the payment of standard fees or charges would cause financial hardship.
- 5.1.4. **Commercial** – where the Council, or its contractor, operates a service and reduction of the fee is required to compete in the market.
- 5.1.5. **Non-Provision of Service** – where the Council is unable to provide a service or venue that has been previously agreed upon and an appropriate discount, fee waiver or substitution is required as compensation.
- 5.1.6. **Filming related activities** – applicable fees and charges may be waived or reduced for productions undertaken in the LGA where the production’s purpose relates to charitable, educational or community-based, non-commercial activities or where the production’s primary purpose is to highlight the LGA as a tourist destination.

5.2. The following principles will be considered when applying any reduction or waiver of a fee or charge:

- 5.2.1. Compliance with statutory requirements;
- 5.2.2. Fairness and consistency;
- 5.2.3. Integrity;
- 5.2.4. Equity;
- 5.2.5. Transparency;
- 5.2.6. Commercial imperatives.

5.3. The Council will directly, or through delegated authority, assess and make determinations on requests for reduction or waiver of fees in accordance with these principles.

5.4. Council may also endorse a reduction or waiver of fees to organisations as part of Council’s grant and sponsorship arrangements.

6. RESPONSIBILITIES

Compliance, monitoring and review

6.1. All Council officers must only determine applications for community Sponsorship or Fee Waivers within their limits of Financial Authorisation as delegated by the General Manager and the elected Council.

Reporting

6.2. All applications for Sponsorship will be reported to Council for a decision by the relevant department responsible for providing the in-kind support.

6.3. All applications for in-kind support above the delegated amount of respective officers or the Executive Leadership Team will also be reported to Council for a decision by the relevant department responsible for providing the in-kind support.

Records management

- 6.4. Staff must maintain all records relevant to administering this policy in accordance with Council's Records Management Policy.

Privacy and Personal Information Handling

- 6.5. The personal information collected and received from individuals requesting or enquiring about sponsorship or fee waiving will be used to process such requests and enquiries. The information collected will be used for the purpose outlined, related administrative functions, compliance and complaint handling, internal auditing, and in accordance with Council's Privacy Management Plan and Privacy Statement.
- 6.6. The intended recipients of the personal information are Council officials using it for the purposes outlined in this policy. Council's Privacy Management Plan outlines who the information collected and received is disclosed to, how it can be accessed or corrected.
- 6.7. The provision of personal information is voluntary however Council may not be able to render the service sought, and respond to requests and enquiries made if required personal information is not provided.
- 6.8. The personal information collected may be disclosed to other government agencies as well for purposes outlined in this policy, and/or other government agencies as required.
- 6.9. Collected personal information will be kept in Council's Information Management System in accordance with the relevant legislation. Council's address is 62-78 Vincent Street CESSNOCK NSW 2325.
- 6.10. Individuals may access, correct or update their personal information by visiting Council's website, contacting Council's Privacy Contact Officer on 4993 4100 or by sending an email to council@cessnock.nsw.gov.au.

7. POLICY DEFINITIONS

Council	Cessnock City Council
Sponsorship	Agreements that provide Financial Assistance (Payment) and/or in-kind Assistance (Council Resource) to a group or organisation in support of a project, event, community initiative or service that meets the objectives of Council's Community Strategic Plan.
Fee Waiver	A fee waiver is the full or partial removal of fees associated with the use of Council facilities and/or receiving of Council goods and services.
Not for Profit	A non-government group or organisation that is not operating for the profit or gain of its individual members, whether these gains would be direct or indirect.

8. POLICY ADMINISTRATION

Business Group	Works and Infrastructure
Responsible Officer	Director Works & Infrastructure
Associated Procedure (if any, reference document(s) number(s))	Nil
Policy Review Date	Three (3) years from date of adoption unless legislated otherwise
File Number / Document Number	DOC2018/040583
Relevant Legislation (reference specific sections)	<ul style="list-style-type: none"> • Local Government Act, 1993 • Local Government (General) Regulation 2021
Relevant desired outcome or objectives as per Council's Delivery Program	<ul style="list-style-type: none"> • Objective 1.2 – strengthening community culture
Related Policies / Protocols / Procedures / Documents (reference document numbers)	<ul style="list-style-type: none"> • Community Sponsorship & Fee Waiver – Guidelines and Application Form (DOC2018/056574). • Records Management Policy (DOC2019/038769) • Property Management Policy (DOC2018/063689) • Property Management Guideline (DOC2018/063690) • Council Fees and Charges • Granting of Council's Rebate Contribution on Pensioner Rates Policy (DOC2014/002628) • Hardship Policy (AD2017/022085) • Rates Subsidy Policy (DOC2019/031552)

9. POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
1	Assess and make determinations on requests for reduction of waiver of fees and charges in accordance with this policy	The General Manager Directors Managers

10. POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
1	6 June 2018 (WI38/2018)	New policy Adopted
2	27 August 2023 (WI19/2023)	Periodic Review