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Charitable Donations Policy

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1.0	December 2022	Corporate Governance and Community Services	<p>New policy principles.</p> <p>Policy endorsed by Council on 28 February 2023 for public exhibition.</p> <p>No submissions received during public exhibition period (6 March 2023 to 3 April 2023). Policy adopted by Council on 28 February 2023.</p>



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Charitable Donations Policy

1. Scope

This Policy applies to donations made to charities and/or for charitable purposes. It covers monetary contributions, the sponsorship of charitable events and in-kind donations.

Grant funding for specific projects with community benefits are beyond the scope of this Policy and are covered in the City of Ryde ('Council') Community Grants Policy. In addition, this Policy does not cover the following minor donations and awards, which are included in the Community Grants Policy:

- Representative donations designed to support individuals representing their community at a national or international level in sporting, academic or cultural endeavours
- Annual awards to recognise the achievements of school students in the Ryde area.

This Policy applies to all City of Ryde ('Council') employees (including agency staff, work experience students and volunteers), and Councillors.

2. Purpose

This Policy provides a framework for Council staff and Councillors to:

- Facilitate the funding of charitable donations
- Respond to unforeseen domestic and international humanitarian crises
- Respond to specific charitable appeals
- Sponsor charitable events.

The framework allows Council to respond in accordance with the exercise of due diligence and the probity principles of accountability, transparency and equity.

3. Definitions

Charitable donations are gifts provided without return consideration to support charities and/or charitable purposes.

In-kind charitable donations are donations in a form other than money such as time, products, equipment or services.

Humanitarian crises are a singular event or a series of events that threatens the health, safety, or social or economic well-being of a community or a large group of people.

Charity has the meaning given by section 5 of the *Charities Act 2013 (Cth)*.

Charitable purpose has the meaning given by section 12 of the *Charities Act 2013 (Cth)*. Types of charitable purposes include:

- relieving the poverty, distress or disadvantage of individuals or families
- preventing and relieving sickness, disease or human suffering
- caring for and supporting the aged or individuals with disabilities.

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Human rights has the meaning given by section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011 (Cth)*.

4. Background

Council recognises that charitable donations provide valuable support to a range of domestic and international environmental, cultural, and economic initiatives.

5. Discretionary charitable donations

Any proposal to make a monetary donation, including to sponsor a charitable event, must be approved by a Council resolution.

Funding for monetary donations will be limited to the annual budget set by the Council in the Operational Plan. This will be reviewed each year as part of the budget process. Council will consider the amount allocated in the annual budget for the entire year when determining individual donation proposals.

6. Considering charitable donations

Council may consider making charitable donations where:

- Organisations receiving donations are not-for-profit
- Donations do not provide a commercial benefit or relate to a commercial endeavour
- The recipient of a donation is reputable and has a mission that aligns with Council's values
- Donations made in response to a charitable drive are to be paid through an appeal operated by a registered Australian charity (which can be found through the [Australian Charities and Not-for-Profits Commission Register](#) or the [ServiceNSW Charitable Fundraising Register](#)) or an appeal organised by a government entity within Australia
- Donations must not be made to political parties or individual political candidates
- Donations have a charitable purpose and/or increase access to human rights

In situations where there are several potential recipients of a charitable donation, the following criteria should assist Council in deciding which charity to support:

- The number of people a charity helps
- Whether a charity's mission best addresses Council's objective in donating
- Whether a charity has an effective structure in place to deliver donations.

7. In-kind donations

Council may provide in-kind donations to support charities and/or charitable purposes. Any in-kind donations must consider the impact on Council's essential work prior to being committed. Council staff will advise Council of the impact of any proposed in-kind donation prior to Council making a decision.

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8. Conflicts of interest

Council employees and Councillors involved in providing advice and approving donations must identify and manage any conflicts of interest in accordance with Council's Code of Conduct.

9. Responsibilities

The Executive Manager People and Business is responsible for providing advice about the impact of any potential in-kind donation on Council's work.

The Executive Manager People and Business is responsible for:

- Reviewing this Policy every four years to ensure it is fit for purpose and consistent with legislation
- Keeping a central record of all donations through a Donations Register
- Ensuring all proposed donations are disbursed to legitimate entities and individuals in accordance with sections 5 and 6 of this Policy.

10. Review and Endorsement

This Policy will be reviewed every four years and must be adopted by Council.