



## POLICY

POLICY NO.	CPCG1
POLICY TITLE	Donations Policy
STATUS	Council
SERVICE	Governance
DOCUMENT ID	573978

### PURPOSE

The purpose of this Donations Policy is to provide a framework for the management and coordination of donations to Hunter's Hill Council.

### SCOPE

The scope of the Donations Policy is to define the process which Hunter's Hill Council must observe to ensure donations received by Council are administered in accordance with agreed standards, ensuring:

- Legislative requirements are met.
- Donations can be receipted to meet donor expectations.
- Donations can be applied in accordance with donor requests.
- The process is efficient, effective, accountable and transparent.
- Donations can be accurately monitored and accounted for.
- Donor relationships can be managed professionally.

This policy applies to Council representatives, employees, members of the public, volunteers, groups and anyone with associations to Hunters Hill.

The Donations Policy provides a strategic and collaborative approach to receiving donations to better serve the needs of the local community.

### DEFINITIONS

<b>Employee</b>	Any person with an employment contract with Council and works full time, part time, a casual or term contract basis.
<b>Volunteers</b>	Any person who freely offers to take part in an enterprise or undertake a task. Any person who donates their time for an organisation without being paid.
<b>Representatives</b>	Anyone doing business on behalf or contracted by Hunter's Hill Council.

<b>Donation</b>	<p>A voluntary gift, endowment or bequest that does not provide material benefit to the donor. A donation assumes a philanthropic motivation, where the reciprocal benefit may extend to a modest acknowledgement of the donation.</p> <p>Donations do not include:</p> <ul style="list-style-type: none"> <li>• Donations made during electoral campaigns or to political parties</li> <li>• Donations of time and/or human resources is covered by Council’s volunteering programs</li> <li>• Gifts and Benefits to individual Council staff as covered by the Code of Conduct.</li> <li>• Capital contributions by sporting and community groups as part of defined licence and facilities management arrangements.</li> </ul> <p>Council does not have deductible gift recipient (DGR) status. No tax-deductible receipts will be issued to donors. Donors will need to receive independent financial advice regarding tax and GST implications.</p>
<b>Public Officer</b>	<p>Section 342 of the <i>Local Government Act (1993)</i> requires the General Manager to designate a member of staff as the Public Officer of Council to deal with matters such as requests from the public concerning the council’s affairs.</p>
<b>Sponsorship</b>	<p>Sponsorship is a commercial arrangement in which a sponsor provides a contribution in money or in-kind, to support an activity in return for certain specified benefits (Council has a separate policy that deals sponsorship agreements).</p>

## POLICY STATEMENT

Any donation received should be remitted in full and shall be regarded as a donation towards local infrastructure programs or projects and should be outlined and reported within the framework of Council’s Annual Report. There may be circumstances where a donor expressly asks that the donation be used for a specific purpose. Council can consider this proposal, determine the suitability of the proposal and report to Council with a recommendation for approval or refusal.

### Ways to donate

A one-off or an ongoing donation may be made to Hunter’s Hill Council. Donors can leave a legacy through a gift in their will, or alternatively donate in honour of someone. Council will accept donations in cash, in-kind, by bequest or in any other manner deemed appropriate by the donor and by Hunter’s Hill Council in accordance with this policy. Further to this, donors can:

1. Allow Council to direct where the funds go

One of the most valuable ways a donor can give a gift is to allow Council to direct the funds or goods to an area that needs it the most – whether that’s to upgrade a local playground or reserve, or to use the donation for the maintenance of local roads and footpaths.

2. Select or outline where they would like the funds to go

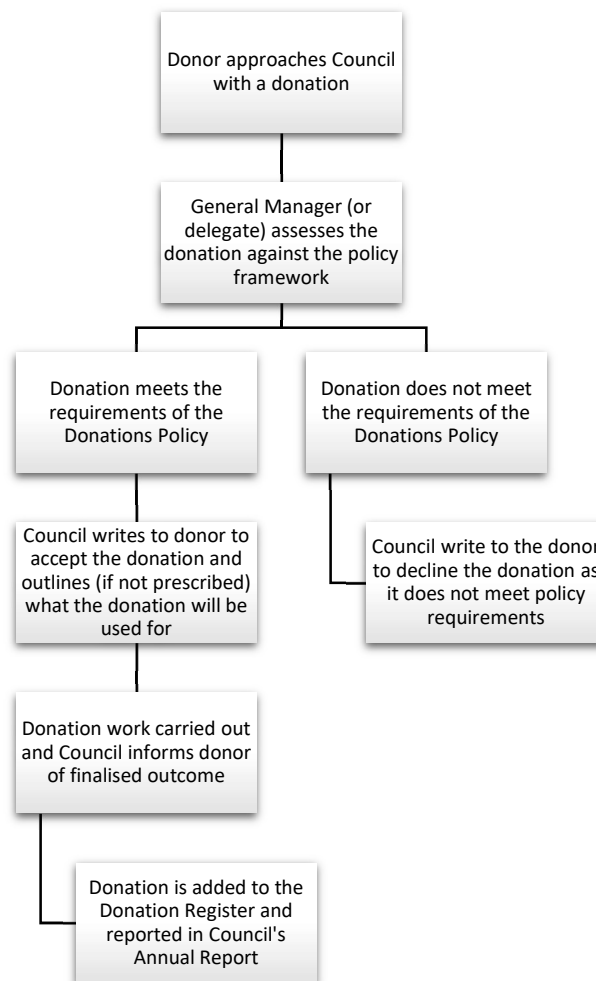
Sometimes donors have a preference as to where they would like their funds directed, particularly if they have been involved with a Council project over a long period of time. An example includes a resident who had a long-standing affiliation with the local art show and who donated on an annual basis to a regional art prize.

### 3. Donate in-kind gifts or donations

An asset a donor may have had in the family for many years can also be a donation or gift to Council. This could include:

- art and collections
- investments
- real estate/properties.

#### Donation process



#### Refusal and dispute of a donation

Hunter's Hill Council may refuse a donation of any value from a donor if there is potential risk to the reputation of Council or if the potential donor is actively engaged in activities:

- Which go against the values and objectives of Hunter's Hill Council.
- Which include the manufacture of any substance or products that contravene any laws or policies.
- Which generally do not respect local, state or national regulations.

Council may decide in its discretion to decline a donation. A record of all declined donations will be kept by Council.

In accepting or declining a donation, the relevant staff member with delegated authority should ensure that appropriate risk reviews are undertaken as part of the approval process.

Any concerns or disputes in relations to the management and approval/non-approval of donations will be referred to Council’s delegated Public Officer.

Breaches of this policy will be managed in line with the Code of Conduct and/or relevant legislation as appropriate to the breach.

Any concerns or disputes in relation to potential corrupt conduct, maladministration or matters of a serious and substantial nature will be reported in line with the Public Disclosures Policy and Code of Conduct Policy.

### **Donor responsibilities**

Donors should seek independent legal and financial advice (as required) with regard to their gift or donation.

### **Donations Register**

Council will maintain and manage a donation’s register as a method of repository of information and record keeping in relation to donations. This will be managed in line with Council’s Records Management Policy, Privacy Policy and Donations Policy (on approval).

A report outlining the donations register will be provided annually to Council within Council’s Annual Report.

## **RELATED POLICIES/PROCEDURES**

Hunter’s Hill Council Sponsorship Policy  
Code of Conduct  
Public Interest Disclosure Policy  
Records Management Policy

## **POLICY AUTHORITY**

Council (or Executive for minor amendments)

## **GETTING HELP**

Please address any inquiries (or concerns regarding donations) to Council’s Public Officer.

## **REVIEW**

This policy to be reviewed once per term of Council.

## **ADOPTED BY COUNCIL:**

DATE: 21 March, 2022  
RESOLUTION NO: 051/22

## **VERSION CONTROL TABLE**

DATE	VERSION	RES. NO.	KEY CHANGES	AUTHOR
21 March 2022	1	051/22	NA	Corporate Strategist