

## Sydney Opera House Policy

<b>Title:</b>	Community Donations Policy
<b>Policy Number:</b>	2023/5
<b>Effective Date:</b>	27/06/2023
<b>Authorisation:</b>	Chief Executive Officer
<b>Authorisation Date:</b>	12/07/2023
<b>Superseded Policy:</b>	N/A
<b>Accountable Director:</b>	Executive Director, People and Government
<b>Responsible Officer:</b>	Government Relations Manager

### 1. CORE PROPOSITION

- 1.1. The Community Donations Policy (Policy) sets out how the Sydney Opera House (SOH) provides support to Not-for-profit organisations through Community donations.

### 2. DEFINITIONS

- 2.1. **Community donations** – Support SOH provides to NFPs through In-kind donations and Charitable collections.
- 2.2. **Charitable collections** – monetary collections undertaken by or on behalf of an NFP at SOH Premises or events delivered through SOH online channels.
- 2.3. **In-kind donations** – donations of goods and/or services by SOH to an NFP without SOH seeking any benefit in exchange. In-kind donations may include complementary tickets to SOH performances, events and tours.
- 2.4. **Not-for-profit organisation(s) or NFPs** – a charity or another entity (registered with the [Australian Charities and Not-for-Profit Commission ACNC](#)) that does not operate for the profit or personal gain of its members, owners or shareholders (as applicable).
- 2.5. **SOH Premises** – the SOH premises at Bennelong Point, including the SOH building and surrounding outdoor areas, and any other premises operated by the SOH Trust.

### 3. SCOPE

- 3.1. This Policy applies to all Community donations made by SOH.
- 3.2. This Policy does not apply to:
- Support provided to NFPs in the form of waived or discounted charges to hold eligible events at SOH Premises (refer to SOH's *Event Support Policy*).
  - House seats and complimentary tickets for staff to attend SOH's events (refer to SOH's *Staff Ticket Use Policy*).
  - Donations by SOH staff through the HOUSE:mates/Workplace Giving program in the form of salary deductions.
  - SOH's community engagement programs that provide tickets to performances, tours or events and subsidized technical equipment or services for engagement and audience development purposes.
  - Benefits SOH provides as part of SOH's private funding program which raises support from individuals, trusts, foundations and corporations, including to fund SOH's range of inclusive and socially impactful programs.

#### 4. PRINCIPLES

SOH will:

- Only support NFPs through Community donations when there is no conflict of interest and in line with SOH's ethical framework including the *Code of Conduct* and *Fraud and Corruption Control Policy*. Staff are required to disclose actual, potential or reasonably perceived conflicts of interest concerning Community donations, as soon as the conflict becomes known.
- Exercise due diligence in managing its resources and make Community donations in accordance with government and public expectations of responsible resource and financial management by SOH.
- Not make financial donations including cash, cheques and money orders.
- Assess all requests for Community donations on a case-by-case basis, in accordance with the eligibility criteria set out in this Policy (sections 5 and 6). These criteria are used to assess requests in as equitable a manner as possible and ensure SOH's support is provided in line with SOH's strategic goals and values and maintains the integrity of SOH's reputation and brand.
- Cap the total value of In-kind donations at AUD 5,000 per financial year.
- Not provide support to the same NFP in consecutive years except in limited circumstances at SOH's discretion.
- Manage all records related to Community donations in accordance with the procedures outlined in section 7 of this Policy and SOH's *Records Management Policy*.

#### 5. IN-KIND DONATIONS

##### Criteria for support

5.1. SOH will consider requests for In-kind donations that meet the following criteria:

- The requesting organisation is an NFP; and
- The NFP's objectives align with SOH's strategic priorities and assist SOH to fulfil its functions under the *Sydney Opera House Trust Act 1961*.

##### Conditions of support

5.2. All In-kind donations made by SOH:

- Must be used in accordance with SOH's relevant policies and guidelines including SOH's conditions of entry.
- Can be acknowledged by the recipient consistent with the recipient's recognition of similar contributions, i.e. SOH does not require any particular form of acknowledgement.
- Are given without any expectation of SOH receiving a benefit in return.

#### 6. CHARITABLE COLLECTIONS

##### Criteria for support

6.1. Clause 9(1)(h) of the *Sydney Opera House By-law 2021* prohibits a person from undertaking a Charitable collection at SOH without SOH's permission. SOH is committed to ensuring that patrons are able to experience SOH Premises with minimal obstruction.

6.2. From time to time, under exceptional circumstances and at SOH's discretion, permission to undertake a Charitable collection at SOH Premises or through SOH online channels may be granted where it is in line with SOH's strategic priorities and values, and not likely to bring SOH into disrepute. Examples include:

- To support a state or national priority fundraising appeal (e.g. for communities affected by natural disasters or hardship).

- Where the collection is integral to an event being held at SOH Premises (e.g. as part of a fundraising concert).
- To raise funds for performing arts-related NFPs or performing artists.
- When requested by a performing artist and provided the artist has a long-standing relationship with SOH and/or a legitimate connection to the fundraising appeal.

### **Conditions of support**

- 6.3. In general, SOH will determine the date, duration and general terms that apply to the Charitable collection activity.
- 6.4. A Charitable collection must not adversely affect SOH's resident companies, hirers, visitors or SOH operations generally.
- 6.5. If a Charitable collection is to be undertaken within an SOH venue and/or adjacent foyer/s during the course of a production, the resident company or venue hirer for that production must agree to the Charitable collection before SOH's permission is granted.
- 6.6. If the NFP making the request is allowed to provide its authorised collecting agents, the agents must display their identification, comply with SOH's conditions of entry and follow SOH's instructions regarding the Charitable collection while at SOH Premises.
- 6.7. Any complaints or incidents involving the NFP's collecting agents may result in them being issued with a direction to leave SOH Premises and SOH withdrawing its approval for the Charitable collection with immediate effect and/or not approving future requests.

## **7. PROCEDURES TO MANAGE REQUESTS**

### **Application**

- 7.1. Requests for Community donations should:
  - As a minimum, include the following information:
    - The organisation's NFP status – by indicating whether they are a charity or another NFP entity and providing their ACNC number.
    - How the In-kind donation or funds obtained from the Charitable collection will be used.
    - In the case of Charitable collections, how the collection will be facilitated and managed while on SOH Premises.
  - Be submitted:
    - In writing (ideally via [charityrequest@sydneyoperahouse.com](mailto:charityrequest@sydneyoperahouse.com)) for consideration, assessment against the eligibility criteria and communication with the applicant, e.g. to provide updates on the application and assessment process or request further information.
    - Within a reasonable timeframe for SOH to consider and assess the request and arrange any operational requirements. This means at least three weeks before the requested In-kind donation is to be used, or the proposed Charitable collection is to take place.

### **Assessment**

- 7.2. SOH reserves the right to approve or reject any requests for Community donations.
- 7.3. **In-kind donations** require approval in writing by SOH's Government Relations Manager and the business unit(s) in control of the product or service. Where the In-kind donation is considered to be sensitive (such as donations that may substantially affect SOH resources), support for the request must be obtained from SOH's director in charge of people-related matters.
- 7.4. **Charitable collections** are assessed by SOH's Government Relations Manager in consultation with SOH's director in charge of people-related matters and the Head of Private Funding.

Recommendations are sent to SOH's Chief Executive Officer (CEO) for approval. In making a decision, the CEO may consult with SOH's relevant directors on matters relating to the request, including access to venues, operational requirements and potential impact on SOH Premises and/or visitors.

### **Outcome**

- 7.5. Applicants will receive SOH's acknowledgement receipt by email within five working days and will be notified of SOH's decision within a reasonable timeframe. If the request is approved, terms and conditions may apply.
- 7.6. SOH's Government Relations team will ensure all records related to the management of Community donations are saved and managed centrally.

## **8. COMPLIANCE**

- 8.1. For SOH employees, compliance with this Policy is a condition of employment. Breaches will be managed in line with SOH's *Code of Conduct* and may lead to disciplinary action.
- 8.2. For workers that are not employees (e.g. contractors, subcontractors and their employees) breaches of this Policy will be dealt with in accordance with their contractual arrangements with SOH. Outcomes may include the termination of contracts or engagements.

## **9. RESPONSIBILITIES**

- 9.1. **All staff** are responsible for complying with this Policy.
- 9.2. **Government Relations Manager** is responsible for:
  - Receiving, assessing and managing community donation enquiries and requests in accordance with this Policy.
  - Advising applicants on the outcome of their requests.
  - Implementing, monitoring and leading the review of this Policy.
- 9.3. **Ticketing Services team** is responsible for processing and recording approved requests that involve providing tickets to SOH performances, tours or events in conjunction with the Government Relations Manager and in line with this Policy.
- 9.4. **Managers and supervisors** are responsible for:
  - Ensuring staff under their supervision have read and understand this Policy.
  - Monitoring and controlling the services and products provided as In-kind donations within their area of responsibility, in consultation with relevant staff members and stakeholders.
- 9.5. **The director in charge of people-related matters** is responsible for assessing the appropriateness of an In-kind donation as required under 7.3, including how granting such a donation may affect SOH resources or be inconsistent with community expectations.
- 9.6. **The Chief Executive Officer** is responsible for approving requests for Charitable collections and ensuring SOH's brand and reputation are upheld.

## **10. RELEVANT LEGISLATION**

- Sydney Opera House Trust Act 1961 (NSW)
- Sydney Opera House Trust By-law 2021 (NSW)

## **11. SOH DOCUMENTS**

- Code of Conduct
- Delegations of Authority Manual
- Event Support Policy
- Fraud and Corruption Control Policy
- Records Management Policy

- Staff Ticket Use Policy.

**Version History**

<b>Version</b>	<b>Approved by</b>	<b>Approval date</b>	<b>Effective date</b>	<b>Sections modified</b>
1.0	Chief Executive Officer	28/11/2013	28/11/2013	New policy
1.1	Chief Executive Officer	27/06/2023	12/07/2023	General update to clarify the process around Community donations and review responsibilities.

**APPROVED**

Chief Executive Officer

Date