



Light
Regional
Council

Grant Funding Policy

Reference Number:

Responsible Department:

Related Policy/Procedure:

Section 9 No. 01

Strategy & Development Department

9.06 Event Management Policy

6.13 Internal Review of Council Decisions
Procedure

6.09 Public Consultation Policy

Grants, Sponsorships, and Incentives
Scheme Handbook

2.04 Code of Conduct for Employees

2.02 Code of Conduct for Council Members

6.12 Complaints Handling Policy

Date of Adoption:

24 April 2012

Current Review Date:

22 February 2022

Minute Reference:

OCM-2022/010

Version Number:

Amendment No. 5

Applicable Legislation:

Disability Inclusion Act, 2018

Food Act, 2001

Local Government Act, 1999

Local Nuisance and Litter Control Act 2016

Planning, Development, and Infrastructure
Act 2016

Single-use and Other Plastic Products
(Waste Avoidance) Act 2020

Next Review Date:

February 2025

Review Frequency:

Every three (3) years

or as required by Council

1. Introduction

To support community vibrancy, vitality, endeavour, culture and opportunity, Council offers an annual Grants Program.

2. Purpose

The purpose of this policy is to guide the way Council provides funding to its community.

Council provides funding to external organisations and individuals to empower its community and support community initiatives. This initiative aims to improve the lives of people that live, work, study and/or volunteer here, and enhance the experience for visitors to our region.

This policy should be read in conjunction with the guidelines for Council's individual grants program components, as expressed in the *Grants, Sponsorships, and Incentives Scheme Handbook* and any other grant program guidelines that may be prepared from time to time.

3. Policy Principles

The principles of the policy are that funding programs will benefit communities within the Council area, and:

- be open and transparent;
- be fair, equitable and inclusive;

- support our communities' initiatives and activities;
- encourage partnerships between community groups, and build collaboration between council and other organisations to maximise positive outcomes;
- align with Council's strategic goals; and
- be in line with good governance and best practice.

4. Aim

The Grants Program aims to:

- stimulate community development by supporting cultural and community initiatives within the Council area;
- foster or provide new services, initiatives and resources which address the needs of the local community;
- create opportunities which develop the knowledge, skills and confidence of community members;
- encourage increased participation in local community and cultural activities, building a greater sense of community connection and pride;
- support local young people residing within the Council area to participate in community life;
- Attract visitors to the Council area;
- To improve the local amenity of Council areas for the benefit of the community and visitors;
- Help achieve Council's strategic aims, as outlined in its Strategic Plan; and
- support the custodians of Heritage Places within the Council area to undertake conservation works.

5. Scope

This policy guides the creation and administration of Council's Grants Program where funding is provided to our community through an application process (i.e. 'grants out').

It is acknowledged that any legislative requirement which affects Council will take precedence over Council's policies and procedures.

The policy excludes:

- any funding provided without an application process;
- any funding provided as a fee for service;
- procurement, purchasing or tenders; or
- contract management.

Policy No:	Section 9 No. 01	Date of this Policy:	22 February 2022	Page 2 of 10
Version:	Amendment No. 5			

The policy does not apply to grants attraction ('grants in') where Council seeks to attract funding for Council activities.

6. Definitions

6.1.	Acquittal	means information provided by a grant recipient that ensures the funds have been administered responsibly and in line with the funding agreement/conditions of the funding program (grant evaluation)
6.2.	Activity	means an event, program, project or capital works/ infrastructure development, or item purchase.
6.3.	Auspecting	means an arrangement where an eligible organisation agrees to apply for and manage a grant on behalf of another group. The auspecting organisation is responsible for all financial and acquittal requirements.
6.4.	Business	an organisation that operates for the purpose of making a profit, including those that have registered a business name and/or obtained an Australian Business Number (ABN). This includes sole traders, partnerships and companies as defined by the Australian Tax Office.
6.5.	Council	means Light Regional Council.
6.6.	Conditions of Funding	means all legal funding agreements and contracts.
6.7.	Officer	Council Officer delegated to undertake the activity.
6.8.	Donation	means funding provided on a once-off basis for a specific purpose, with no expectation of anything in return.
6.9.	Funded activities	means any event, program, project or purchase undertaken using funding from a grant program.
6.10.	Funding	means any monies provided to an organisation or individual through a grant, sponsorship, donation or scholarship to support the delivery of a particular activity.
6.11.	Funding program	means any grant, sponsorship, donations or scholarship program allocated based on merit through an application and assessment process
6.12.	Grant	means funding provided by an organisation to another organisation or individual for an agreed purpose, usually to support the delivery of a particular activity for the purpose of this policy 'grant' means any grant, sponsorship, donation or scholarship program where Council is providing funding to its community to support their initiatives in line with the objectives of

		Council's funding programs, and allocating funding based on merit through an application and assessment process.
6.13.	Guidelines	The Council's <i>Grants, Sponsorships, and Incentives Scheme Handbook</i> and any other grant program guidelines that maybe prepared from time to time.
6.14.	Local	Within the Light Regional Council area.
6.15.	Not-for-profit organisation	<p>An organisation meeting the Australian Tax Office (ATO) definition of a legal entity, that is:</p> <ul style="list-style-type: none"> • an incorporated association, or • an indigenous corporation <p>AND/OR</p> <p>A charity or public benevolent institution registered with the Australian Charities and Not-for-profits Commission (ACNC).</p>
6.16.	Profit	an advantage or benefit, in particular a financial gain, especially the difference between the amount earned and the amount spent on funded activities.

7. Policy

7.1. Probity

Council will make sure that its funding processes are fair, in accordance with the published grant guidelines, incorporate appropriate safeguards against fraud, unlawful activities and other inappropriate conduct.

Elected members and employees (staff):

- are not permitted to apply for Council grants;
- must not be involved in compiling an application for Council grants, noting guidance and advice for grant applicants is available from officers;
- must not be named on an application for a Council grant;
- must not initial or sign an application form or funding contract for Council grant programs;
- must declare any conflict of interest with a grant application, and must remove themselves from any role in the assessment and approval process;
- must not profit in any way from Council grant programs or the activities that they are funding.

This section of the Policy should be read and applied in conjunction with Council's relevant Code of Conduct policies and the *Local Government Act 1999*.

7.2. Elected Member's Role

Elected members are responsible for approving all grant programs, including:

- grant budgets (through the annual Budget process);
- the establishment of any new grants, including the grant guidelines;
- major changes to existing grant guidelines, such as eligibility or the types of activities funded; and
- funding allocations to successful applicants.

Elected members may also be involved in the assessment process for grants, for example on the relevant Committee of Council that a grant funding program is aligned to.

7.3. Guidelines

Council's grant funding program is outlined in its Guidelines, identified as *the Grants, Sponsorships, and Incentives Scheme Handbook* and any other grant program guidelines that may be prepared from time to time.

These should explain:

- the purpose of the funding program, and any links to Council's Strategic Plan;
- who is eligible to apply;
- the amount of funding available (both the total funding pool and the minimum and maximum grant amounts);
- eligible costs (the types of activities that can be undertaken with the funding);
- funding rounds and timing (where applicable);
- an overview of the assessment process;
- any merit criteria to clarify how applications will be considered;
- a description of the acquittal requirements, and
- contact details for officers responsible for coordinating the relevant grant funding program.

The guidelines for each program will be reviewed periodically, and any major changes will be approved in line with Section 7.2.

7.4. Application Forms

Council will endeavour to prepare documentation for community members to apply for funding (such as application forms) with the user in mind. This includes tailoring the questions and supporting material required of the applicant in a way that is commensurate with the amount of funding available and to support an equitable and transparent assessment process.

7.5. Eligibility

Council's Guideline documents will specify who is eligible for each funding program. To be funded an organisation must be a legal entity as defined by the Australian Tax Office (ATO). The two exceptions, where permitted and specified within individual funding guidelines, are:

- When Council funds individuals; and
- when the applicant is auspiced by a legal entity

7.6. Auspicing

Auspicing is intended to enable community members and groups that do not meet the ATO definition of a legal entity to be able to access Council's funding programs. Organisations with a structure and/or purpose that is deemed ineligible for a grant cannot obtain auspicing in order to meet Council's eligibility requirements. For example, a business cannot be auspiced in order to apply for a grant that is only open to not-for-profit organisations.

7.7. Acquittals

An acquittal will be required from all successful grant recipients as a part of their funding conditions. The level of information that must be provided in the acquittal should be aligned with the amount of funding allocated through the grant program, and will be described in the grant guidelines, and detailed in the Conditions of Funding.

7.8. Unsatisfactory Dealings

Organisations that have had unsatisfactory dealings with Council may be precluded from receiving funding. For example, an organisation may be deemed ineligible for funding in future funding rounds if they have:

- breached their Conditions of Funding
- failed to deliver on the projected outcomes, or
- repeatedly failed to deliver a complete event application (with all required documentation) within the agreed timeframe, or
- failed to acquit a grant.

A record will be kept of all breaches and issues in a central register for future reference, including any correspondence with the grant recipient.

Minor breaches or issues may exclude an organisation from being funded until the issue is rectified to Council's satisfaction. Major breaches may exclude an organisation from being funded indefinitely. Whether or not an organisation is funded is always at Council's discretion.

7.9. Council's Brand and Reputation

The assessment of all funding applications will take into consideration the potential impact and risk, both positive and negative, on Council's brand and reputation. Council reserves the right not to fund any application or organisation that could possibly damage Council's brand or reputation. This is particularly the case for applicants that do not align with Council's values. Whether or not an application or applicant is funded is always at Council's discretion.

7.10. Late Applications

Applications must be received by the deadline of the funding program as outlined in the relevant guidelines. Late applications will be deemed ineligible and will not be accepted.

7.11. Incomplete Applications and Missing Information

If a funding application submitted to Council is incomplete or missing information, the applicant may be contacted by an officer to address the situation. The officer should inform the applicant of what further information is required and provide up to five business days, time permitting, for the applicant to submit the relevant information/documentation.

If the information is not provided within this period, the officer or relevant Committee of Council that the grant funding program is aligned to will then decide on the eligibility status of the application and/or proceed with the assessment based on the documentation available at that time.

7.12. Multiple Applications

Applicants may submit one application per funding category per financial year, providing the applications are for different activities, events or projects. However, to ensure equity and fair access to Council funding, when assessing an application Council may choose to rank an applicant lower if they have already secured funds through another Council grants program or round in the same financial year.

7.13. Profit-Making Activities

Activities that indicate they may return a profit for the applicant will be considered, however attention will be given to whether Council funding is required for the activity to go ahead, and how the profits are likely to be used. These factors will be considered in the grant assessment process.

7.14. Assessment and Approval

To ensure transparent decision-making, applications will be assessed based on criteria provided in the program guidelines.

The assessment criteria will generally guide the ranking of applications, whether they will be funded, and to what extent.

However, Council reserves the right to decide which applications will be funded and to what extent.

For probity, grants should be evaluated by the relevant Committee of Council that the grant funding program is aligned to which will provide recommendations to Council for its consideration.

Funding allocations will be approved by Council. Applicants will be advised of the outcome in writing.

7.15. Privacy and Confidentiality

Information provided with an application to the funding process becomes a public document and may be subject to searches initiated on Council's records.

Council will also need to include application information in its public agendas during the consideration of grant allocations.

7.16. Conditions of Funding

All successful applicants will be required to adhere to Conditions of Funding and deliver their activity/activities as outlined in their funding application.

The conditions will require a funding acquittal/evaluation report to finalise the grant arrangement (refer 7.7).

The conditions will include relevant clauses to ensure successful applicants:

- use Council grant funds for the purpose outlined in their application;
- indemnify Council and its staff against any actions, costs, claims, charges and expenses which may be brought or made to claim against them in relation to their funded activities;
- comply with all relevant legislation, laws, regulations and guidelines;
- obtain any required consent, permits, licences or approvals before commencing their funded activities, and comply with them;
- ensure the safety and wellbeing of employees, volunteers and the public;
- undertake to minimise any impact to the environment and local residents;
- manage all enquiries/complaints in relation to their funded activities;
- are aware of their requirements for reporting and acquittal/evaluation.

Applicants that breach or do not comply with the Conditions of Funding may be asked to return Council's funding and/or may be deemed ineligible for future funding.

All contractual breaches/non-compliance will be recorded for future reference and made available for consideration in assessing grant applications.

7.17. Payment

Payment terms are detailed in the Guidelines.

7.18. Cancelled or Postponed Activities

When a successful applicant notifies Council of the cancellation of their funded activity Council will consider this on a case-by-case basis. Generally Council should seek return of Council funding in line with the relevant grant guidelines, allowing for the deduction of any costs incurred by the applicant to date (as identified in a final budget).

If the applicant believes there is an option to alter the activity or defer or postpone it for up to 12 months, this option is preferred to cancellation. When activities are changed or postponed, funding can generally be retained by the applicant until the activity has been completed within the re-negotiated timeframe. All changes to funding agreements must be documented and recorded in line with Council's procedures.

7.19. Ongoing Funding

Ongoing funding is not available under Council's Grants Program.

7.20. Unallocated Funding

It is within Council's discretion to:

- a) move unallocated funds between funding programs/rounds¹
- b) retain unallocated funds as savings.

7.21. Unsolicited Request for Funding

Unsolicited requests for funds will be directed to an appropriate funding program (if any) and must fulfil the application process and meet requirements as detailed in the relevant guidelines to be considered for funding. If applicable, alternative funding opportunities may be presented for consideration.

8. Complaints and Disputes

Any concerns, complaints or disputes raised will be managed according to Council's Complaints Handling Policy.

9. Further Information

This policy is available for inspection, downloading or printing from Council's website www.light.sa.gov.au

10. Policy Review

This Policy will be reviewed in line with Council's Policy Framework or earlier in the event of major changes to legislation or related policies/procedures or if deemed necessary by the Chief Executive Officer or delegate.

11. History of Policy Amendment

1. Policy adopted by Council on 24 April 2012, Council Minutes Reference S&P9.4.2/2012, Page 2012/67
2. Amendment 1 of Policy adopted by Council on 22 October 2013, Council Minutes Reference 10.4.1 Page 2013/311.
3. Recommencement of Heritage Incentive Scheme adopted by Council on 27 May 2014, Council Minutes Reference 10.4.1 Page 2014/104.
4. Amendment 2 of Policy adopted by Council on 25 July 2017, Council Minutes Reference 13.3.2 Page 2017/264
5. Amendment 3 of Policy adopted by Council on Tuesday 26 June 2018, Council Minutes Reference 13.2.2 Page 2018/222.
6. Amendment 4 adopted by Council on 23 February 2021, Item Reference STR9.3.1/2021, Minute Reference 2021/40.
7. Amendment 5 adopted by Council on 22 February 2022, Item Reference OCM-2022/010.