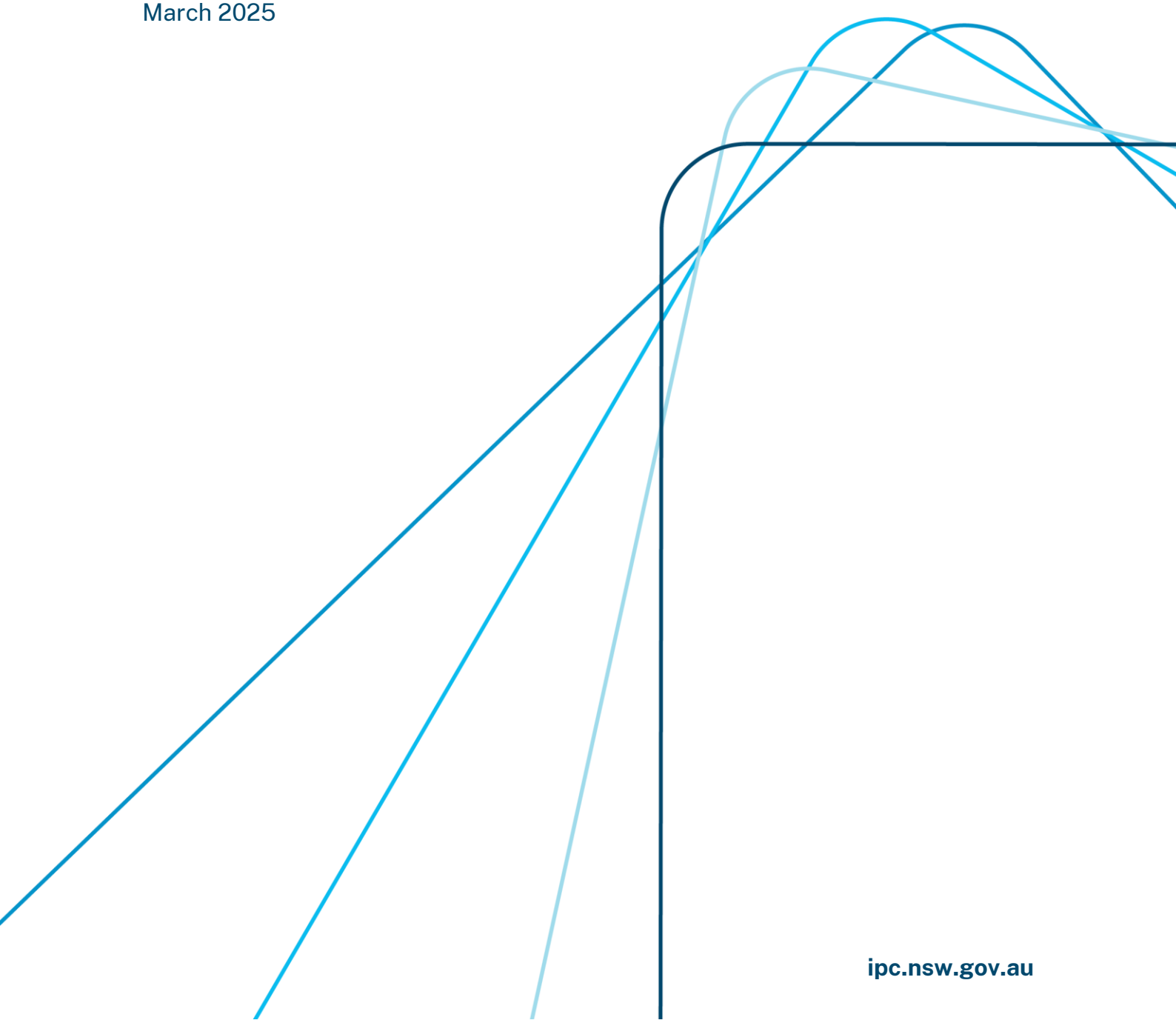
Information and Privacy Commission NSW

IPC Sponsorship and Strategic Partnership Policy

March 2025



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Introduction

The Information and Privacy Commission NSW (IPC) aims to promote and protect privacy and information access rights in NSW and provides information, advice, assistance and training for agencies and individuals on privacy and access matters. To help achieve our aim, the IPC Strategic Plan 2024 – 2028 commits us to several objectives, including to:

- Safeguard rights through informed oversight
- Enhance public sector integrity through good practice guidance
- Empower communities through knowledge about privacy and transparency
- Be a place people want to work, through embracing diverse ideas and perspectives.

To achieve these objectives, the IPC regularly considers a broad range of working arrangement and resourcing options. Part of this process is an assessment of partnership and sponsorship arrangements with a variety of public sector agencies, business and not for profit organisations.

This policy is directed towards giving clear direction to all when dealing in partnership and sponsorship arrangements with the IPC and being open and transparent in the arrangements entered by the IPC.

Summary

The purpose of this policy is to implement a framework for consistently establishing and managing partnership and sponsorship arrangements entered by the IPC. Responsible officers of the IPC must ensure that:

- all partnership and sponsorship arrangements entered are in accordance with this policy
- a central register is kept of all partnership and sponsorship arrangements entered, including the parties, the purpose of the arrangement and its duration
- all partnership and sponsorship arrangements are formally reviewed on a regular basis to ensure alignment with current IPC priorities
- criteria for evaluation and approval of proposals are provided to ensure consistency, transparency and direct alignment of resources with core organisational responsibilities and government priorities, and to maximise the benefits and minimise the risks associated with partnership and sponsorship arrangements.

This policy is based on key principles and guidance for entering into partnership and sponsorship arrangements detailed in The Cabinet Office Circular C2024-05 Sponsorship Policy issued in October 2024. While this policy is IPC specific, further information and detail can be found in the Sponsorship Policy.

1. Scope

This policy applies to sponsorship and strategic partnership arrangements as described in the definition section below.

The scope of the arrangements entered may be broad in nature and may include the below, as distinct from regular IPC speaking engagements (Speaking Engagements Policy D25/004792/DJ):

- support for conferences, training programs or workshop presentations
- participation in events
- provision of guest speakers to reach diverse and key audiences
- financial support for events/products/services.

2. Purpose

The IPC aims to ensure consistency, transparency and direct alignment of resources with core organisational responsibilities and government priorities when entering partnership or sponsorship arrangements, and to maximise the benefits and minimise the risks associated with partnership and sponsorship arrangements.

The policy provides guidance on the management of sponsorship or partnership arrangements. While most sponsorships or partnerships are expected to result from invitations from the IPC, some may result from unsolicited requests or offers from external organisations.

3. Definitions

For the purposes of this policy, the following definition for sponsorship from the NSW Government Sponsorship Policy has been adopted:

“a sponsorship is a commercial arrangement in which a sponsor provides a sponsorship recipient with a contribution of money or in-kind to support an activity in return for specified benefits. The benefits usually involve public acknowledgement of the fact that the sponsor has contributed to the activity”.

Sponsorship does not include:

- the selling of advertising space
- joint ventures
- consultancies
- grants (regarding received sponsorship)
- unconditional gifts, donations, bequests or endowments.

Sponsorship is not a donation in which little or no return is expected.

For the purposes of this policy the definition of sponsorship includes arrangements described as partnerships or strategic partnerships that is characterised by mutual co-operation and responsibility for the achievement of a specified goal.

4. Principles

The IPC will only enter sponsorship or strategic partnership arrangements:

- for activities that are aligned to the IPC's objectives and values under the IPC's strategic plan
- for specific projects, programs, services or presentations, where it can identify mutual benefits and complementary aims with the sponsorship or strategic partners
- with organisations that have complementary objectives and values to the IPC and NSW Government.

Activities that are suitable for a sponsorship or strategic partnership arrangements should not include the IPC's operational or core activities. Training, scholarships, presentations, and conferences are appropriate activities that can be included in a strategic partnership or sponsorship.

The key principles for sponsorship have been developed with reference to the ICAC Sponsorship Principles in their published Guidelines and the NSW Government Sponsorship Policy:

1. A sponsorship arrangement should not impose or imply conditions that would limit or appear to limit the IPC's ability to carry out its functions fully and impartially.
2. There should be no real or apparent conflict between the objectives and mission of the IPC and those of the sponsor/strategic partner.
3. The IPC will not accept or give sponsorship or enter a strategic partnership from/to a person or organisation that is or is likely to be, subject to regulation by the IPC during the life of the sponsorship or strategic partnership without adequate alternate and reasonable strategies in place to ensure that the IPC can carry out its regulatory function.
4. Sponsorship or a Strategic Partnership Arrangement of the IPC or an IPC activity should not involve explicit endorsement of the sponsor/strategic partner or of its products or services.
5. Where sponsorship or a strategic partnership takes the form of a provision of a sponsor's product, the product should still be evaluated for its fitness for the purpose against objective criteria which are relevant to the IPC's needs.
6. IPC employees must not receive a personal benefit from the sponsorship or strategic partnership.
7. In general, the public interest is best served through making sponsorships or strategic partnership arrangements widely known. On this basis, sponsorships and strategic partnerships should be sought by calling for expressions of interest or using other broadly based mechanisms not limited only to invited sponsors or strategic partners.
8. The IPC will assess sponsorship and strategic partnership proposals against pre-determined criteria which have been published in advance, or which are circulated to organisations which submit an expression of interest.
9. All sponsorship and strategic partnership arrangements are a form of contract and should be described in a written agreement.
10. The form of the written agreement is available from the Communications and Corporate Affairs Team.
11. All sponsorship or strategic partnership arrangements must be approved by the IPC Chief Executive Officer (CEO).
12. Sufficient resources must be made available to enable the promised benefits to be delivered.

5. The policy

Assessment of proposals

While it is likely that the IPC will be the recipient of a sponsorship or strategic partnership arrangement, circumstances may arise in which the IPC is asked to be a sponsor or strategic partner. In these circumstances, such requests to the IPC will be considered and should include:

- full details of the organisation, including purpose/governance
- the reason for approaching the IPC and any details of existing arrangements
- full details of the event, activity, program and associated timeframes
- the expected audience and numbers to benefit from the activity
- objectives and outcomes anticipated for the objectives
- details of media and promotional coverage proposed
- scope and duration of the strategic partnership or sponsorship opportunity
- details of other sponsors or strategic partners
- benefits to the IPC of being involved with the activity
- how sponsorship or partnership will support the IPC's values, objectives and vision
- details of the inputs required of the IPC.

The IPC may, subject to the information provided above, request additional information.

The IPC will then assess all requests to it for sponsorship or strategic partnership against the following criteria:

- the ICAC, NSW Government Sponsorship Policy and IPC principles set out in this policy
- the stated benefits to the IPC from the sponsorship or strategic partnership
- risks to perception of the IPC
- relevance of the activity to the IPC's business, strategic plan, vision and values
- the ability of the IPC to adequately evaluate and assess the success of the sponsorship or strategic partnership
- agreement on the expected level of acknowledgement.

All requests to the IPC for sponsorship or strategic partnership will be referred to the Manager, Communications and Corporate Affairs. Then the Communications and Corporate Affairs team will:

- complete a sponsorship proposal and summary assessment against the criteria above
- refer the request to the Director Corporate Services and Business Improvement to determine if funding is available
- complete the required agreements and manage the sponsorship.

Records will be kept of all assessments and comments for feedback to help ensure transparency of decision-making. The records will include the original proposal, all relevant correspondence, media releases and other collateral material and a formal evaluation of the program.

The Communications and Corporate Affairs team will, in conjunction with the relevant business unit, Director or Commissioner evaluate all projects against the initial agreement, benefits and anticipated cost. A report on the evaluation is to be provided to the Director Corporate Services and Business Improvement within 4 weeks of the project end.

Receiving sponsorship or strategic partnership arrangements

In promoting and protecting privacy and information access rights, sponsorship or strategic partnerships may offer the IPC opportunity to advance its corporate objectives and values. Promotion of IPC messaging by regulated entities e.g. advertising in Service NSW centres may be appropriate and may not fall under sponsorship arrangements.

Projects which may be suitable for seeking sponsorship or strategic partners would be those that:

- promote the IPC's corporate and strategic objectives and values
- are enhanced by participation or support by content experts
- are not compromised by the participation or involvement of a sponsor or strategic partners - particular regard should be given to any compromise to the IPC's independence
- provide a benefit or value to the IPC, its stakeholders, or the broader public service
- avoid costs to the IPC.

All proposals will include the success criteria that defines the grounds upon which a sponsorship or strategic partnership will be entered. The criteria have regard to the organisational fit, benefits, values, risks and costs associated with accepting a sponsorship or strategic partnership arrangement. Additionally, such consideration will occur independently of any discussions or consultations with potential sponsors or strategic partners.

However, in accordance with the ICAC guidelines and in recognition of the IPC's status as a regulatory agency, monetary sponsorship should be avoided and only considered in exceptional circumstances. Monetary gain arising from entities regulated by the IPC should be avoided.

Although not exhaustive some of the considerations might include:

Benefits for the IPC	• Increased opportunity to reach stakeholders • Opportunity to foster better working relationships with stakeholders • Increased networks for promotion and advertising • Promotion of the IPC's values and objectives • Opportunity to promote work of the IPC through increased resources • Increased opportunity to promote learning, awareness and work of the IPC • Opportunity to promote the statutory functions of the IPC

Risks for the IPC	• Sponsor or strategic partner fails to deliver its commitment • Behaviour by sponsor or strategic partner is inconsistent with the IPC's values and objectives • Independence (or perception) of the IPC is damaged • Ability for IPC to exercise its regulatory function is adversely impacted • Negative reputational impact for the IPC
Strategy for risks to the IPC	• Sponsorship or strategic partnership be suspended if a failure to deliver or a breach occurs • Future sponsorship or strategic partnerships should be considered in determining ongoing arrangements • Transparency of arrangements entered are included on the IPC website and as part of its Annual Report

The IPC will nominate a relevant officer to administer the sponsorship or strategic partnership once approved. A project plan will be developed by the nominated officer that will support and monitor the sponsorship. The plan will include details of any committee, reporting arrangements, tasks and activities, and evaluation criteria in conjunction with the project's purpose and scope, roles and responsibilities, and implementation timeframe.

Any funds received from a sponsor will be allocated to a cost centre that allows for the expenditure to be monitored. The Director Corporate Services and Business Improvement will monitor, record and report on the progress of expenditure.

- The evaluation report is to be provided to the Information Commissioner/CEO and should include:
- the results achieved against the objectives specified in the sponsorship agreement
- how closely the terms of the sponsorship were met
- the success of the grant/event/activity and how this was measured
- whether and how the IPC benefitted from the arrangement
- whether either or both parties would wish to continue in a sponsorship/strategic partnership arrangement on the same or other ventures
- whether any conflicts of interest arose and mitigation measures taken in response
- continuous improvement opportunities.

All decisions approving a strategic partnership or sponsorship will be published in the IPC Annual Report and on the IPC website as part of its commitment to promote open access and transparency.

6. Responsibilities and Authority

Level 1, 2 and 3 (Chief Executive Officer, Directors and Managers consistent with Human Resource Delegations):

- determine sponsorship proposal in accordance with this policy
- manage the IPC record of sponsorship arrangements entered, which includes a record of the sponsorship/strategic partnership, benefits

- maximise opportunities through sponsorship and strategic partnerships for public relations
- provide guidance to staff as required in accordance with this policy
- take appropriate action in relation to any reported corrupt conduct.

All staff:

- adhere to this policy and associated procedures when involved in sponsorships or strategic partnerships
- maintain awareness of their responsibility as outlined in the IPC Code of Conduct, policies on conflicts of interest, gifts and benefits and public sector values in managing interactions in relation to sponsorships or strategic partnerships.

For the IPC, strategic partnerships and sponsorship arrangements hold both benefits and risks for the IPC. The benefits must be balanced against the risks that such arrangements might create.

7. Managing conflicts of interest

As a regulator of information access and privacy legislation, the IPC may from time to time consider and/or enter into sponsorship or strategic partnership arrangements with organisations that fall within its legislative jurisdiction.

The entering into such sponsorship or strategic partnership arrangements will not limit or influence the independence of the IPC in the exercise of its regulatory function in relation to the Sponsoring or Strategic Partner.

In circumstances where the IPC has entered a sponsorship or strategic partnership arrangement with an organisation that is subject to its regulatory oversight, the IPC will implement case management arrangements as appropriate. These may include:

- advice to relevant parties involved in a case of the sponsor arrangement and case management approach
- differential case management
- delegated decision-making, where appropriate
- additional supervisor assignment to undertake quality assurance
- ethical walls between case officers and officers managing sponsor arrangements
- quarantining material information
- seeking advice from an independent third party, which may include legal advice, where appropriate.

In addition, it may be necessary for the IPC to reconsider the appropriateness of continuing with a strategic partnership or sponsorship arrangement as a result of the need to exercise its regulatory function. Should this be necessary, a referral is to be made by the relevant Manager in consultation with the Director, Investigation and Reporting. The referral shall be made to the Director Corporate Services and Business Improvement for consideration and action.

8. References

- *Government Sector Employment Act 2013*
- *Independent Commission Against Corruption Act 1988*
- Independent Commission Against Corruption ICAC (2006) *Sponsorship in the Public Sector – Sponsorship Policy and Guidelines*

- The Cabinet Office Circular C2024-05 Sponsorship Policy October 2024
- *IPC Strategic Plan 2024 – 2028*
- *IPC Code of Conduct*

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