



information  
and privacy  
commission  
new south wales

# IPC Sponsorship/ Strategic Partnership Policy

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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 2013 – 2016* commits us to two key objectives:

- To uphold and protect information and privacy rights, and
- To be an effective organisation.

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 into by the IPC.

## Summary

The purpose of this policy is to implement a framework for consistently establishing and managing partnership and sponsorship arrangements entered into by the IPC.

Responsible officers of IPC must ensure that:

- All partnership and sponsorship arrangements entered into are in accordance with this policy
- A central register is kept of all partnership and sponsorship arrangements entered into, 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
- The policy and its review is included in the IPC's Compliance Register and compliance with the policy is included in regular reporting to the Audit and Risk Committee
- 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 which has been provided by the Independent Commission Against Corruption (ICAC) in its 2006 publication *Sponsorship in the Public Sector – Sponsorship Policy and Guidelines*.

# 1. Scope

This policy applies to all staff and contractors of the Information and Privacy Commission, NSW (IPC). This includes temporary and casual staff, private contractors and consultants engaged by the IPC to perform the role of a public official.

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:

- 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 into 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 ICAC<sup>1</sup> definition of sponsorship has been adopted:

“...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. Sponsorship can be provided:

- by the corporate sector or private individuals, in support of a public sector activity, or
- by the public sector in support of related and worthwhile private or public sector activities”.

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<sup>1</sup> Independent Commission Against Corruption ICAC (2006) *Sponsorship in the Public Sector – Sponsorship Policy and Guidelines*

- Sponsorship does not include:
- the selling of advertising space
- joint ventures
- consultancies
- grants (in regard to 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.<sup>2</sup>

## 4.Principles

The IPC will only enter into sponsorship or strategic partnership arrangements:

- for activities that will facilitate achieving or promoting the IPC's business plan
- 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:

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.

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<sup>2</sup> The Free On-line Dictionary

3. The IPC will not accept or give sponsorship or enter into 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 to be used is at Appendix A.
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

### Providing sponsorship

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 sponsorship or strategic partner. In these circumstances such requests to the IPC will be considered and should include:

- full details of the organisation, including contact details
- 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 and IPC principles set out in this Policy
- The stated benefits to the IPC from the sponsorship or strategic partnership
- Whether the arrangement will be of benefit or detrimental to the public perception of the IPC
- Relevance of the activity to the IPC's business, strategic plan, vision and values
- Opportunity to build partnerships with like-minded organisations
- 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
- Communications and Corporate Affairs Team will complete a sponsorship proposal and summary assessment against the criteria above
- Communications and Corporate Affairs will refer the request to the Director Business Improvement to determine if funding is available

- Communications and Corporate Affairs will complete the required agreements and manage the sponsorship.

Should the Director, Business Improvement find the proposed sponsorship or strategic partnership is inappropriate, a recommendation to that effect will be made to the IPC Chief Executive Officer. All sponsorship or strategic partnership agreements to be entered into on behalf of the IPC can only be approved by the CEO.

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.

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.

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, Business Improvement within eight 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.

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
- provide a benefit or value to the IPC, its stakeholders, or the broader public service.

All proposals will include the success criteria that defines the grounds upon which a sponsorship or strategic partnership will be entered into. The criteria has 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.

Although not exhaustive some of the considerations might include:

<p><b>Benefits for the IPC</b></p>	<ul style="list-style-type: none"> <li>• Increased opportunity to reach stakeholders</li> <li>• Opportunity to foster better working relationships with stakeholders</li> <li>• Increased networks for promotion and advertising</li> <li>• Promotion of the IPC’s values and objectives</li> <li>• Opportunity to promote work of the IPC through increased resources</li> <li>• Increased opportunity to promote learning, awareness and work of the IPC</li> <li>• Opportunity to promote the statutory functions of the IPC.</li> </ul>
<p><b>Benefits to the Sponsor/Strategic Partner</b></p>	<ul style="list-style-type: none"> <li>• Promote brand and organisation product or service</li> <li>• Access to naming opportunities at promotional events, or publications</li> <li>• Invitation to events providing a public relations benefit</li> <li>• Promotion of organisational values and objectives</li> <li>• Opportunities for staff to attend promotional events or conferences.</li> </ul>

<p><b>Risks for the IPC</b></p>	<ul style="list-style-type: none"> <li>• Sponsor or strategic partner fails to deliver its commitment</li> <li>• Behaviour by sponsor or strategic partner ceases to be consistent with the IPC's values and objectives</li> <li>• Independence (or perception) of the IPC is damaged</li> <li>• Ability for IPC to exercise its regulatory function is adversely impacted</li> <li>• Negative reputational impact for the IPC</li> </ul>
<p><b>Strategy for risks to the IPC</b></p>	<ul style="list-style-type: none"> <li>• Sponsorship or strategic partnership be suspended if a failure to deliver or a breach occurs</li> <li>• Future sponsorship or strategic partnerships should be considered in determining ongoing arrangements</li> <li>• Transparency of arrangements entered into are included on the IPC website and as part of its Annual Report.</li> </ul>

<p><b>Benefits for the IPC</b></p>	<ul style="list-style-type: none"> <li>• Increased opportunity to reach stakeholders</li> <li>• Opportunity to foster better working relationships with stakeholders</li> <li>• Increased networks for promotion and advertising</li> <li>• Promotion of the IPC's values and objectives</li> <li>• Opportunity to promote work of the IPC through increased resources</li> <li>• Increased opportunity to promote learning, awareness and work of the IPC</li> <li>• Opportunity to promote the statutory functions of the IPC.</li> </ul>
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All sponsorship or strategic partnership arrangements will be assessed against the set criteria. The criteria will have regard to the organisational fit, benefits, values, risks and costs associated with entering into a sponsorship or strategic partnership arrangement. Such consideration will occur independently of any discussions or consultations with potential sponsors or strategic partners.

Written agreements in the form provided at Appendix A will be entered into to formalise the sponsorship or strategic partnership arrangement.

Communications and Corporate Affairs will be responsible for keeping the records of all relevant documentation associated with a sponsorship or strategic partnership.

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 project.

All proposed sponsorship or strategic partnership arrangements should be referred to the Manager, Communications and Corporate Affairs for assessment. Following assessment the proposed agreement will be referred to the Director, Business Improvement for comment prior to final recommendation and approval by the relevant Commissioner before approval by the IPC Chief Executive Officer.

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, Business Improvement will monitor, record and report on the progress of expenditure.

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, Business Improvement within eight weeks of the project end.

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 (consistent with Human Resource Delegations):

- determine sponsorship proposal in accordance with this policy
- provide guidance to staff as required in accordance with this policy
- take appropriate action in relation to any reported corrupt conduct.

Level 4 (consistent with Human Resources Delegations):

- review proposals in accordance with this policy

- manage the IPC record of sponsorship arrangements entered into, which includes a record of the sponsorship/strategic partnership, benefits
- provide guidance to staff as required in accordance with this policy
- maximise opportunities through sponsorship and strategic partnerships for public relations.

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.

## 7. Compliance

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.

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 into 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; and

- 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, Business Improvement for consideration and action.

## 8. References

- *Government Sector Employment Act 2013*
- *Independent Commission Against Corruption Act (NSW) 1988*
- Independent Commission Against Corruption ICAC (2006) *Sponsorship in the Public Sector – Sponsorship Policy and Guidelines*
- *IPC Strategic Plan 2013 – 2016*
- *Behaving Ethically: A Guide for NSW government sector employees* (Public Service Commission)
- *IPC Sponsorship and Partnership Policy development and interim arrangements – May 2015*
- *OAIC Corporate Partnership and Sponsorship policy – January 2013*
- *Finance & Services ICT Sponsorship Policy and Agreement – May 2015*

## 9. Document information

<b>Identifier/Title:</b>	IPC Sponsorship Policy
<b>Business Unit:</b>	Business Services
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## 10. Document history

<b>Version</b>	<b>Date</b>	<b>Reason for Amendment</b>
1.0	12 June 2015	Initial Draft
1.1	23 June 2015	Incorporating feedback and comments from DBI
1.2	24 June 2015	Final draft to Manager CCA for comment
1.3	24 June 2015	CCA comments/final template to author
1.4	30 June 2015	Incorporate CEO comments
1.5	30 July 2015	Final