

## 1.14 EMPLOYEES GIFTS AND BENEFITS POLICY

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<b>Policy Responsibility</b>	Chief Executive Officer		

### Document History

<b>Version</b>	<b>Date Amended</b>	<b>Details Comments e.g. Resolution Number</b>
1.1	Nov 2016	

### INTRODUCTION

The local community have a right to expect the business of the Council to be conducted with efficiency, fairness, impartiality and integrity.

### OBJECTIVES

The objective of this policy to assist employees make judgement in relation to gifts or a private benefit.

Complement the provisions of the NT Local Government Act and any other legislative or relevant codes and policies.

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### POLICY STATEMENT

Employees should take all reasonable steps to ensure that they, their spouse, children and/or dependents do not solicit or accept gifts, benefits or hospitality from a commercial entity, which could be interpreted as an indirect means of influencing the employees' official duties. Further, all employees must not actively solicit any gifts or benefits.

### PROCESSES

All employees are required under the Code of Conduct to perform their official duties with skill, impartiality, professionalism and integrity. Consequently, it is not appropriate for employees to be offered or to accept gifts or benefits that affect or may be likely to affect the performance of their official duties.

An employee should not be placed in the difficult position of having to determine the intention behind the gift or benefit. The policy reduces the likelihood of offence being taken upon rejection of a gift or benefit.

### NOMINAL BENEFITS

A gift is considered to be of a nominal value if it is a token. These are generally mass produced and include:

- Marketing trinkets;
- Corporate mementos;
- Inexpensive pens and pencils;
- Notepads; or
- Key rings.

A gift or benefit with a value less than \$30 is considered of nominal value.

Employees, however, should avoid accepting such items on a continued basis or accepting multiple items.

### **DECLARABLE BENEFITS**

A declarable benefit is defined as one of the following:

- A gift valued at greater than the nominal value
- A series a of gifts over time (1 Year) which is greater than twice the nominal amount.
- Significant hospitality
- Cash of any amount or goods that are easily transferred to cash.

### **GIFT AND BENEFITS REGISTER**

Council shall keep an Gifts and Benefits Register for employees in an electronic form. All offers of declarable benefits will be recorded in the Gift and Benefits Register.

All offers of gifts and benefits will declared to the Senior administration Officer who will record the details in the Employee Gifts and Benefits Register.

The register will include:

- Date of Declaration
- Recipient
- Description of declarable benefit
- Date offered
- Person making offer
- Organisation
- Reason for offering Declarable benefit.
- Accepted/ refused
- Intended use of declarable benefit
- Why benefit was not refused.

### **SITUATIONS NOT COVERED BY THE POLICY.**

- 1. When a gift or benefit is of nominal value only.**
- 2. Workplace hospitality.**

Common hospitality and entertainment, such as coffee, biscuits or light refreshments associated with work meetings does not fall within the definition of a gifts and benefits.

### **3 Group Invitations to Christmas parties or Cocktail parties.**

Judgement is required to test that the underlining reason for the invitation. They should ensure that they will not be compromised or perceived to be compromised by the acceptance of the invitation. Employees should err on the side of caution if unsure.

Individual invitations from commercial entities that have an intrinsic value greater than the nominal amount to sporting events, theatre, lunch, dinner or of offers of accommodation of travel should not be accepted.

### **4. Conference or seminar,**

Dinners, lunch or social functions that is included as part of fees for a Conference or Seminar are not included.

### **5. Special Circumstances**

It is recognised in one off special circumstances an employee may be required for the benefit of the Council to accept an invitation to lunch or dinner by a commercial entity. The CEO must approve acceptance of any invitation prior to attendance by the employee. The CEO will weigh up the perceived benefits to Council and the risks involved prior to making a decision.

The benefit must be recorded in the Gifts and Benefits register.

### **6. CEO Attendance at special functions and events**

It is recognised that the CEO will need to attend a variety of events and functions to represent the Council and to develop networks.

The test in these circumstances is to ask the question if acceptance of invitation will benefit Council or create a perceived conflict of interest or perception of bias.

All these declarable benefits must be recorded in the gifts and benefits register.

## **PENALTIES FOR BREECHEs**

Failure to comply with this policy will be considered as misconduct and subject to disciplinary procedures.