

## 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>

### INTRODUCTION

The local community have a right to expect the business of the Council to be conducted with efficiency, fairness, impartiality and integrity. The purpose of this policy is to provide guidance to employees in relation to offers of and the receipt of gifts or benefits; to ensure that in dealing with the offer of gifts or benefits or the receipt of gifts or benefits, employees are not influenced in the performance of their duties and that there is no perception of undue influence.

### OBJECTIVES

The objectives of this policy are to:

Provide guidance to employees for the appropriate, consistent and transparent treatment of offers of or receipt of gifts and benefits by employees of Coomalie Community Government Council.

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

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### POLICY STATEMENT

This policy applies to the employees of Coomalie Community Government Council.

It operates in addition to all other obligations under the NT Local Government Act 2008 (the Act) and any other legislation or relevant codes and policies.

This policy has been developed to assist employees in their judgement in relation to gift or a benefit and therefore avoid being placed in the situation where they may become vulnerable to undue influence or threaten the community confidence in the integrity of the Council.

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.

This has two (2) main positive effects:

1. The employee is not placed in the difficult position of having to determine the real intention behind the gift or benefit and he/she is also not exposed to the risks associated with accepting a substantial or influential gift or benefit (i.e. shame, anxiety, embarrassment, disciplinary action, loss of employment or criminal charges); and
2. It reduces the likelihood of offence being taken upon rejection of a gift or benefit.

Employees should also take all reasonable steps to ensure that their spouse, children and/or dependents or staff members do not receive gifts, benefits or hospitality, 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.

Employees must not accept any gifts or benefits of more than a nominal value (as defined within this policy) and money must never be accepted under any circumstances. All offers of cash must be reported to the CEO.

This policy is intended to only apply to gifts and benefits received from the private sector.

A gift or benefit is of nominal value when it has no significant or lasting value. Examples include, but are not limited to:

- 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.

If employees' are uncertain as to whether a specific gift or benefit is of nominal value, then they must seek advice from the CEO policy.

For the purposes of this policy, 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. Similarly, group invitations to Christmas parties, attending a cocktail party, dinner or lunch that is included as part of fees for a conference or seminar, office openings or product launches are considered not to fall within the scope of this policy.

Entertainment and hospitality refers to expenses incurred in providing, for example, theatre and sporting tickets, accommodation, restaurant meals or alcoholic beverages to employees.

Invitations to lunch or dinner, which would be considered a substantial gift or benefit, should be subsequently rejected in accordance with this policy.

It is recognised in some circumstances an employee may be required for the benefit of the Council to accept an invitation to lunch or dinner. In such a circumstance, the employee must, prior to acceptance of the invitation, seek approval from the CEO prior to acceptance of the invitation. The gift or benefit will be recorded in the gifts and benefits register (Attachment A) by the

It is recognised that the CEO will need to attend a variety of events and functions to represent the Council and these activities are considered not to fall within the scope of this policy.

**Penalty for Breaches:** Failure to comply with this policy will be considered as misconduct.

### **Legislation**

Section 106 of the Northern Territory Local Government Act states:

“The CEO and other members of a Council’s staff must maintain proper standards of integrity, diligence and concern for the public interest.”

### **Definitions**

**Gift/Benefit Register** – register kept outlining date gift or benefit was acquired, type of gift or benefit, value of gift or benefit, who gave the gift or benefit, who received the gift or benefit.

**Gift** – a tangible item of value given to staff by an existing or potential supplier/customer. Some examples are money, alcohol, clothes, products, tickets

**Token Gifts** – offered in business situations, usually mass produced (ie pens, calendars, or items with company logo on them).

**Benefit** – an intangible which is believed to be of value to the receiver. Some examples are: access to a private spectator box at sporting venue, preferential treatment, such as queue jumping, access to confidential information, hospitality

**Nominal Value** - \$30.00 (i.e. total value of the gift or benefit received).

