

# Gifts, Benefits and Hospitality Procedure

**Id Number:**

**Overarching Policy**

[Workforce Management Policy: Employer Obligations](#)

[Worker Obligations Policy](#)

**Date Created**

19 November 2019

**Current Version**

19 November 2019

**Review Date**

3 January 2022

**Custodian and Review  
Responsibility**

People and Culture

**Contact**

Executive Director — Capability and Resources

**Applies to**

All employees

## Current Version Approval

<b>Creation Notes</b>	Procedure created for the new Department of Communities Tasmania		
Revised by	Jenni Mandersloot	Policy Advisor — People and Culture	April 2019
Through	Liz Jessup	Manager — HR and Workplace Relations	4 May 2019
Approved by	Kathy Baker	Executive Director — Capability and Resources	19 Nov 2019

## Overview

The Department of Communities Tasmania is committed to appropriately managing the giving and receiving of gifts, benefits and hospitality in order to ensure functions are performed in a fair, transparent, ethical, professional and impartial manner.

We are a values-based organisation and this procedure reflects our values: **kind, committed, respectful, connected.**

The Agency promotes a culture which encourages workers to make ethical decisions with regard to gifts and benefits and seek delegate approval where necessary.

The Tasmanian community expects high standards of integrity, impartiality, transparency and the responsible use of resources from all State Service officers and employees. State Service officers and employees are expected to be honest and transparent in their dealings, make unbiased decisions and provide unbiased advice, avoid real and perceived conflicts of interest and earn and maintain public trust.

Employees should not expect to receive gifts, benefits or hospitality for doing a job they are paid to do, nor should they personally benefit (beyond their salary and award entitlements) from their role in the public service. In most situations, 'thanks' is enough.

## Responsibilities

<p><b>Secretary</b></p>	<ul style="list-style-type: none"> <li>• Support, endorse, and enforce this procedure</li> <li>• Support a culture which encourages the disclosure, declaration and appropriate management of gifts and benefits</li> <li>• Exercise judgment and provide direction in relation to gifts and benefits, and consult the Tasmanian Integrity Commission if required</li> <li>• Uphold their obligations as a worker in relation to gifts and benefits</li> <li>• Ensure that all employees have adequate access to information and training.</li> </ul>
<p><b>Delegates and Leaders</b></p>	<ul style="list-style-type: none"> <li>• Support and enforce this procedure</li> <li>• Support a culture which encourages the disclosure, declaration and appropriate management of gifts and benefits</li> <li>• Ensure that employees and officers within their area of responsibility are sufficiently knowledgeable in relation to this procedure</li> <li>• Exercise judgment and providing direction in relation to the management of gifts and benefits</li> <li>• Uphold their obligations as an employee or officer in relation to gifts and benefits.</li> </ul>
<p><b>People and Culture</b></p>	<ul style="list-style-type: none"> <li>• Support, promote and ensure compliance with this procedure</li> <li>• Provide expertise, advice and assistance in relation to this procedure</li> <li>• Review and update this procedure</li> <li>• Develop and implement longer-term strategies as required.</li> </ul>
<p><b>Employees</b></p>	<ul style="list-style-type: none"> <li>• Comply with this procedure</li> <li>• Demonstrate our Agency values when undertaking their duties in compliance with this procedure</li> <li>• Report any concerns they have in relation to the giving and receiving of gifts or benefits, in relation to both themselves and others.</li> </ul>

Actions associated with this procedure must be appropriately authorised in accordance with the [Delegations and Administrative Authorities – Human Resources Management Delegations and Administrative Authorities](#)

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## Mandatory Requirements

It is inevitable that situations will arise which are not dealt with by this procedure. The overriding concern is to ensure that no conflict exists or appears to exist between the public duty and private interest of an employee. If there is any doubt as to the appropriateness of the offered gift, benefit or hospitality, or potential for perceived or actual conflict of interest, the offer must be declined or discussed with the delegate.

### Employee obligations

- Employees must not offer gifts or benefits to anyone, or receive gifts or benefits from anyone in relation to their employment or engagement with the Agency or Tasmanian State Service (TSS) which:
  - have the potential to influence or could be perceived to influence the Agency's ability to perform its functions in a fair, transparent, ethical, professional and impartial manner.
  - are illegal or inconsistent with community expectations.
  - may influence or be perceived to influence the employee's decision or advice.
  - create an actual, perceived or potential conflict of interest, or may be seen by other people as a reward or incentive.
- Employees must ensure that immediate family members are not the recipients of gifts or benefits that could be perceived as attempting to influence the behaviour of the employee.
- Employees must report any gift or benefit offered to an immediate family member which could be perceived as an attempt to influence the employee in relation to their public duties, and any such report managed the same as if the offer had been made directly to the employee.
- Employees must not solicit gifts or benefits under any circumstances.

### Government buyers

- Government buyers must not accept any offers of a gift or benefit made either during a procurement process or in response to a procurement decision.
- Any Government buyer or other worker engaged in procurement processes must observe the *Procurement Ethical Standards* and abide by the *Procurement Code of Conduct* as described in [Treasurer's Instruction](#) No. 1101 (goods and services). For further information, refer to the definition contained in [Buying for Government](#).

### Panel members

- Workers, including those not employed by the TSS, must not accept any offer of a gift or benefit made during an assessment process, such as a selection panel or a grants assessment panel.

### Money and money equivalents

- Under no circumstances should employees accept a gift of money or money equivalent. This includes cash, vouchers and gift cards.

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- Lotto tickets, scratch cards, or raffle tickets with a cash prize are to be treated the same as a money equivalent and must never be accepted.
- If money equivalents or tickets are unable to be returned or declined, they remain the property of the Agency and must not be accepted by an individual.

## Sponsored travel

- Requests by employees to accept an offer of sponsored travel must only be authorised where:
  - there is a benefit to the Agency; and
  - a conflict of interest (real or perceived) does not exist; and
  - the employee has been advised that they are required to share their learning on return.
- Offers of sponsored travel from private businesses should not generally be accepted, but all circumstances should be taken into consideration.
- Sponsored travel is not made more acceptable when undertaken in an employee's own time, or where the employee considers it as unofficial, if there is a link (whether real or perceived) between the gift and their employment, and therefore must be declared.

## Training and guidance

- Employees must be provided with, and participate in induction and training in this procedure, and the Code of Conduct.
- Managers must ensure that all employees have received adequate training in relation to the receipt of gifts, benefits and hospitality
- Information and guidelines must be available for all employees, including on the intranet.

## Managing offers and receipts

- Employees who have accepted, or have been offered and wish to accept, a gift, benefit or hospitality, must disclose the offer in all circumstances where it is not a token memento or modest refreshment.
- Employees must report any offers, even if declined, if:
  - the offer is for money or money equivalent
  - the employee has concerns in relation to the offer or believes that the offer is 'suspect'
  - there is likely to be a public expectation that the offer should be declared.
- Requests to accept any offer of a gift, benefit or hospitality where the value is \$100 or more can only be approved by the Secretary.
- Employees, and their immediate family, must never accept the offer of a gift or benefit where accepting that gift could constitute bribery. Bribery is a crime, therefore if an offer or suggestion of a bribe is made directly or indirectly:
  - the employee must reject the offer and stop interacting with the person; and
  - the offer must be reported immediately.

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- Gifts or benefits received as a bequest through a will, and therefore cannot be declined, can be accepted without authorisation but must be declared.
- Any gift, benefit or hospitality received which was unable to be declined, was accepted without authorisation, or has not yet been returned, remains the property of Communities Tasmania until otherwise determined by the delegate (unless it is a bequest).
- Employees who wish to accept the offer of a gift, benefit or hospitality must not accept until authorised by the delegate and approval documented on the [Gifts, Benefits and Hospitality Declaration](#) form (unless it is a bequest).
- Arrangements where points are accumulated and rewards offered should be avoided for Government purchases, and a discount negotiated as an alternative wherever possible. Where arrangements for the accumulation of points are in place, clear guidelines must exist to ensure that:
  - points are used for the benefit of the Agency only; and
  - purchasing decisions are not influenced; and
  - all benefits gained from the accumulation of points are declared.

## Giving of gifts

- Officers and employees must not offer or give gifts to any external person or organisation in the course of their official duties which are not consistent with the principles described in the procedure for the receiving of a gift, benefit or hospitality.
- The Secretary must approve any request for the giving of a gift, benefit or hospitality which is not a token memento or modest refreshment via the [Giving of Gifts, Benefits and Hospitality Approval](#) form.
- Details of any gift given by the Agency which is not a token memento or modest refreshment must be recorded on the register.

## Gift register and reporting

- Information from the [Gifts, Benefits or Hospitality Declaration](#) form must be recorded on the Gifts and Benefits Register.
- The register must include:
  - the date the offer was received
  - a description of the offer
  - the reason the offer was accepted
  - the person/organisation offering the gift
  - value of the gift.
- Public reporting (quarterly) of the register is required for all accepted and provided gifts, benefits and hospitality where the value is over \$100, or where the cumulative value received from one person/organisation is over \$100 in one financial year.
- Reports must be uploaded to the public website within 14 calendar days of the end of the quarter and remain on the website for a minimum of three years (unless otherwise advised).

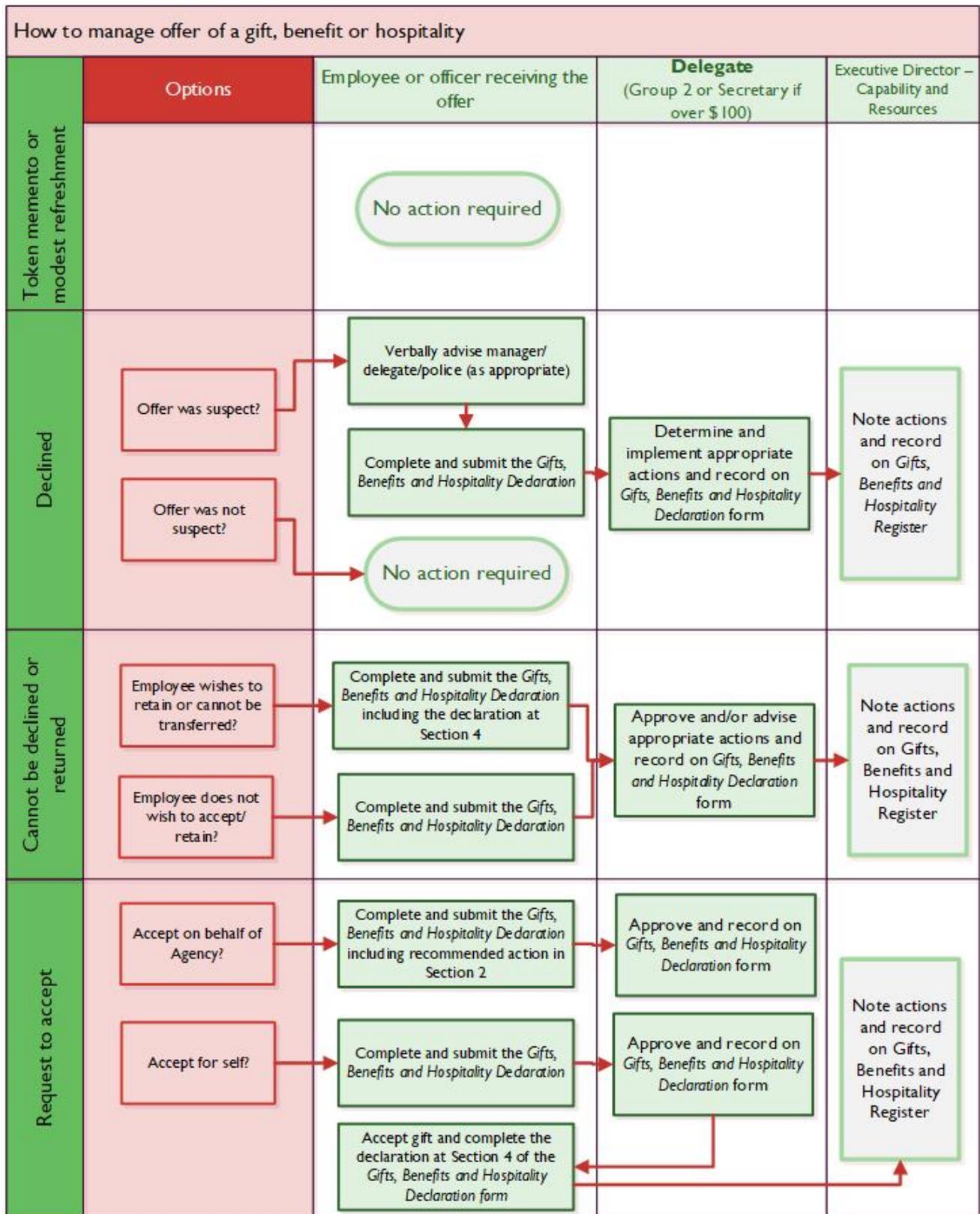
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- Any enquiries in relation to the register should be directed to the Executive Director — Capability and Resources.
- Agency and employee/officer compliance with this policy is to be included in the Agency's annual Audit and Risk management processes, with the Agency Executive to review findings annually.

# Procedures



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## How to manage receipt of an offer of a gift, benefit or hospitality

- 1 An employee is offered, or has received, a gift, benefit or hospitality.
- 2 The employee determines if the offer or receipt should be declared, obtaining advice if required and with reference to the mandatory requirements and the attached guidance:
  - 2.1 if the gift, benefit or hospitality is determined to be a token memento or modest refreshment and is non-suspect, it does not need to be declared and the process ends.
  - 2.2 if the gift, benefit or hospitality is not a token memento or modest refreshment, the process continues.
  - 2.3 if the gift, benefit or hospitality is money or money equivalent, the offer is suspect, or the employee has concerns about the offer, follow the procedure for [‘how to manage receipt of an offer which is illegal, suspect or concerning’](#) (p 9).
- 3 The employee:
  - 3.1 politely declines the offer (and the process ends); or
  - 3.2 determines that the gift, benefit or hospitality cannot be declined or returned; or
  - 3.3 determines that the gift, benefit or hospitality is not a benefit for the individual and should be accepted on behalf of the Agency; or
  - 3.4 identifies that they wish to make application to the delegate for authorisation to personally accept the gift or benefit.
- 4 The employee records the details on Section 1 of the [Gifts, Benefits or Hospitality Declaration form](#) and:
  - 4.1 if the employee was unable to decline the offer, follow the procedure for [‘how to manage the receipt of a gift that was unable to be declined’](#) (p 11).
  - 4.2 if the employee has accepted the offer without authorisation, and it cannot be returned, follow the procedure for [‘how to manage the unauthorised acceptance of a gift or benefit’](#) (p 10).
  - 4.3 if the employee has not yet accepted or received the gift, benefit or hospitality and wishes to make application to accept, they complete Section 2 of the [Gifts, Benefits or Hospitality Declaration](#) form, and forward the form to the delegate.

## How to manage receipt of an offer which is illegal, suspect or concerning

- 1 An employee has received an offer of a gift, benefit or hospitality which is illegal or suspect and determines that the offer should be reported.
- 2 The employee declines (unless it could not be declined) and reports the offer on the [Gifts, Benefits or Hospitality Declaration](#) form, and also by (as appropriate to the circumstances):
  - 2.1. verbally advising their manager or the delegate
  - 2.2. reporting the offer to the Tasmania Police.

- 3 The delegate determines and implements the appropriate action, according to the circumstances (seeking advice if necessary), records the actions on Section 3 of the [Gifts, Benefits or Hospitality Declaration](#) form and forwards a copy of the form to the Executive Director — Capability and Resources.

## How to manage the unauthorised acceptance of a gift, benefit or hospitality

- 1 The employee has accepted a gift or benefit without authorisation which cannot be returned.
- 2 The employee records the details on Section 1, Section 2, and Section 4 of the [Gifts, Benefits or Hospitality Declaration](#) form.
- 3 The delegate reviews the declaration (or information received if the employee has not declared the receipt), requesting more information (if required), and determines if:
  - 3.1 the employee acted appropriately, and no further action is required. The procedure for '[how to manage an offer which was unable to be declined](#)' (p 11) can then be followed; or
  - 3.2 the employee acted inappropriately, and further action is required, including:
    - 3.2.1 the provision of training and advice; or
    - 3.2.2 further investigation of the circumstances; or
    - 3.2.3 the commencement of disciplinary processes; or
    - 3.2.4 referral to Tasmania Police.
- 4 The delegate documents the actions to be taken in the comments section of the [Gifts, Benefits or Hospitality Declaration](#) form, forwards a copy of the form to the Executive Director — Capability and Resources and ensures that the recommended actions are implemented.

## How to manage authorisation to accept the offer of a gift or benefit

- 1 An employee has received authorisation to accept a gift or benefit as indicated on the [Gifts, Benefits or Hospitality Declaration](#) form.
- 2 The employee accepts the gift or benefit and completes Section 4 of the [Gifts, Benefits or Hospitality Declaration](#) form.
- 3 The employee provides the completed [Gifts, Benefits or Hospitality Declaration form](#) to the Executive Director — Capability and Resources within five working days of the receipt of the gift or benefit.
- 4 The Executive Director — Capability and Resources arranges for the appropriate storage of the [Gifts, Benefits or Hospitality Declaration form](#) and updates the Gifts and Benefits Register.

## How to manage the offer of a gift, benefit or hospitality which was unable to be declined

- 1 An employee has advised their delegate that they have received a gift, benefit or hospitality which was unable to be declined and completes Section 1 of the [Gifts, Benefits or Hospitality Declaration](#) form.
- 2 The employee completes Section 2 of the [Gifts, Benefits or Hospitality Declaration](#) form, and:
  - 2.1 If the employee wishes to retain the gift, benefit or hospitality or where it cannot be transferred or disposed of (e.g. it has already been used or consumed), completes Section 4 of the [Gifts, Benefits or Hospitality Declaration](#) form.
  - 2.2 If it is inappropriate to personally accept, or the employee does not wish to personally accept, documents recommended appropriate action to take in Section 2, including:
    - retaining the gift for the benefit of the Agency
    - donation to charity
    - destruction/disposal of the gift.
- 3 The delegate records the action on the [Gifts, Benefits or Hospitality Declaration](#) form, forwards it to the Executive Director — Capability and Resources within five working days, and it is recorded on the register.

## Tasks and Delegations

Roles/Tasks	Employee	Managers	Delegate	Executive Director — Capability and Resources	Secretary
Approve, or provide other appropriate action or response, to the reporting of offers to receive a gift, benefit or hospitality valued at \$100 or more					✓
Approve, or provide other appropriate action or response, to the reporting of offers to receive a gift, benefit or hospitality valued at less than \$100			✓ (Group 2)		
Educate, train and induct employees in relation to gifts and benefits		✓			
Arrange for the appropriate storage of completed <a href="#">Gifts, Benefits or Hospitality Declaration</a> forms				✓	
Maintain a gifts and benefits register with received and provided gifts and benefits				✓	
Ensure that the gifts and benefits register is published quarterly on the public internet site				✓	
Provide gifts and benefits related documentation and information for audit, investigation and reporting purposes				✓	
Disclose the receipt of gifts or benefits using the <a href="#">Gifts, Benefits or Hospitality Declaration</a> form	✓				

## Key Definitions

<b>Backdooring</b>	An attempt by an unsuccessful tenderer to undermine a contract through special offers
<b>Bequest</b>	Property or money left to a person in a Will and, in this procedure, refers to a bequest from a client or other work-related person.
<b>Bribe</b>	A gift or benefit offered to or solicited by an employee or officer to influence a person to act in a particular way. Refer to attachment one for examples.
<b>Conflict of interest</b>	Actual, potential or perceived conflict between a worker's private interests and their duties, responsibilities or obligations as a Tasmanian State Service employee, or as defined in the <a href="#">Conflicts of Interest Procedure</a> .
<b>Disclosure</b>	Notification provided by an employee that a gift or benefit has been received or that an invitation to receive a gift or benefit has been received.
<b>Gift, benefit or hospitality</b>	Any gratuity, favour, discount, entertainment, loan forbearance, or other benefit having monetary value gained by an employee in the course of their duties, or in relation to their duties, which is not part of their normal salary or employment entitlement in accordance with their relevant Award/Agreement (see also <a href="#">attachment one</a> (p 17) ) <sup>1</sup>
<b>Government buyer</b>	The role of an employee or officer whose job involves the acquisition of goods and/or services for the Agency, including any employee or officer responsible for making purchasing decisions or exercising a financial or legal delegation in relation to a purchasing decision, or a member of a purchasing panel/committee that influences purchasing recommendations.
<b>Modest refreshment</b>	Food or refreshment which is not in conjunction with a sit-down meal, such as coffee, biscuits, sandwiches, cakes, fruit or any other snack.
<b>Money or money equivalent</b>	Cash, financial instruments, shares, units, gift cards/vouchers, discount coupons, loyalty bonus points that may be redeemed for a cash or non-cash personal reward, lottery tickets, 'scratchies', credit cards, debit cards with credit on them, memberships, prepayments such as phone or internal credit, any item that may be readily converted to cash.
<b>Regularly occurring</b>	The offer by and acceptance of token mementos or modest refreshments from a single supplier which in total are valued at \$100 or higher in a 12-month period.
<b>Suspect offer</b>	An offer which is (or may be perceived as) intended to influence a decision, made in secret or of significant value.

<sup>1</sup> A gift, benefit or hospitality does NOT INCLUDE a token memento, modest refreshment, a publicly available discount, a randomly drawn prize given in a contest which is open to the public or to a broadly defined class of government employees or something for which you have paid fair value.

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<b>Token memento</b>	Item which holds little intrinsic value, poses no conflict of interest risk and is consistent with community expectations to be received by an employee in the course of their employment or engagement. Items of a token nature commonly include mass produced promotional items offered as a matter of course during normal work interactions, or a mark of courtesy offered at an official function.
<b>Valuable object</b>	A physical object with a market value of AUD \$100 or higher as at the date of the offered gift.

## Related Documents/Legislation

### Legislation and Directions

Includes, but is not limited to:

- [State Service Act 2000](#)
- [State Service Regulations 2011](#)
- [Employment Direction No. 1 – Employment in the State Service](#)
- [Employment Direction No. 5 – Procedures for the Investigation and Determination of Whether an Employee has Breached the Code of Conduct](#)
- [Treasurer's Instruction](#)

### Related Policies and Procedures

- [Public Interest Disclosure Policy](#)
- [Public Interest Disclosure Procedure](#)
- [Conflicts of Interest Procedure](#)

### Forms and Resources

- [Gifts, Benefits and Hospitality Declaration](#) form
- [Giving of Gifts, Benefits and Hospitality Approval](#) form.

### List of Attachments

1. [Examples of Common Gifts and Benefits](#)
2. [Decision Making Flowchart](#)

## Revision History

<b>Creation Notes:</b>				
Prepared by				
Through				
Approved by				
<b>Revision No. 3</b>				

## Attachment One: Examples of Common Gifts/Benefits

The table below is a guide to common gifts and benefits and supports ethical decision making.

An offer to receive a gift, benefit or hospitality should be declared, **even though not accepted**, if:

- it could be considered illegal, suspect, or otherwise concerning
- it is an offer of money or money equivalent
- there is likely to be a public perception that the offer is suspect or should be declared

An offer should be considered **suspect** if:

- it is intended to influence a decision
- it is made in secret
- it is of significant value or could be perceived as of significant value

All the circumstances of any offer should be taken into consideration and refer to the mandatory requirements in this procedure.

Gift/Benefit	Response- what to do if you receive or are offered	Should the receipt/ acceptance be declared?
Personal gift made by a personal friend or family member		NO – if offered in a purely personal capacity
Illegal items e.g. drugs	Reject the offer and immediately inform the delegate	YES – report offer even if not accepted
Money/ cash	Cash offers must always be refused and reported immediately	YES – report offer even if not accepted
Money equivalent e.g. gift card, voucher	Must always be refused and reported immediately	YES – report offer even if not accepted
Permanent or indefinite loan of money or property	Reject the offer immediately	YES – report offer even if not accepted
Scratch tickets, lotto tickets, raffle ticket with a cash prize	Treat the same as a money equivalent and never accept  If unable to be returned or declined, any winnings remain the property of the Agency and must not be accepted by an individual.	YES
Frequent flyer/travel points	Utilisation of points must be in line with travel policy.	YES – declare the accumulation of points

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Gift/Benefit	Response- what to do if you receive or are offered	Should the receipt/ acceptance be declared?
Loyalty cards (personal) providing a benefit to the member in exchange for purchases or similar.	Employees should not use personal loyalty or benefit program memberships in relation to Agency purchases (such as buying refreshments for a meeting using their own Flybuys card).	The accumulation of points should be declared if valued above \$50
Loyalty/reward points for Agency purchases (e.g. frequent buyers card)	<p>Arrangements where points are accumulated, and rewards offered should be avoided for Government purchases. Suggest that a discount be offered instead.</p> <p>The accumulation of points must not influence purchasing decisions. Consider what the points can be used for, and whether individual employees may seek to benefit from the points.</p>	YES – Any items purchased (for an individual or the Agency) using accumulated reward points must be declared
Alcohol	<p>A gift of alcohol - if inexpensive, may be considered a token memento in non-suspect circumstances - see 'box of chocolates' below.</p> <p>An offer of a drink bought at a function or conference (see 'cup of coffee' below).</p>	<p>YES – if valuable and not a token memento</p> <p>NO – for other circumstances if the gift was declined (unless the offer is 'suspect')</p>
A box of chocolates, bunch of flowers or similar	<p>Respond appropriately to ensure that the giving of gifts does not become a regular or expected occurrence just for doing one's job.</p> <p>Consider that the gift belongs to the Agency, not any individuals and, if not a token memento and unable to be declined or returned, the delegate should determine appropriate action.</p>	<p>NO – if non-suspect and of low value on a one-off occasion</p> <p>YES – if the accumulated gifts from one person/organisation is valued at \$100 or more</p>
A cup of coffee at a café	<p>It is advisable to decline the offer and consider if meeting in a café is an appropriate venue</p> <p>Never appropriate to accept during a specific procurement process or following a procurement decision, during a recruitment process, or when related to decision making for allocation of funds (e.g. a grant)</p>	NO – unless the offer is suspect, or there is a cumulative value of \$50 or more

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Gift/Benefit	Response- what to do if you receive or are offered	Should the receipt/ acceptance be declared?
A gift received as a matter of luck or good fortune such as a lucky door prize  (NOT including where you have paid fair value e.g. purchasing a raffle ticket sold in the workplace)	Any randomly drawn prize given in a contest which is open to the public or to a broadly defined class of government employees, may be accepted. The individual should seek advice where the prize is cash or high in value.	NO
Promotional materials e.g. pens/notepads provided at a conference		NO
Modest refreshment provided as part of attendance at a meeting, conference or event e.g. tea, coffee, sandwiches		NO
Any gift offered 'in secret'	Any gift offered in secret is 'suspect' regardless of the nature or value of the gift/benefit. It must be refused and declared.	YES – declare the offer even if not accepted
Bequest	Employees must not seek out or solicit a bequest under any circumstances in the course of their work.  While employees may develop strong working relationships, they are not permitted to use those relationships for personal gain or benefit.	YES – the bequest can be accepted without authorisation but must be declared.
A meal- not provided at a function or event (for example a meeting over lunch)	It is advisable to decline the offer  If an eatery/hospitality venue is proposed for a meeting, consider the suitability of the arrangement and suggest an alternative or advise that you will pay for your own meal.	YES

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Gift/Benefit	Response- what to do if you receive or are offered	Should the receipt/ acceptance be declared?
Free conference registration	<p>Any travel/accommodation offered should be considered separately to the registration (see 'sponsored travel')</p> <p>Consider if/how the Agency benefit from your attendance</p>	YES
Sponsored travel	<p>Should not be accepted unless there is a value or benefit to the Agency. Employee is required to share their learning on return.</p> <p>Not generally acceptable from any private organisation</p> <p>Must not be accepted if there is a conflict of interest (real or perceived)</p> <p>Not made more acceptable when undertaken in an employee's own time, or where the employee considers it as unofficial, if there is a link (whether real or perceived) between the gift and their employment.</p>	<p>NO – if at the expense of the Commonwealth</p> <p>YES – for all other accepted offers</p>
Cultural/ceremonial or other gifts offered to the Agency rather than the individual	May be offered in circumstances where it is not appropriate or possible to decline and accepted on behalf of the Agency only.	YES
Gifts from co-workers	<p>Take care that the giving of gifts does not become a regular or expected occurrence just for doing one's job</p> <p>Gifts should not be offered in expectation of special treatment or a favour</p>	NO – (unless the offer is suspect)

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## Department of Communities Tasmania

### GIFTS, BENEFITS AND HOSPITALITY PROCEDURE

Gift/Benefit	Response- what to do if you receive or are offered	Should the receipt/ acceptance be declared?
Functions and hospitality (offers of meals, invitations to events)	<p>It is advisable to decline any offers unless there is a value to the Agency in the employee attending.</p> <p>Consider if the participation of an Agency representative is required or otherwise appropriate</p> <p>If accepting, confirm that there is an <b>Agency need</b> for representation.</p> <p>Always consider if there may be a public perception that this should be declared</p>	<p>YES – where there is a benefit to the individual, or where there may be a public perception that it is a benefit for an individual.</p> <p>NO – when the employee is representing the Agency and being paid for their time unless:</p> <ul style="list-style-type: none"> <li>• hospitality includes alcohol and/or a sit-down meal; and/or</li> <li>• entertainment is included which could reasonably be perceived as a benefit for the individual</li> </ul>
Discounts and items purchased at corporate rates	<p>Can be accepted if available to the public or available transparently to all Agency/Government employees</p> <p>Not acceptable if there is an expectation of a benefit in return</p>	NO
An award, honorary degree or scholarship	Can be accepted, but consider any items or hospitality offered as part of the award separately.	<p>NO</p> <p>YES – if there may be a public perception that that the gift/benefit should be declared.</p>
Sponsorship arrangements e.g. the right to associate the sponsor's name, products or services with the Agency's service, product or activity	Must be used for business purposes, not to provide a personal benefit to employees	YES

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# Attachment Two: Decision Making Flowchart

Officers and employees should not expect to receive *gifts, benefits or hospitality* for doing a job they are paid by the public to do. In most situations, officers and employees should refuse *gifts, benefits or hospitality* if offered.

However, in limited circumstances, it may be appropriate to consider acceptance of a *gift, benefit or hospitality*, or a *modest refreshment*, if offered. In these cases, follow the guidance below.

