

POLICY NO AND TITLE	1.2.1	Conditions of employment policy
PROCEDURE	1.2.1(m)	Gift and benefits
VERSION AND DATE ADOPTED	1	
RESPONSIBLE OFFICER		Manager Human Resources

Introduction

Council has adopted guidelines and procedures to enhance and supplement the Local Government Act provisions and the "Code of Conduct" adopted by the Council relating to the acceptance of gifts and benefits.

The objectives of this policy are:-

- to protect staff from unfounded claims of misconduct, dishonesty and other forms of inappropriate behaviour;
- to provide an understandable framework for staff to operate in;
- to apply a common sense approach on a topic about which the community is extremely sensitive;
- not to in any way interfere with or impinge upon the normal giving and receiving of gifts between family and friends.

Guidelines/ Procedures

1. **Use of Council's Resources** (Refer Clause 5.3 Code of Conduct)

A member of staff must:-

- use Council resources effectively and economically and not for private purposes (except when supplied as part of a contract) unless the use is authorised and payment made where appropriate;
- not convert to his or her own use any property of Council.

2. **Bribes, Gifts, Benefits** (Refer Clause 5.2 Code of Conduct)

A member of staff must not:-

- seek or accept a bribe or other improper inducement;
- take advantage of his or her position to improperly influence other members of staff in the performance of their duties for the purpose of securing a private benefit for themselves or for some other person;
- by virtue of his or her position acquire a personal profit or advantage of a pecuniary value (other than of a token kind) other than as permitted by the Act.

3. **Procedures**

Where gifts (of a token or other kind), benefits or other inducements are offered to an employee they should be declined with thanks. On those infrequent occasions

when declining to accept such a gift or benefit would genuinely be perceived as being inappropriate or offensive the following guidelines are to be followed:-

- Accept with thanks, advising the person that the gift will be pooled and auctioned - the proceeds going to a charity selected by staff.
- If the gift is perishable a sum equal to its value is to be paid into the trust fund used for the nominated charity.
- Gifts of any kind are to be included, but are likely to include a bottle of wine, beer or cosmetics (all of a nominal value).
- Accept with thanks advising the person that a sum to the approximate value of the benefit or inducement will be paid into the trust fund administered by staff and given to a selected charity.
- Benefits or inducements in this category are likely to include meals, discounts or special prices for goods not available to the public at large and the like or the provision of services at a "special" price.
- Offers of gifts, benefits or inducements of a substantial value which have been rejected as inappropriate are to be reported to a Director or in the case of the General Manager to the Mayor.
- If hospitality is offered in the form of a meal and/or refreshments discretion must be exercised before being accepted. An offer of hospitality is acceptable if the employee is satisfied that it is not:-
 - a) excessive;
 - b) in anticipation of a particular result of an imminent decision;
 - c) capable of being construed by any person as likely to influence a future decision or have influenced a recent decision.
- If any member of staff is in any doubt in a particular circumstance (regarding an appropriate process to follow) advice from a Director/Manager should be sought.

4. **Charity – Account and Selection**

The Consultative Committee manages the account for the charity and determines the charity which is to benefit from the proceeds from time to time.

The Consultative Committee makes the final (and only) decision regarding the selection of the charity to benefit from the proceeds of the auction.