

POLICY

4.4 GIFTS AND BENEFITS



Supporting Procedure:		
Other Related Documents:	4.1 Code of Ethics 4.2 Conflict of Interest Gift Register	
Category:	Organisation	Dates:
1 st Review By:	Jane O'Malley and Patricia Sutton	01/02/2018
2 nd Review By:	Jane O'Malley and Patricia Sutton	04/06/2020
Approved By:	PHCC Board	18/06/2020
Issued By:	Chief Executive Officer	16/06/2020

Introduction

The Peel Harvey Catchment Council (PHCC) recognises that the giving of a gift or benefit may be undertaken with the intent of influencing the behaviour of the recipient, which breaches PHCC's Code of Ethics and may also have legal implications for the organisation or the individuals involved.

Even without the intent of influence, the giving or receipt of gifts or benefits may involve a conflict of interest, or the perception of a conflict of interest, which can affect the reputation of PHCC and the individuals involved.

This Policy provides guidance in regard to the expected behaviours of Board, Employees and Volunteers, to protect themselves from compromising situations and mitigate the risk of real or perceived misconduct or conflict of interest.

This Policy stipulates the considerations and requirements that apply to all Board, Employees and Volunteers of PHCC when receiving a gift or benefit in the course of their duties.

Definitions

For the purposes of this Policy:

'Benefit' is anything believed to be, or could be perceived to be of value to the recipient (for example, memberships, discounts, access to events, lavish meals, preferential employment treatment)

'Board' means the Association Members of PHCC

'Employee' means all paid employed persons of PHCC

'Gift' is any item, reward or other benefit received (for example, cash, gift vouchers, tickets, furniture or equipment) (refer 'Intangible' and 'Tangible')

'Gift of Appreciation' is a gift of low monetary value (under \$150) given to express appreciation to an individual for performing well in a specific task (for example, movie tickets, flowers, wine or food stuffs)

'Gift Register' is a register of all gifts or benefits received with a value of > \$20 and their use

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'Giver' means the individual making an offer of a gift or giving a gift

'Intangible' gift or benefit means a gift or benefit that does not have any lasting value and cannot be considered the property of PHCC (for example, event tickets or transport, meal or accommodation offers)

'Recipient' means the individual receiving an offer of a gift or receiving a gift

'Tangible' gift or benefit means a gift or benefit that has lasting value (for example, cash, gift vouchers or physical items of art, furniture or equipment, or lottery tickets with proceeds)

'Volunteer' means anyone providing unpaid assistance to PHCC.

Policy Statement

Any and all Gifts and/or Benefits received by PHCC Board members, Employees and Volunteers, regardless of value, will be declared within 5 working days of receipt or promise of receipt of a gift and/or benefit, to the CEO. Gifts or benefits valued at > \$20 will be recorded via the PHCC gift register. Gifts and/or benefits may be refused. Board, Employees and Volunteers are responsible for declaring the receipt or promise of receipt of a gift within five working days, to the CEO, in writing.

Interpretation of Policy

1 Considering the Acceptance of a Gift or Benefit

1.1 For any offer of a gift or benefit, the intended recipient must:

- 1.1.1 Consider if the giver has an expectation of something in return, in which case the gift or benefit must not be accepted
- 1.1.2 Consider if there is a real or perceived conflict of interest in accepting the gift or benefit. The relationship between the recipient and giver or their organisation, or the value or frequency of giving can influence perceptions, and careful consideration needs to be given to all circumstances
- 1.1.3 Seek assistance from your supervisor or the CEO in determining an appropriate response, should they be unsure, and
- 1.1.4 Where a gift or benefit is rejected, record the event in the Gift Register, bringing to the attention of the CEO, in writing (email or other) within 5 working days.

2 Accepting and Managing Gifts or Benefits

- 2.1 Any gift or benefit accepted and received is considered the property of PHCC, and the person who receives the gift must declare it in writing within 5 working days, to the CEO. The CEO is then responsible to ensure that gifts valued at more than \$20 are recorded on the Gift Register. The recipient is responsible for physically providing the gift to the CEO within 5 working days (or as approved)
- 2.2 The CEO has the discretion to determine how to deal with gifts and benefits received including:
 - 2.2.1 Distributing intangible items for use
 - 2.2.2 Using within the organisation, converting to cash, donating or distributing physical tangible assets

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- 2.3 The details of the use of any gift or benefit valued at more than \$20 must be recorded on the gift register
- 2.4 The details of the use of any gift or benefit valued at less than \$20 may be recorded on the gift register, at the CEO's discretion
- 2.5 The receipt and use of all gifts and benefits more than \$20 must be reported to the Governance Steering Committee annually.