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## GIFTS AND BENEFITS POLICY

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*Version 1 Adopted on 19 August 2015 by Council Resolution 0815/019*

### 1. PURPOSE

The purpose of this policy is to enable a written record to be maintained of all gifts and benefits received or given by employees of Council in the interests of transparency and accountability.

### 2. SCOPE

This policy applies to all employees of Council as defined in this policy.

### 3. RESPONSIBILITIES

The implementation of this policy is the responsibility of the Chief Executive Officer. The administration of the policy will be undertaken by the Executive Assistant.

### 4. DEFINITIONS

**employee** means a direct employee of Council, a contractor, consultant or other service provider to Council.

**gifts and benefits –**

- (a) The transfer of property or other benefit –
  - (i) without payment; or
  - (ii) for consideration substantially less than full consideration; or
- (b) A loan of property on a permanent or indefinite basis;

received or given by an official when they are acting in their official capacity. Gifts and benefits include tangible items of lasting value and intangible items of no lasting value (including hospitality).

**public perception** means the perception of a fair-minded, reliable person in possession of all facts and full knowledge of the context.

**retail value** means the reasonable retail value of the gift or benefit.

### 5. POLICY

- (a) An employee must not ask for, or accept, a fee or other benefit for doing something as a local government employee (see section 199 of the *Local Government Act 2009*).



- (b) An employee should not accept a gift or benefit that, in the opinion of a reasonable person, affects the performance of their official duties.
- (c) An employee must, if giving or receiving a gift or benefit, give reasonable consideration as to why the gift or benefit is being offered, together with the public perception of the giving or receiving of the gift or benefit.
- (d) All employees must report any gift or benefit received or given that has a retail value of more than \$150.00. Gifts and benefits must be reported to the Executive Assistant within one month.
- (e) If the retail value of the gift or benefit is not easily established, the Chief Executive Officer or relevant Director of the employee will verify the estimated retail value of the gift or benefit.
- (f) All reported gifts and benefits must be recorded in the Gifts and Benefits Register which will be available for inspection.
- (g) Gifts and benefits accepted by an employee remain the property of Council unless the Chief Executive Officer or relevant Director determines it is appropriate for the recipient to retain the gift or benefit, subject to the clauses below.
- (h) Any gifts of cultural or historical significance must remain the property of Council regardless of their value.
- (i) An employee may retain any gift or benefit of \$150.00 value or less if acceptance is not likely to affect the independent and impartial performance of the employee's official duties.
- (j) An employee may retain any gift or benefit which has a retail value of between \$150 and \$350 in appropriate circumstances only if approval is given by the Chief Executive Officer or relevant Director.
- (k) An employee may retain any gift or benefit which has a retail value of over \$350 only if approval is given by the Chief Executive Officer with such approval only to be given in exceptional circumstances.
- (l) The Chief Executive Officer will not retain any gifts or benefits unless approved by the Mayor, but may give approval for the gift or benefit to be utilised by other employees as is reasonable in the circumstances.

## 6. RESOLUTION

*Adopted by Council on the 19 August 2015 by Council Resolution 0815/019.*



Bob Owen  
Chief Executive Officer

19 / 08 / 2015  
Date



## APPENDIX A

### Examples of gifts and benefits

Examples of gifts and benefits include but are not limited to –

1. Gifts of alcohol, clothes and products.
2. Gifts of travel or accommodation.
3. Preferential treatment such as queue jumping, use of facilities, hospitality or benefits generally.
4. Cap, pen, pencil, box of chocolates.
5. Free use of facilities such as gyms or holiday homes.
6. Corporate offers of transport, accommodation and tickets.
7. Awards or prizes.
8. Theatre tickets or access to a corporate box.
9. Restaurant meals and beverages.