

	<b>POLICY</b>	<b>Version No:</b>	<b>1</b>
	<b>Gifts, Benefits &amp; Hospitality</b>	<b>Issued:</b>	<b>30 June 2017</b>
	<b>POLICY AREA</b>	<b>Next Review:</b>	<b>30 June 2020</b>
	<b>Governance</b>		

### **Aims & Objectives**

To provide clear guidelines for Board Members and staff on the acceptance of gifts, benefits or hospitalities from individuals or other entities external to the Eyre Peninsula Local Government Association.

The Eyre Peninsula Local Government Association's objectives of this policy are to:

1. Protect its assets, its integrity and reputation
2. Protect its Board Members and staff from allegations of impropriety

### **Policy Detail**

The Eyre Peninsula Local Government Association (the Association) supports the principle that Board Members and staff must be, and be seen to be ethical, fair and scrupulous in the conduct of official duties.

Staff are fully accountable and responsible for their actions and are to ensure that the methods and procedures they use to arrive at decisions are beyond reproach and can withstand audit processes and public scrutiny.

Board Members, staff and their families should avoid circumstances where accepting a gift, benefit or hospitality could give the appearance of a past, present or future conflict of interest with official Association duty, or where the offer of a gift, benefit or hospitality could be interpreted as having been made with the objective of securing, or in return for favour or preference.

## **1. General Principles**

Board Members and staff should:

- 1.1 Avoid the intent or appearance of unethical or compromising practice in relationships, actions and communications.
- 1.2 Demonstrate loyalty to the Association by diligently following the lawful instructions and policies of the Association, using reasonable care and only the authority granted.
- 1.3 Refrain from any private business or professional activity that would create a conflict between personal interests and the interests of the Association.
- 1.4 Refrain from soliciting or accepting money, loans, credits or prejudicial discounts, and the acceptance of gifts, entertainment, favours or services from current or potential suppliers, contractors, persons, companies or organisations that might influence or appear to influence Association decisions.
- 1.5 Not use their position with the Association to obtain gratuities or discounts on any goods or services for their personal use from any person, company or organisation with whom the Association does or could do business, where such gratuity or discount would not be available to any member of the general public. Gratuities or discounts obtained due to memberships of union, professional bodies or the like are acceptable.
- 1.6 Ensure that persons, companies or organisations that are or could be doing business with the Association do not feel they have any obligation to offer gifts or hospitality to employees or members of the Association to secure or retain

Association business. In this context, if the Board Member or employee considers that the other person may feel compelled or obliged to offer a gift or hospitality, it is better to indicate to that person, prior to the commencement of any business relationship that they do not expect or encourage such offers.

- 1.7 Board Members are encouraged to register details of any gifts they receive in their capacity as a Board Member. An official register (file) for this purpose will be maintained as part of Association's records.
- 1.8 Act according to the law in avoiding corruption defined by the Anti-Corruption Branch of the South Australian Police.

## **2. Definitions**

For the purpose of this policy:

- 2.1 "Benefit" includes, but is not limited to:
  - hospitality, such as restaurant meals
  - entertainment
  - goods in the form of liquor, gift baskets, complimentary tickets or other such benefits
  - airfares and accommodation
- 2.2 Any benefit offered to a relative of an employee will be deemed to be offered to the employee.
- 2.3 "Relative" will be as defined in Section 4 of the Local Government Act 1999 (as amended).
- 2.4 "Suppliers" refers to any person or organisation that provides or is likely to provide goods or services to the Association.
- 2.5 "Corruption" being defined as
  - Conduct of a public official involving a breach of duty or abuse of office engaged in as a result of a bribe or threat or to gain any financial or other advantage or for any dishonest or improper purpose.
  - Conduct of a public official or any other person involving the soliciting, offering, taking or giving or a bribe or any financial or other advantage, or the making of any threat, to induce a breach or neglect of duty or abuse of office on the part of a public official.
  - Conduct of a public official or any other person involving a conspiracy or attempt to engage in conduct of a kind referred to previously where that conduct constitutes or involves, or might constitute or involve, a criminal offence

## **3. Acceptance Of Benefits**

A Board Member or employee must not accept any benefit from any individual or entity if there may be a real or potential risk of compromise or conflict of interest. Benefits with a value in excess of \$250 must be declared. All benefits may only be accepted when approved by the Executive Officer or President. The person approving the benefit will determine if it should be retained by the Association, the employee or distributed in some other manner.

Under no circumstances are members or employees to accept or receive cash, suppliers' goods or services at no cost or non-commercial discounts.

Benefits are not to be accepted under any circumstance by an employee or Board Member who is aware that the benefit is being offered by a supplier who is in the process of tendering for the supply of goods and services to the Association.

Where the estimated value of the benefit exceeds \$250 and approval cannot be gained, the employee or Board Member has the responsibility to politely refuse the gift. If refusal has the potential to damage Association's relationship with the person, company or organisation making the offer, then the gift may be accepted but must be reported at the first opportunity to the Executive Officer or the President. They will make a decision as to whether the gift accepted will become Association property or arrangements made to donate it to a charitable institution in the name of the person, company or organisation that provided the gift. The Executive Officer and/or President will advise the Association of such action.

#### 4. Reporting

All gifts, benefits, or hospitality with a value in excess of \$250 offered to or received by Board Members or employees are to be reported to the Association and recorded.

A Register of Benefits will be maintained by the Executive Officer in which will be recorded all benefits received by Board Members and/ or employees to the value in excess of \$250. Details to include:

- date received
- receiver of benefit
- benefit description
- approximate (or known) value
- provider of the benefit
- reason for giving the benefit

This register will be reviewed by the Executive Committee on an annual basis at the time of the Executive Officer's performance review.

Where a Board Member or employee believes that an offer of a benefit is an attempt to influence the outcome of Association business, details are to be provided to the Executive Officer and/ or President as a matter of urgency.

---

**Strategic Link:**

**Delegation:** Executive Officer & President

**Documentation:**

Register of Benefits

**Authority:** Adopted by Association: 30 June 2017 {Motion No. 535/17 }

SIGNED:



Responsible Officer

Date: 30 June 2017

## REGISTER OF BENEFITS (POLICY 2.13)

Date Received	Receiver of Benefit	Benefit Description	Value \$	Provider of Benefit	Reason	Authorised by: (CEO)