



# GIFTS & BENEFITS POLICY

*To accompany Council's adopted  
Code of Conduct  
Adopted by Council on 12 June 2019  
In conjunction with Code of Conduct - Minute No 4395*

**OBJECTIVE:** To ensure the reputation for integrity and professionalism of Council officials (Councillors and Council Staff) is achieved and maintained through community confidence that Council officials are not influenced by gifts, benefits or inducements.

**POLICY:**

A gift or a benefit is something offered to or received by a Council Official or someone personally associated with them for their personal use and enjoyment. You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you. A gift or benefit is deemed to have been accepted by you, where it is received by you or someone personally associated with you (e.g. a close family member or friend).

This Policy is to be read in conjunction with the Coonamble Shire Council Code of Conduct.

**Gifts or Benefits Guidelines**

You must not:

- a) seek or accept a bribe or other improper inducement;
- b) seek gifts or benefits of any kind;
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty;
- d) accept any gift or benefit of more than token value;
- e) accept an offer of cash or a cash-like gift, regardless of the amount;
- f) participate in competitions for prizes where eligibility is based on Council being in or entering into a customer-supplier relationship with the competition organiser; or
- g) personally benefit from reward points programs when purchasing on behalf of Council.

**Token gifts and benefits**

You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50.00. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50.00;
- b) gifts of alcohol that do not exceed a value of \$50.00;
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like;
- d) prizes or awards that do not exceed \$50.00 in value.

### **Gifts of value**

Gifts or benefits that exceed \$50.00 in value are gifts or benefits of more than token value, must not be accepted.

Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$50.00, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period, would exceed \$50.00 in value.

The value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

### **“Cash-like” Gifts**

“Cash-like” gifts include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

### **What are not considered Gifts & Benefits**

A reference to a gift or benefit does not include:

- a) a political donation for the purposes of the *Electoral Funding Act 2018*;
- b) a gift provided to Council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual Council Official or someone personally associated with them;
- c) attendance by a Council Official at a work-related event or function for the purposes of performing their official duties; or

- d) free or subsidised meals, beverages or refreshments of token value provided to Council Officials in conjunction with the performance of their official duties such as, but not limited to:
  - i) the discussion of official business;
  - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops;
  - iii) Council functions or events; and
  - iv) social functions organised by groups, such as Council Committees and community organisations.

### **Gifts and Benefits Register**

Where you receive any personal gifts or benefit regardless of the value, you must disclose this promptly to your Manager or the General Manager in writing (see attached Declaration Form). The recipient, Manager, or General Manager must ensure that, at a minimum, the following details are recorded in Council's Gift Register :

- a) the nature of the gift or benefit;
- b) the estimated monetary value of the gift or benefit;
- c) the name of the person who provided the gift or benefit;
- d) the date on which the gift or benefit was received;
- e) the name of the staff member the gift or benefit was given to; and
- f) whether the gift was surrendered to Council or kept for personal use.

Where a gift or benefit is received of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to Council, unless the nature of the gift or benefit makes this impractical (eg an item with your name or initials on it).

### **Improper and undue influence**

You must not use your position to influence other Council Officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A Councillor will not be in breach of this section where they seek to influence other Council Officials through the appropriate exercise of their role as prescribed under the LGA.

You must not take advantage (or seek to take advantage) of your status or position with Council, or of functions you perform for Council, in order to obtain a private benefit for yourself or for any other person or body.



# GIFT & BENEFITS DECLARATION FORM

Name: \_\_\_\_\_

Date of receipt of gift/benefit: \_\_\_\_\_

Gift/Benefit type: \_\_\_\_\_

Gift/Benefit purpose: \_\_\_\_\_

Name of Gift/  
Benefit Provider: \_\_\_\_\_

Relationship of  
Provider to council: \_\_\_\_\_

Estimated Monetary  
Value: \_\_\_\_\_

Was gift/benefit  
surrendered  
to Council or kept  
for personal use): \_\_\_\_\_

Current Location  
(if applicable): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***This form is to be approved by the General Manager prior to the acceptance of any gift where practical to do so.***

General Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Decision:                      APPROVED      /      DECLINED      (strike out whichever is not applicable)

**Once completed, please forward form to Governance for the purpose of updating the Gift and Benefits Register.**