



# **Gifts and Benefits Policy**

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## Document Version Control

Greenacres will maintain a high standard of quality and control of all documented information and records. All documents (either retained or referred to) within Greenacres Quality Management System (QMS) will be current, suitable for use, accessible, quality controlled, and stored in a safe and secure location.

Greenacres policies will be reviewed by the relevant senior manager when: a known change has occurred; an incident or complaint has been received; or prior to the mandatory three year review period where no other reviews have occurred.

<b>Section 1</b>	<b>Title</b>	Gifts and Benefits Policy		
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	002	KMT	Converted to new format	11/05/2021	DRAFT
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### 1 PURPOSE

- 1.1 Greenacres is committed to maintaining the highest standards of ethics and conduct in the workplace, which includes the appropriate handling of gifts and benefits. Greenacres will safeguard the trust and confidence of the community by ensuring its employees and Board Members manage gifts and benefits ethically and transparently.
- 1.2 This policy sets out the procedure which all employees, and members of Greenacres Board of Directors must follow when giving or receiving gifts and benefits, and the circumstances under which an offer must be declined.
- 1.3 The purpose of this policy is to minimise the risk of unethical or corrupt behavior.

### 2 SCOPE

- 2.1 This policy applies to all employees, volunteers, and to associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors.
- 2.2 It does not apply to:
  - 2.2.1 gifts and benefits provided by Greenacres to employees or participants in relation to workplace activities e.g. light meals or refreshments provided during meetings,
  - 2.2.2 benefits supplied to the organisation as part of sponsorship or partnership agreements,
  - 2.2.3 donations provided to Greenacres from community organisation or individuals, or

- 2.2.4 food and or beverages provided to Board members by Greenacres when attending Board or Committee meetings or after such meetings.
- 2.3 It also applies:
  - 2.3.1 to situations where an organisation or individual who Greenacres has an existing, or potential, business relationship with offers a gift and/or benefit to staff or Board members of Greenacres and
  - 2.3.2 when Greenacres' employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors provide a benefit or gift on behalf of the organisation.
- 2.4 Further, the policy applies where a participant that Greenacres supports, or their parent or carer, offers a gift or benefit.

### **3 POLICY OVERVIEW**

- 3.1 A gift or benefit is anything of value. It may be considered any item, service, prize, hospitality, or travel offered by a person or other entity that has an intrinsic value and/or a value to the recipient, a member of their family, relation, friend, or associate. Examples of gifts and/or benefits are gift vouchers, entertainment, goods, property, meals, seating at sports events, access to corporate boxes at sporting venues, upgrade of flights/accommodation, new job/promotion, preferential treatment, or access to confidential information.
- 3.2 Employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors must be able to demonstrate that they cannot be improperly influenced in the performance of their duties by offers of gifts or benefits. There may be occasions where employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors may be offered a gift or benefit, and they are often minor in token in nature. To assist employees to do the right thing in these circumstances, Greenacres has set a minimum reportable value of \$40 or \$150 cumulative per year.
- 3.3 No employee or Board member shall offer a gift or benefit which is greater the \$40 or \$150 cumulative per year in value unless it has been approved under this policy.
- 3.4 Any gift or benefit received or offered to an employee or Board member which is greater in value than \$40 or \$150 cumulative per year must be reported and the appropriate handling of the gift or offer will be made in accordance with this policy. All such offers must be declared whether accepted or declined. If a person who offers a gift or benefit becomes offended because the gift or benefit has been refused, the employee or Board member should politely explain Greenacres policy regarding gifts and benefits.
- 3.5 For accepted gifts and benefits, all declarations must be recorded in the Greenacres Gifts and Benefits Register (the register). The Chief Executive Officer (CEO) and their Executive Assistant shall be responsible for maintaining the register, and it will be made available to the Board on a regular basis.
- 3.6 It is essential that employees and Board members are not placed in a position that risks, or appears to risk, their role or Greenacres' image or public and statutory duties. Employees and Board members should at no time secure valuable gifts and hospitality by virtue of their position.

Employees or Board members should not accept or provide any gift with Greenacres funds or resources that would give the impression that they have been influenced or are deemed to be influencing while acting in an “official capacity”.

- 3.7 This Policy also applies to spouses, partners or other associates of Greenacres’ employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors if it can be viewed or perceived that the gift or hospitality is, in fact, for the benefit of the official.

## **4 REQUIREMENTS**

- 4.1 Employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors must not:

4.1.1 accept gifts or benefits that could be perceived by a reasonable person to influence them when carrying out their duties, or what might be considered a bribe,

4.1.2 accept cash offers or financial benefit (including gift vouchers, cheques, and money orders) as this could be considered a bribe, or

4.1.3 solicit or accept a gifts or benefits from participants in connection with official duties aimed at persuading a decision or to provide a favour.

- 4.2 Employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors may:

4.2.1 accept a token gift or benefit below the reportable benefit value of \$40 or \$150 cumulative per year where it is offered to all participants and attendees at a business event or function (e.g. seminars, conferences, meetings)

4.2.2 accept a gift or benefit of gratitude below the reportable value of \$40 for presenting at a conference, seminar or business event as long as it does not fall in the categories above. All gifts and benefits must also be reported on the Gifts and Benefits Register.

4.2.3 accept a ceremonial gift from another organisation on behalf of Greenacres. Ceremonial gifts are considered to be intended for Greenacres and are not for the individual receiving the gift. These gifts must be declared and reported on the Gifts and Benefits Register.

4.2.4 accept refreshments (e.g. tea, coffee, juice) or meal during a meeting as a participant of a working group. These only need to be declared on the Gifts and Benefits Register if the reportable value exceeds \$40.

- 4.3 Employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors must:

4.3.1 advise their Supervisor/Manager immediately if offered a gift or benefit where they believe the intention of the person making the offer was to assert influence, or where the offer could be considered a bribe,

4.3.2 register all gifts and benefits above the reportable value of \$40. This includes registering:

4.3.2.1 all ceremonial gifts received,

- 4.3.2.2 all gifts given in gratitude, and
- 4.3.2.3 any gift or benefit that is declined, returned or disposed of, for example if the gifts are shared with coworkers, donated, or returned.
- 4.3.3 discourage family, relatives, friends or associates from accepting gifts and benefits, which could give the perception of an indirect attempt to influence them, and
- 4.3.4 complete a Conflict of Interest Declaration where a gift or benefit creates an actual, potential or perceived conflict between the employee or Board members private interest and official duties.

## 5 RECEIVING GIFTS

- 5.1 If offered, a gift it shall not be personally accepted without the gift being declared on the Gifts and Benefits Register and permission provided by the Chair, CEO or relevant Chief Officer, as appropriate.
- 5.2 Where gifts are offered which have a value of more than \$40 but less than \$70.00, the relevant Chief Officer shall determine what is to happen to the gift. Gifts in excess of \$70.00 shall be determined by the CEO who shall also make a determination on gifts offered at any value to Managers. Gifts offered to members of the Board shall be determined by the Chair and gifts offered to the Chair shall be determined by the Board. Gifts offered to the CEO shall be determined by the Chair.
- 5.3 The CEO, relevant Chief Officer, Chair or Board, as appropriate, shall determine whether the gift should be:
  - 5.3.1 returned,
  - 5.3.2 accepted,
  - 5.3.3 given to another staff and/or Board member,
  - 5.3.4 shared with all staff,
  - 5.3.5 used as part of a Greenacres raffle,
  - 5.3.6 raffled for a charity,
  - 5.3.7 donated to a charity,
  - 5.3.8 a donation made to a charity and the gift kept, or
  - 5.3.9 some other arrangement as appropriate.
- 5.4 In determining what should happen to the gift, the CEO, relevant Chief Officer, Chair or Board, as appropriate, shall have regard to what is in the best interest of Greenacres e.g. if the CEO is offered tickets to attend a Government Agency sponsored dinner, this might be deemed appropriate because of important stakeholder relationships and networking. If the CEO, on the other hand, was offered an all expenses holiday weekend from a preferred provider of financial services this would be declined, however a decision might be made to raffle this gift to raise money for Greenacres.

## **6 GIFTS AND BENEFITS OFFERED BY GREENACRES**

- 6.1 Greenacres employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors must be mindful that the cost of gifts and hospitality offered by Greenacres are an expense and the expectation is that such costs will be used for legitimate purposes and demonstrate value for money.
- 6.2 In some circumstances, it may be appropriate for Greenacres funds/resources to provide a gift, for example:
  - 6.2.1 providing a bouquet of flowers to a seriously ill employee or to a longstanding employee who is retiring,
  - 6.2.2 giving gift vouchers to someone who presented at a Greenacres conference free of charge, and
  - 6.2.3 making a contribution towards staff Christmas festivities.
- 6.3 It is also acceptable for Greenacres to provide modest hospitality in the way of working lunches and/or dinners to existing and potential contractors and stakeholders subject to a genuine business reason. Where this occurs, it must be approved by the CEO. In the instance of the CEO providing modest hospitality to potential contractors or stakeholders, no prior approval is required, however items must be entered into the register if such hospitality exceeds \$50.

## **7 DECLARATION**

- 7.1 Employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors should make their declaration as soon as possible after the offer of a gift or receipt of hospitality. All declarations are to go to the CEO or their Executive Assistant who will update the register. It is recommended that employees make their declaration by email and retain a copy for their personal records.
- 7.2 The declaration will need to include the following information:
  - 7.2.1 date the gift or benefit was offered,
  - 7.2.2 name and position of the person it was offered to,
  - 7.2.3 name of donor,
  - 7.2.4 description of the gift/benefit,
  - 7.2.5 monetary value of the gift/benefit (\$),
  - 7.2.6 decision on what will happen to the gift/benefit, and
  - 7.2.7 name and position of approving officer/Board.
- 7.3 Employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors should consult the Chief People Officer for any guidance required on this Policy. In general terms, if in any doubt about whether an item should or should not be declared, employees are advised to declare it.

## **8 GIFTS AND BENEFITS REGISTER**

- 8.1 The register will be reviewed quarterly by the CEO and reported to the Board every six months.
- 8.2 employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors will be reminded periodically of their requirement to declare gifts and benefits provided/accepted/declined in accordance with this Policy.

## **9 POLICY BREACH**

- 9.1 Employees, volunteers, associated persons such as agency staff, and others employed under a contract of service and members of the Board of Directors who fail to declare the acceptance/provision/decline of gifts and hospitality in accordance with this Policy may be subject to disciplinary action under the Disciplinary Procedure or the Governance Principles Policy. Any breach to this policy, may also constitute a breach to the Code of Conduct.
- 9.2 In addition, to solicit or accept a gift or benefit, or accept a bribe that influences decision making or provides a favour, is inconsistent with this policy and may be considered an offence under the [Crimes Act 1900 \(NSW\)](#) and may lead to criminal prosecution.

## **10 GIFTS FROM PARTICIPANTS**

- 10.1 This policy operates in conjunction with the Code of Conduct and in particular its section on Professional Boundaries indicating that receiving gifts from participants is an indication that boundaries have been compromised and therefore receiving such gifts should be avoided.
- 10.2 Where staff are offered a token gift by a participant, this must be approved by the relevant Chief Officer.



## **12 FEEDBACK**

12.1 Staff, supported employees and participants can provide feedback about this document by emailing [feedbackandcomplaints@greenacres.net.au](mailto:feedbackandcomplaints@greenacres.net.au).

## **13 APPENDIX**

13.1 Appendix 1 - Gifts and Benefits Register

**APPENDIX 1 GIFTS AND BENEFITS REGISTER**

<b>Date</b>	<b>Name and Position of recipient</b>	<b>Donor</b>	<b>Description of Gift</b>	<b>Value</b>	<b>Decision</b>	<b>Approving Officer</b>