

Gifts, Benefits & Hospitality Guidelines

TRIM: A21/87646

Updated: 4 May 2021

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1. Background

The Tasmanian community expects that employees and members of Government agencies will act with the highest levels of integrity and impartiality.

The acceptance of a gift, benefit or hospitality may lead to a conflict of interest between a member or employee's personal interests and public duty, or cause objectivity to be questioned.

These guidelines outline the principles surrounding gifts, benefits and hospitality, and apply to all members and employees of the Department of Police, Fire and Emergency Management (DPFEM). Note that these guidelines exist in conjunction with the [Whole of Government Gifts and Benefits policy](#) released by the Department of Premier and Cabinet.

If a member or employee has any questions about the applicability of these guidelines, they should decline the offered gift, benefit or hospitality, or speak to their manager.

2. Policy position

Generally speaking, 'thanks' should be considered enough when fulfilling your duties. Members and employees should not expect to receive gifts, benefits or hospitality for undertaking employment.

The default position of members and employees should be to decline the offer of a gift, benefit or hospitality. However, in limited and exceptional circumstances it may be appropriate to accept a gift, benefit or hospitality.

In addition to general exclusions, if a gift, benefit or hospitality may influence, or be deemed to influence any part of a procurement or disposal decision at the time or in the future, it must be declined.

Members should always be cognisant of actual, perceived or potential conflicts of interest when being offered a gift, benefit or hospitality.

3. Scope

What are Gifts, Benefits and Hospitality?

A Gift, Benefit or Hospitality refers to any gratuity, favour, discount, entertainment, loan, or other benefit having monetary value gained in the course of an officer or employee's duties. This includes, but is not limited to:

- a gift of money or equivalent (including gift cards and vouchers)
- a gift of a physical object (excluding token mementos)
- the conferring of a benefit
- the conferring of an honorary degree or title

- a purchasing incentive, such as a gift, service, promotional reward, discount or loyalty rewards, a frequent buyer card redemption, which is received in relation to the purchase of a particular good or service for the Department
- indirect or concealed gifts, including loans of money or property, sale of property at less than full value, or the provisions of a benefit which has a financial or commercial value for less than full value
- provision of hospitality, including meals (excluding modest refreshments)
- accommodation
- travel (e.g. airfares, taxi fares and vehicle hire)
- education and training not offered or paid for in full by your employer or yourself (e.g. external conference or seminar ticket, externally hosted training course, or completion or award of an external qualification)
- entertainment (e.g. tickets to arts/sporting/recreational events) for less than value.

What is not considered to be Gifts, Benefits and Hospitality?

A Gift, Benefit or Hospitality does not include:

- a token memento meaning an item of little intrinsic value, such as a greeting card, confectionery, calendar, diary, magnet, pen, plaque/certificate or trophy which is solely for presentation, a scarf or tie, badges, souvenirs, craft, remembrances or other tokens bestowed at an official function, marks of courtesy or of a seasonal nature of a minor value. Although it may be difficult to value a particular item that is received or offered, if a comparable item is commercially valued at \$50 or higher, the item is not a token memento and is considered to be a gift, benefit or hospitality;
- a modest refreshment meaning food or refreshment which generally is not in conjunction with a sit-down meal, such as coffee, biscuits, sandwiches, cake, hors d'oeuvres, fruit, or any other snack;
- a publicly available discount;
- a randomly drawn prize given in a contest which is open to the public or to a broadly defined class of government employees;
- something for which you have paid fair value.

4. Procedures

4.1 Declining gifts, benefits, and hospitality

- This should be the default position for all members and employees.
- If there is any concern in relation to receiving a gift, benefit or hospitality, then it should be declined, returned, or advice should be sought from a manager.
- Money or money equivalent must be declined.

- Physical objects with a value of \$100 or more must be declined, or referred to the Head of Agency for consideration.
- Declined gifts, benefits and hospitality do not need to be declared.

4.2 Accepting gifts, benefits, and hospitality

- All gifts, benefits and hospitality must be declared by members or employees as soon as practicable.
- The value must be under \$100 and comply within the accepted scope of an appropriate gift, benefit or hospitality
- In the context of modest refreshments and token mementos, should a cumulative amount of over \$100 or more be received over a 12-month period from a single supplier, each item should be accounted for and a declaration made to the Gifts, Benefits and Hospitality Register.
- If a gift, benefit or hospitality is provided to a group, it is the responsibility of the manager to provide the declaration.
- All declarations must be made using the Gifts and Benefits Notification Form on CM9, and submitted via usual approval channels for a decision regarding acceptance or decline. Instructions for use of the CM9 Gifts and Benefits Notification Form can be accessed via CM9 (record number PG/49).

4.3 Approval/Non-Approval of gifts, benefits, and hospitality by Delegate

- The Secretary has delegated authority to the Chief Officer, Deputy Commissioner and Deputy Secretary to make determinations in regards to gifts and benefits declarations.
- Declarations should follow usual chains of command to the relevant delegate of the Secretary, with notations of support or otherwise from relevant managers.
- Delegates are to consider whether there is sufficient public interest to support the acceptance of the gift or benefit, and apply the requirements of these guidelines and the related *Whole of Government Gifts, Benefits & Hospitality Policy*.
- Upon determination by the delegate, the notification should be referred to the Policy & Research Officer, Office of the Secretary for reporting purposes. The notification will then be referred back to the district for finalisation.

- Where a Delegate disapproves a gift, benefit or hospitality declaration, appropriate action needs to be taken to remediate the declaration, this may include:
 - Return of the gift
 - Repayment of the benefit or hospitality
 - Other appropriate action which may include counselling, reprimand or escalation to a Code of Conduct investigation.
- The details of a disapproved declaration are to be reported in the same manner, with the remediation outcome.
- Where the gift or benefit relates to the Secretary, this must be referred to the Head of the State Service for determination.

5. Reporting

The Office of the Secretary will collate a report against all declared gifts, benefits and hospitality on a quarterly basis, to be provided to the Agency Management Group (AMG) for oversight. The AMG will cause this report to be published on the DPFEM website within 48 hours of noting.

Reporting will include the following regarding the gift, benefit or hospitality:

- Date of offer
- Description
- Approved or Not Approved
- Reason for Approval or Non Approval
- Person or organisation offering the gift, benefit or hospitality
- Value.

The business owner of the Gifts, Benefits and Hospitality Register is the Deputy Secretary.

6. Roles and Responsibilities

6.1 Members and employees

It is the responsibility of all DPFEM members and employees to operate within the requirements of this Guideline and the related *Tasmanian Government Gifts, Benefits and Hospitality Policy*, and related legislation.

6.2 Head of Agency / Delegate

It is the responsibility of the Secretary, as Head of Agency, or his/her delegate, to ensure that gifts, benefits and hospitality are only accepted in accordance with these guidelines.

7. Risk Implications

Non-compliance with these Guidelines may constitute a breach of the employee or member's relevant Code of Conduct provisions, and may result in disciplinary action or even prosecution.

8. Values

These Guidelines will operate in accordance with the values of the respective operational service areas of the Department, in addition to the overarching DPFEM values of integrity, equity, and accountability.

9. Key Definitions

Employees	For the purpose of these Guidelines, 'employees' refers to DPFEM: <ul style="list-style-type: none">○ State Service Employees○ Fire fighters.
Members	For this purpose of these Guidelines, 'members' refers to: <ul style="list-style-type: none">○ Tasmania Police officers○ Volunteers of the TFS & SES
Must	Indicates a mandatory action.
Should	Indicates a recommended action to be followed unless there are sound reasons for taking a different course of action.

10. Communication Strategy

The Guidelines will be accessible electronically through Conexus, and will be publicly available via the Department's internet page.

Communication of the Guidelines will occur through key messages via Conexus. They will also be provided during the induction of new staff.

11. Legislation and Policy Documents

[Tasmanian Whole of Government Gifts, Benefits and Hospitality Policy](#)

[State Service Act 2000](#)

[State Service Regulations 2011](#)

[Police Service Act 2003](#)

[Fire Service Act 1979](#)

[Tasmania Police Manual](#)

[Employment Direction No. 5 – Procedures for the investigation and determination of whether an employee has breached the Code of Conduct](#)

[Treasurer's Instructions relating to procurement](#)

12. Document Information

General Information

HP Records Manager No.	A21/87646	Replaces document	DPFEM gifts, benefits & hospitality policy A21/35193
Effective from	05/05/2021	Review date	March 2024
Business Owner	Deputy Secretary, DPFEM		
Applies to	Whole of DPFEM		
Information Security Classification	PUBLIC		

Approval

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Supported by	Agency Management Group		05/05/2021
Approved by	D Hine	Secretary	05/05/2021

Revision History

Version	Approved By (Name)	Approved By (Title)	Amendment Notes