

# Gifts and Benefits Procedures

## Section 1 - Overview

(1) These procedures provide guidance on how the Gifts and Benefits Policy should be applied in the course of undertaking official duties as an employee of the University.

## Section 2 - Procedures

### General Procedures

(2) Where a Gift or Benefit has been offered or given it must be formally disclosed to the University within Ten (10) working days.

(3) Where possible before accepting or offering a Gift or Benefit, staff should seek the relevant approval.

(4) Where it is determined that there is an actual or perceived Conflict of Interest, Gifts and Benefits must not be accepted.

(5) In the case of offers of hospitality or entertainment, approval must be sought before accepting or making these offers. In making a determination about the acceptance of the Gift or Benefit, the supervisor must determine if there would be a conflict of interest by either accepting or giving the Gift or Benefit. Examples of forms of hospitality may include but not limited to:

- a. Free meals;
- b. Small group events with potential suppliers or vendors;
- c. Free merchandise; and
- d. Tickets to events.

(6) Where the value of the hospitality is above the Nominal Gift or Benefit value, these offers will be considered a Significant Gift or Benefit.

(7) The Records Management Office will maintain a register of Gifts and Benefits. This register will be reviewed periodically by the Director of Audit and Risk to determine if there are trends of Gifts and Benefits occurring and determine appropriate action to resolve the issue.

(8) The following are examples of potential Gifts and Benefits:

- a. Free Meals;
- b. Small group events with potential suppliers or vendors;
- c. Free merchandise;
- d. Tickets to events;
- e. Free alcohol;
- f. Artwork;

- g. Jewelry;
- h. Other items of Nominal or Significant value;
- i. Access to price discounting of items available to the general public for sale;
- j. Items won in competitions held at conferences; and
- k. Gifts given by a student to staff that are involved in the assessment of the student.

## **Nominal Gift Procedures**

(9) All offers of Nominal Gifts and Benefits will be disclosed to the relevant supervisor via email. The Staff member will provide the supervisor the following information:

- a. A description of the Gift or Benefit and date offered;
- b. The name of the staff member receiving or offering the Gift or Benefit;
- c. The name of the person that has offered or been offered the Gift or Benefit;
- d. A detailed description of the relationship between the parties either offering or accepting the Gift or Benefit, including a disclosure of any actual or perceived conflict of interest in accepting the Gift or Benefit; and
- e. The estimated market value.

(10) The supervisor will make a determination on the acceptance or otherwise of the Gift or Benefit. Possible outcomes for the acceptance of Gifts and Benefits are:

- a. The staff member being allowed to offer or accept the Gift or Benefit;
- b. The Gift or Benefit be returned, not accepted or not offered; and
- c. The Gift or Benefit will be retained by the University.

(11) The email train containing all of the correspondence will be emailed by the supervisor to [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au). Please ensure the title of the email contains the staff member's staff number and surname.

## **Significant Gifts and Benefits Procedures**

(12) All offers of Significant Gifts and Benefits will be disclosed to the relevant supervisor via email. The Staff member will provide the supervisor the following information:

- a. A description of the Gift or Benefit and date offered;
- b. The name of the staff member receiving or offering the Gift or Benefit;
- c. The name of the person that has offered or been offered the Gift or Benefit;
- d. A detailed description of the relationship between the parties either offering or accepting the Gift or Benefit, including a disclosure of any actual or perceived conflict of interest in accepting the Gift or Benefit; and
- e. The estimated market value.

(13) The supervisor will make a recommendation, via email to the Head of Cost Centre in regards to the appropriateness of the Gift or Benefit.

(14) The Head of Cost Centre will make a determination on the acceptance or otherwise of the Gift or Benefit. Possible outcomes for the acceptance of Gifts and Benefits are:

- a. The staff member being allowed to offer or accept the Gift or Benefit;
- b. The Gift or Benefit be returned, not accepted or not offered; and

c. The Gift or Benefit will be retained by the University.

(15) Where the Head of Cost Centre is receiving or offering the Gift or Benefit, they will email the Relevant Senior Executive with the same information as outlined above.

(16) The email train containing all of the correspondence will be emailed by the Head of Cost Centre/Relevant Senior Executive to [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au). Please ensure the title of the email contains the staff members staff number and surname.

## Monetary Gifts Procedures

(17) Although Monetary Gifts cannot be accepted, all offers of Monetary Gifts must be disclosed by providing the following information, as an email to their supervisor:

- a. A description of the Monetary Gift and date offered;
- b. The name of the person that has offered the Gift;
- c. A detailed description of the relationship between the parties, including a disclosure of any actual or perceived conflict of interest; and
- d. The value of the gift.

(18) The supervisor will email the email train to [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au). Please ensure the title of the email contains the staff members staff number and surname.

## Corporate Gifts Procedures

(19) All Corporate gifts must be disclosed by providing the following information, as an email to their supervisor:

- a. A description of the Gift and date offered;
- b. The name of the staff member receiving or offering the Gift;
- c. The name of the person that has offered or been offered the Gift;
- d. A detailed description of the relationship between the parties either offering or accepting the Gift or Benefit, including a disclosure of any actual or perceived conflict of interest;
- e. The location of the Gift; and
- f. The estimated market value.

(20) The supervisor will email the email train to [corporategifts@une.edu.au](mailto:corporategifts@une.edu.au). Please ensure the title of the email contains the staff members staff number and surname.

## Examples emails for disclosure of Gifts and benefits

(21) Nominal Gift or Benefit

- a. Dear (Supervisors Name)

On (date). I was offered a free lunch by a representative of \*\*\*\*\*. The name of the person that offered the lunch was \*\*\*\*\*. I have had a long working relationship with this person for many years as they hold a similar position as mine at \*\*\*\*\*. They were attending UNE to participate in a training course on a software package that we currently use. There is no conflict of interest between us as UNE will not benefit from them receiving training on the software package, this system is widely used in the sector. There has been no breach in confidentiality in terms of how UNE uses the software.

The value of the lunch was \$30.00.

I sought your approval verbally before attending the lunch and now I am formally providing confirmation that I attended the lunch and seek your written approval. Can you please confirm your approval?

Regards

Dear (Staff Member) cc to [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au)

On the basis of the information you have provided to me and the declaration you have made that there is no conflict of interest in accepting this lunch, I am happy to approve this on this occasion.

I have sent this email to [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au) to formalize the process.

Regards

a. Dear (Supervisors Name)

On (date). I was offered ongoing free hospitality at a local pub. This was offered by a local contractor that currently is engaged by the University to provide \*\*\*\*\* services. I have had a long relationship with the contractor and don't feel that this represents a conflict of interest because we are half way through the contract and we are two years away from going back to tender. The value of the offer would be under \$300. I am seeking your approval to accept the offer.

Dear (Staff Member cc [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au) )

On the basis of the information provided to me I cannot approve this request. I believe there is a significant risk of a perceived or actual conflict of interest in accepting this offer. The fact that we are not currently looking to go back to tender is irrelevant in this case. The perception from the community would be if such an offer was accepted the contractor may receive preferential treatment in the next tender round, based on the Gifts or Benefits that have been provided to you. The risk to the University is too high and therefore I cannot approve your request on this occasion.

Thank you for bringing this to my attention. I have forwarded this email to [giftsandbenfits@une.edu.au](mailto:giftsandbenfits@une.edu.au) to formalize the process.

Regards

(22) Significant Gifts or Benefit

Dear (Supervisors Name)

On (date). I won iPad in a competition that was held at the \*\*\*\*\* conference I attended. The gift was given to me by the conference organizer and was sponsored by a major software company that attended the conference. The organizer of the conference has run these events for a number of years and are attended by a number of Universities each year. The iPad I won was via a lucky door prize and was random in the selection of the winner. My attendance at the conference was paid for by the University. The software supplier that sponsored the prize is currently involved in a tender process with the University. I believe there is no conflict of interest between myself and the event organizer and I have no relationship with the sponsor of the iPad. The estimated value of the gift is \$700.

I am now seeking your approval to retain the iPad.

Regards

Dear (Head of Cost Centre)

Please see the below email from \*\*\*\*\*. I believe based on the circumstances outlined above the staff should be able to retain the gift. It was won randomly and I believe there is no conflict of interest between the parties involved.

I therefore seeking your approval for the gift to be retained by \*\*\*\*\*.

Regards

Dear (Supervisor and Staff Member cc giftsandbenefits@une.edu.au )

Thank you for your email. After reviewing the emails I agree that the staff member should be able to retain the gift. I therefore approve the request.

I have sent this email to giftsandbenefits@une.edu.au to formalize the process.

Regards

### (23) Monetary Gifts

Dear (Supervisor)

On (date) I was offered a monetary gift of \$100, which I did not accept. The gift was offered to me by \*\*\*\*\*. The gift was offered to me as a thank you for assistance I provided to him, in my role as \*\*\*\*\*. Although I have known him for many years, I wouldn't say that we were friends. I did advise him that it was against University policy to accept the gift and thanked him for the offer and explained how the Gifts and Benefits Policy operates at the University. He was fine about it once I explained it all to him.

Can you please forward this to [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au).

Regards

Dear (Staff Member cc [giftsandbenefits@une.edu.au](mailto:giftsandbenefits@une.edu.au) )

Thank you for this declaration I have forwarded on as requested.

Regards

### (24) Corporate Gifts

Dear Supervisor

For your information

On (date) I was received a corporate gift, being a glass sculpture. The gift was given by the Vice-Chancellor of \*\*\*\*\* University. It was given in appreciation of work done between the Universities on a significant project that will benefit both institutions. I have had a good working relationship with the Vice-Chancellor for many years and I perceive no conflict of interest in accepting this gift on behalf the University. The estimated value is \$500 and the gift has been displayed in the public area of the library, it contains a plaque detailing the origin of the gift etc.

Can you please forward this on to corporategifts@une.edu.au.

Regards

Dear (Staff Member cc corporategifts@une.edu.au)

Thank you for this declaration I have forwarded on as requested.

Regards

## Section 3 - Definitions

(25) For the purpose of this policy:

- a. Conflict of Interest — A conflict of interest involves a conflict between a public official's duties and responsibilities in serving the public interest, and the public official's private interests. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage — whether financial or otherwise.
- b. Corporate Gifts — These are received or given on behalf of the University.
- c. Fair Market Value — Means the reasonable retail value of the Gift or Benefit.
- d. Gifts and Benefits - These are goods or services that are offered or received free of charge or at a discounted rate.
- e. Head of Cost Centre — Normally the Director or Head of School of the Cost Centre.
- f. Nominal Gifts or Benefits — These are Gifts or Benefits with a fair market value of less than \$300.
- g. Monetary Gifts — These are Gifts or Benefits that are currency or easily converted into currency such as shares.
- h. Significant Gifts or Benefits — These are Gifts or Benefits with a fair market value of \$300 or more.
- i. Relevant Supervisor — Normally the staff member's immediate supervisor.
- j. Relevant University Senior Executive — Normally the Head of Cost Centre's supervisor.

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	27th July 2015
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