FACT SHEET
DEALING WITH GIFTS AND BENEFITS:
FOR EMPLOYEES IN THE PUBLIC SECTOR

The offer and acceptance of gifts and benefits is an area of high misconduct risk. As a public sector employee, you should never expect to get anything extra for doing what you are paid to do. Public sector employees must handle offers of gifts and benefits carefully.

Tips for employees

Public authorities may have their own gifts and benefits policies which set out the process employees are to follow when giving or receiving gifts. Gifts and benefits are also generally covered by your public authority's code of conduct. Remember: the safest and easiest option for public sector employees is to decline any gifts or benefits.

When considering an offer of a gift, it is important to comply with your public authority’s policy, and to consider:

- your relationship with the giver
- the intent of the offer
- the potential public perception of the offer.

Ask yourself these questions

- Why has it been given to me?
- Am I, or will I be, in a position of regulating the gift-giver (e.g. permits, grants, licensing)?
- Is the giver a supplier? Gifts or benefits should never be accepted from suppliers.
- Is this person likely to seek or expect something in return for the gift?
- If in doubt, have I sought the advice of a trusted colleague, or my manager?
- What if members of the public see me accept this gift, or find out about it?
- Could the gift be seen by other people as a reward or incentive?

The offer and acceptance of gifts and benefits risks creating a conflict of interest between an employee’s private interests and their public duty.

The safest and easiest option for public sector employees is to decline any gifts or benefits.
A **gift** is a tangible item of value offered over and above your normal salary or employment entitlements. It may include things such as alcohol, food, flowers, electronic devices, kitchen equipment, books, and hampers.

A **benefit** is a non-tangible item of value offered over and above your normal salary or employment entitlements. It may include things such as sponsored travel, hospitality, loyalty bonus points, discounts, preferential treatment, invitations to events, money, gift cards, and items that may be readily converted to cash.

**Tips for managers and supervisors**

- Know where the gifts and benefits policy and declaration forms are, and make them easily available to employees.
- Educate yourself and your staff on the policy and the process for reporting gifts.
- Actively discourage employees from accepting any gifts or benefits.
- Be available to employees to explain the policy as needed.
- Maintain the gift register (or provide information to the employee responsible for maintaining it).
- Report as required.

**Tips for public authorities**

- Actively promote the gifts and benefits policy and declaration form, and provide training to explain them in straightforward, practical terms.
- Review gifts and benefits policies regularly (e.g. every two years) as they are ‘living documents.’
- Review the gifts and benefits register annually (or more often in high risk areas) and report to the executive.
- Ensure the policy provides clarity on:
  - what constitutes a gift or benefit, with practical examples relevant to your agency environment
  - what gifts are not to be accepted in any circumstances
  - what gifts may be accepted without declaration (e.g. token gifts)
  - potential consequences of non-compliance
  - the timeframe in which the gift or benefit is to be declared.

The simplest and most straightforward policies are those that **preclude the receipt of all gifts and benefits**, subject to limited and well-defined exceptions.