



Gifts and benefits in specific situations

Public sector employees are sometimes offered gifts and benefits in specific situations, requiring extra care and management.

When more than 'thanks' is offered

Employees should not expect to receive gifts, benefits or hospitality for doing a job they are paid by the public to do. In most situations, 'thanks' is enough.

However, there are specific situations and types of gifts and benefits that public sector employees often consider to be in a 'grey area', resulting in confusion about if, or when, it is appropriate to accept them.

These situations include:

- ▼ hospitality, events and functions
- ▼ speaking at conferences and events
- ▼ sponsored travel
- ▼ winning prizes
- ▼ cultural, historical and ceremonial gifts, and
- ▼ internal gifts.

Hospitality, events and functions

Public sector employees may be invited by clients or contractors to attend events and functions that will have at least an indirect connection to their work. These can include, but are not limited to:

- ▼ socialising and networking events
- ▼ presentations and openings
- ▼ sporting events, and
- ▼ entertainment.

Public sector employees may also be invited to enjoy the hospitality of a client or contractor, such as discussing a business plan or outlining the requirements of a tender contract at a restaurant.

The general rule for hospitality

It is appropriate for a public sector employee to enjoy moderate hospitality (for example, tea, coffee, sandwiches) during the course of work. However, anything more substantial is unacceptable, and should be refused or paid for by the employee.

The general rule for events and functions

It is appropriate for a public sector employee to attend an event or function if it gives a 'clear operational advantage or benefit' to their organisation, and is sufficiently connected to their work. This is a determination for your manager or supervisor to make.

Speaking at conferences and events

Public sector employees may be invited to deliver a presentation at a conference or event in order to represent their organisation.

When accepting a speaking engagement, the event organisers should be advised of the organisation's gifts, benefits and hospitality policy to avoid potential conflicts of interest.

If a gift is offered, it should be refused if it does not create offence. If refusing is not appropriate, the gift must be declared and managed by the organisation according to its gifts and benefits policy and procedures.

Sponsored travel and conferencing

Occasionally, private companies or groups sponsoring a conference will offer to pay for a public sector employee's travel, so that they can speak at or attend the conference. The conference may include promotion of particular products that are being marketed to the public sector.

The general rule for sponsored travel

The offer of sponsored travel should be declined. If attendance is required for the employee's workplace role or duties, then the organisation should pay for the travel.

The general rule for free conference registration

Private companies may also offer free conference registration to public sector employees.

This may be acceptable, particularly if the employee is speaking at the conference, if the event satisfies the public interest test. That is, free attendance at the conference would be of value to the organisation, community and public.

Winning prizes

Conferences and similar events sometimes have 'lucky door prizes'. While these randomly awarded prizes may appear to be appropriate to keep, the Commission's position is that door prizes should be declared as if it were a gift and not be retained by the employee.

This is because:

- ▼ the employee is attending in their work time and any additional reward is inappropriate, and
- ▼ prizes are often donated by companies whose business may benefit from the work of public sector employee (were favour shown due to the prize)



CASE STUDY

A Tasmanian public officer attended a conference on behalf of his organisation. When he entered the conference, he placed his business card in the competition barrel and won a scooter.

The scooter was declared on the organisation's gift register and a decision made for its disposal, which was to return the scooter to the conference organisers.

The gift was handled appropriately and the organisation minimised its integrity and reputational risk.

From Integrity Commission Report no. 1 of 2015¹

Cultural, historical and ceremonial gifts

The handling of cultural, historical and ceremonial gifts will largely depend on the area of work that your organisation handles and its specific policies. It is common practice for organisations to treat such gifts as the property of the organisation regardless of their value.

Internal gifts

Public sector employees may wish to exchange gifts with one another to show appreciation for a job well done. However, this does raise the risk of employees 'playing favourites' and failing to perform their job with impartiality.

Therefore, employees should exercise prudence or avoid accepting gifts from other public sector employees, except where this is a token appreciation for their work or a one-off celebration (such as a workplace milestone).

What should I do if I feel unsure about a gift or benefit?

If you feel any doubt about a gift or benefit, you should consult a manager or your supervisor. They will be familiar with your organisation's policies and guide you on the appropriate actions.

¹ https://www.integrity.tas.gov.au/_data/assets/pdf_file/0010/472915/Integrity-Commission_Report-1-of-2015_Own-motion-investigation-into-management-of-gifts-and-benefits-in-the-Tasmanian-State-Service.pdf



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: prevention@integrity.tas.gov.au or 1300 720 289.

For more Misconduct Prevention resources go to www.integrity.tas.gov.au/resources