



## Frequently Asked Questions – part 2

### 1. I received a randomly-assigned gift while acting in my official capacity. Is it appropriate to keep it?

While you were not given the gift because of your official role, you were given the gift while acting in your official role. Therefore, any gifts that you receive are the property of your organisation.

This is because your actions were being funded by the public, so any benefit you receive should go back to the public, rather than to you as an individual.

### 2. Can I accept any gift valued at below the minimum monetary threshold?

The monetary threshold should only be used as one indicator of whether a gift is a 'token'. You should also consider:

- ▽ if the gift or service could give the impression of influencing you, or being inappropriate for a government employee to accept
- ▽ if the gift or service is of small monetary value, but has other characteristics that would bring you significant value, and
- ▽ if your role would make even a token gift inappropriate to accept (such as a government buyer or procurement agent)

### 3. Can I accept as many token gifts from a particular person or company as I want without having to declare them?

If you accept multiple token gifts from the same person or company, that when added up is at or above your organisations monetary threshold, you must declare each token gift.

### 4. I was offered a gift by a company that has not been involved in any government tenders in the past and is unlikely to be in the future. As a procurement officer, can I accept the gift?

A procurement officer has a far greater misconduct risk, because there is more incentive for people to influence or bias you. For this reason, procurement officers can never accept gifts, regardless of whether you have interacted with them in your role previously or are likely to in the future.

This is just as much to protect the department from misconduct, as it is to protect your good reputation.

## 5. Can I accept money if it is less than my organisation's gift declaration threshold?

It is never appropriate to accept money. The fact that it is a small amount of money, under the threshold, is irrelevant.

## 6. Is it okay to accept sponsored travel and conferencing?

Sponsored travel and conferencing should, generally, be declined. If it is in the organisation's interests that an officer attend a conference, the organisation should pay for it. An organisation's independence and reputation is worth far more than the cost of a flight and conference.

## 7. Can I accept a gift if I am aware of the risk and make a conscious effort to remain unbiased?

You cannot accept a gift, unless it is a token gift. Even if you attempted to manage your conflict of interest, there is public perception to be managed. While you may believe that you are not biased, the public may perceive you to be- which is just as damaging to your reputation as if you were biased.

Also, in attempting to manage your bias you may be harsher on the gift-giver. This could be unfair to them and ensure your decision is not fair or objective.

## 8. If I am acting in my official capacity, but going 'above and beyond' by speaking at events to promote our work, may I keep a gift in recognition of my doing more than is expected?

While it is admirable that you are so committed to your job, whenever you are acting in your official capacity you are acting as the organisation, therefore, any gifts are the property of the organisation. Public officers should not require any extra benefits or incentives to perform their job well.

## 9. Is there any harm in accepting a nice restaurant dinner with a client, if I was willing to pay for my meal?

Accepting anything more than moderate hospitality is inappropriate. The fact that you were willing to pay is irrelevant, accepting the offer of dinner places you in a position where you will, even subconsciously, feel indebted to the gift-giver and wish to reciprocate this favour.



### 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](mailto:prevention@integrity.tas.gov.au) or 1300 720 289.

For more Misconduct Prevention resources go to [www.integrity.tas.gov.au/resources](http://www.integrity.tas.gov.au/resources)