



Free lunch

An employee meets up with a private contractor, and the contractor pays for their lunch. What could happen next?

The story

The gift records of DPIPWE include a declaration from an employee about a lunch paid for by representatives of a company.

The lunch had followed 'a meeting regarding the sale and lease of Crown land' (presumably to the company). The employee states that they had been unaware, prior to accepting the invitation that the company intended to pay for the lunch.

In the section of the gift declaration form that requires the employee to consider conflicts of interest, the employee notes that there may be an:

"Unlikely, but possible, claim that lunch served as an inducement to encourage me to favourably view [the company's] application to purchase the water space component of their leasehold."

The lunch was approved apparently without comment by the employee's managers.

Questions

1. List all of the ethical issues around this situation.
2. Did the employee have an ethical obligation to decline the offer?
3. Did the employer have an ethical and managerial obligation to decline their entry into the gift registry?
4. Why was it inappropriate to accept the lunch?
5. How culpable, if at all, is the manager who accepted the employee's entry into the gift registry?
6. Is it possible that this agency had a systemic lack of controls to allow this misconduct to occur?
7. Why is it important to understand exactly how this misconduct occurred?
8. In terms of controls and governance what might the public authority do to prevent this occurring again?
9. Is there anything else the public authority should consider?



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