



### A kind bequest turns sour

A hard-working nurse is left a valuable item in her patient's will. How will this be perceived?

#### The story

Melanie is a nurse employed in a small regional health service to look after chronically and terminally ill patients.

Melanie does her best to cater for the patients and has worked particularly hard to ensure Mr Crabbit spends his last few months of life as peaceful and pain free as possible. His relatives have lost touch and live on the mainland and they rarely visit him. Melanie diligently sees to his medical needs but also spends time talking with him and sometimes bakes him special treats as well.

After an exhausting nine weeks of care, Mr Crabbit sadly passes away. To Melanie's great surprise, Mr Crabbit has bequeathed his vintage Monaro to her, which is worth approximately \$30,000.

The relatives do not challenge the bequest, as they have been told how diligently she has looked after Mr Crabbit. However, Mr Crabbit's former neighbours later see Melanie driving the Monaro and they become very suspicious and upset about it. They have written letters to the health department about this and are threatening to inform the media.

Melanie did not think to declare this as a 'gift'.

The information used in this scenario is not factual – we created it for education and discussion. Any likeness to actual persons or events is coincidental.

## Questions – Facilitator copy

1. What are the ethical issues around this situation?
  - ▽ Public perception
  - ▽ Mismanagement of gifts and benefits
  
2. Can Melanie accept the gift?
  - ▽ Melanie did not seek the bequest and it was given to her through legitimate means, which has not been legally challenged,
  - ▽ Melanie can accept the bequest as long as the agency's gifts and benefits policy does not prevent this.
  
3. What strategies could be implemented to avoid this situation in the future?
  - ▽ A clear and well circulated gifts and benefits policy.
  - ▽ More training, and more regular training, about what employees' obligations are under the State Service Code of Conduct (State Service Code of Conduct s 9) and Department expectations.
  - ▽ Given Melanie's role, pre-emptive training for staff about how the gift and benefits policy applies in their work context



### 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)