

# RICHMOND VALLEY COUNCIL POLICY REGISTER

**Policy No:** 1.1.18

**Reference:** Corporate Management - Policy, Standards

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<b>POLICY:</b>	<b>GIFTS AND BENEFITS</b>
<b>FUNCTION:</b>	Governance
<b>OBJECTIVE:</b>	To reinforce requirements for the disclosure of gifts and benefits
<b>DIRECTORATE:</b>	<b>CORPORATE SERVICES</b>

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Council's Code of Conduct provides information in relation to gifts and benefits that may be offered to Councillors and staff. Corrupt acts such as inducements are not considered acceptable by Council and instances of same will be reported to the Independent Commission Against Corruption (ICAC). This policy further defines processes for dealing with such matters.

## **POLICY**

Following is the framework which Councillors and staff must follow in dealing with gifts and benefits. It needs to be recognised that it is up to the individual staff member or Councillor to respond to offers of gifts and benefits in accordance with this policy.

## **GIFTS OR BENEFITS**

1. You must not:
  - seek or accept a bribe or other improper inducement
  - by virtue of your position acquire a personal profit or advantage which has a monetary value, other than one of a token value. *(For the purpose of this policy, token value is regarded as being a value of \$50.00 or less).*
2. You must not seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence you to:
  - act in a particular way (including making a particular decision)
  - fail to act in a particular circumstance
  - otherwise deviate from the proper exercise of your official duties.
3. You may accept gifts or benefits of a nominal or token value that do not create a sense of obligation on your part.

## **TOKEN GIFTS AND BENEFITS**

Generally speaking, token gifts and benefits may include:

- gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address).

- free or subsidised meals, of a modest nature, and/or beverages provided infrequently (and/or reciprocally) that have been arranged primarily for, or in connection with, the discussion of official business.
- free meals, of a modest nature, and/or beverages provided to council officials who formally represent their council at work related events such as training, education sessions, workshops.
- refreshments, of a modest nature, provided at conferences where you are a speaker.
- ties, scarves, coasters, tie pins, diaries, chocolates, flowers and small amounts of beverages.
- invitations to appropriate out of hours “cocktail parties” or social functions organised by groups, such as, council committees and community organisations.

### **GIFTS OF VALUE**

- You must never accept an offer of money, regardless of the amount.
- In general, you must not accept gifts and benefits that have more than a nominal or token value. These include tickets to major sporting events, corporate hospitality at a corporate facility at a sporting venue, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel and free training excursions.
- If you receive a gift of more than token value in circumstances where it cannot reasonably be refused or returned, you should accept the gift and disclose this promptly to your supervisor, the Mayor or the General Manager. The supervisor, Mayor or General Manager will ensure that any gifts received are recorded in a Gifts Register.
- You must avoid situations in which the appearance may be created that any person or body, through the provision of hospitality or benefits of any kind, is securing or attempting to influence or secure a favour from you or the council.
- You must also take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that could appear to an impartial observer to be an attempt to influence or secure a favour. Immediate family members ordinarily include parents, spouses, children and siblings.
- Councillors and designated persons must by law disclose a description of any gift or gifts totalling a value exceeding \$500 made by the same person during a period of 12 months or less. *(Required to be included in the disclosure of interests returns – section 449)*

### **DISCLOSURE**

A Personal Benefit Disclosure form has been prepared for utilisation in conjunction with this policy. That Disclosure Form should be utilised by staff and Councillors to record the receipt of all gifts and benefits.

### **VARIATION**

Council reserves the right to amend this Policy from time to time.



# Local Government Act 1993 – Section 440

## The Model Code of Conduct for Local Councils in NSW

### Councillors and Staff Personal Benefit Disclosure

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Personal Benefit Disclosure by: .....  
(Full Name)

Description of Gift or Benefit: .....  
.....

Value of Gift or Benefit: \$ ..... Date Received: .....

Signature: ..... Date: .....

**To be forwarded to the General Manager for notation and recording in Council's Corporate Information System.**