

GIFTS POLICY



CITY OF RYDE

Adopted by Council July 2003

1 INTRODUCTION

Sometimes people who deal with the City of Ryde wish to express appreciation for service or assistance provided by a Councillor or employee by the giving of some form of gift, benefit or hospitality.

The Code of Conduct allows the acceptance of such gestures subject to this policy.

2 APPLICATION

This policy shall apply to all Councillors and employees of the City of Ryde.

The policy does not apply to the acceptance of gifts by a Councillor or an employee where the gift becomes the property of the City of Ryde.

This policy was adopted on 1 July 2003.

This policy, including the amounts specified in clauses 4 and 5, may be varied by resolution of the Council.

3 OBJECTIVE OF POLICY

The objective of this policy is to:

- regulate and monitor behaviour for the acceptance of gifts by Councillors and employees
- provide a transparent and accountable process for gift acceptance that promotes public confidence in the City of Ryde.

4 DEFINITION OF GIFT

In this policy **gift** means the voluntary transfer of property or the giving of a benefit (including hospitality) to a Councillor or an employee at no charge or at a discounted charge or free of any other consideration as a consequence of the Councillor or employee's service with the local government authority known as the City of Ryde.

Gift also includes the above if received by **a relative or someone else with whom the Councillor or employee has a direct association.**

For example a gift is (but not limited to):

- a present received in appreciation of service to a customer,
- a lunch or other meal provided by a supplier,

- an invitation to a football match in a private room by a property developer who has worked in or may work in the City of Ryde,
- an invitation to a Christmas Party being held by a property developer or a supplier,
- a product or service received at a price that is less than that generally charged to the public from someone connected with the organisation,
- a free interstate trip to view a potential suppliers product,
- a political donation.

But does not include:

- any gift that is offered but not accepted,
- any gift that has a retail value of \$15.00 or less,
- any multiple gifts received from the same donor (a person or a number of persons from the same company or organisation) in any one financial year where the gifts have a total retail value of \$30.00 or less,
- any discounted product or service if the discount is reasonable and generally available or capable of being negotiated by others not connected with the organisation,
- any meal or other hospitality received at a function related to the role of the Councillor or employee, a function where the Councillor or employee is officially representing the organisation, or where the appropriate fee for the function has been paid,
- any prize received in a raffle, competition or other game of chance or skill,
- any gift, benefit or hospitality received in relation to membership of any industrial or professional organisation, club or other association or body,
- any gift, benefit or hospitality received by a relative or associate of a Councillor or employee if the Councillor or employee did not know about it.

5 RECEIPT OF GIFTS

No Councillor or employee shall seek any gift.

Consideration should be given to declining any offer of a gift if:

- the gift appears to be more than of a token nature in the circumstances, or
- there would be a sense of obligation to the person offering the gift, or

- a reasonable person could consider that there may be influence applied as a consequence of acceptance of the gift, or
- the gift is in the form of non-packaged food of uncertain origin.

Employees are required to discuss with their Group Manager or the Chief Executive any instances where a gift offered appears to have a retail value of more than \$50.00. In such circumstances the employee may be required to decline acceptance of or return the gift.

In determining whether to accept a gift consideration may be given to whether refusal of the gift could cause offence to the person offering the gift.

Any gift accepted shall be subject to the provisions of this policy.

6 GIFTS REGISTER

The details of all gifts received shall be entered into the Gifts Register by completion of a Gift Disclosure form.

The Gifts Register shall be available for public inspection.

The General Manager shall review all entries made by employees in the Gifts Register and determine any action that may be considered appropriate in relation to any such entry. Such action may include the giving of advice or counselling, removal of the employee from a decision making, regulatory or purchasing role or a direction that the gift be returned.

A Councillor may refer any entry in the Gifts Register to a Council Meeting for review by the Council.

7 BRIBES

The Code of Conduct states that a bribe or other improper inducement must not be sought or accepted.

Any offer of a bribe must be reported in writing to the General Manager for consideration of appropriate action.

8 BREACHES OF THIS POLICY

The obligation to comply with this policy rests with each Councillor and employee.

Sanctions may be applied if this policy is breached.

Any person may report an alleged breach of this policy by a Councillor or an employee (other than the General Manager) to the General Manager in writing.

Any person may report an alleged breach of this policy by a Councillor or the General Manager to the Mayor in writing.

The General Manager or Mayor as appropriate shall investigate any report received and take such action as is considered necessary.

If this policy has been breached, such action may include counselling, censure motions, disciplinary action (including termination of employment), the laying of charges and the taking of civil action.

9 DISCLOSURES

This policy does not remove any other obligations under the Local Government Act, any other legislation, or relevant codes and policies regarding the disclosure of any interests.

Policy review dates:

July 2003

July 2008 (reviewed with Code of Conduct)

CITY OF RYDE Ref No: (Office Use Only) _____
GIFT & BENEFITS DISCLOSURE FORM

This form is for use by Councillors and employees in conjunction with the Gifts & Benefits Policy. Complete this form within seven (7) days of receiving a gift or benefit and refer the form to the General Manager. Employees are required to have the form noted by their Group Manager before referral to the General Manager. All completed forms may be accessed by anyone.

Name	To the General Manager, City of Ryde I _____ wish to disclose the following gift or benefit in accordance with the Gifts & Benefits Policy: _____
Received by	The gift or benefit was received by: (tick appropriate): <input type="checkbox"/> myself <input type="checkbox"/> my relative/associate (specify details below) Name of relative/associate _____ Address of relative/associate _____ Relationship to self _____
Received from	The gift was received from (name and address of donor and, where applicable, the donor's company/organisation name): _____ _____
Reason for Offer	The reason for this gift or benefit is: _____ _____
Details of Gift or Benefit	Description of gift or benefit received: _____ Date(s) received: _____ Estimated retail value of gift: _____ \$
Comments (optional)	I wish to make the following comments in relation to this disclosure: _____ _____
Signature	I declare the above to be true and correct: _____ Date: _____
Notations	Noted by Group Manager _____ Date: _____ Noted by General Manager _____ Date: _____ _____ Date: _____