

Gifts and Benefits Policy

Our reputation for integrity and professionalism rests in part on our stakeholders being confident that we are not influenced by gifts, benefits or bribes.

Objectives

This policy sets out when it is appropriate and inappropriate to give or receive a gift or benefit, and the actions that should be taken if offered a gift or benefit.

Scope

This policy applies to Tribunal and Committee members, permanent and temporary employees, contractors, consultants and suppliers being offered, or offering, a gift or benefit.

Principles and process

You should not accept or offer a gift or benefit that is intended, could be perceived as causing, or is likely to cause, you or another party to act in a partial manner.

The following principles apply when **offered or accepting** gifts or hospitality:

- Do not solicit or accept a gift or benefit that is an **inducement** to make a decision or provide a favour.^a
- **Politely decline** or **refuse** inducements, cash or cash equivalent, where you are unsure whether or not to accept the gift, where the value exceeds \$100^b or offers to friends, families and close associates.
- Gifts **may be acceptable** where they:
 - say 'thank you'
 - are offered to multiple parties (e.g. industry or professional event)
 - are given to IPART (not an individual staff member) and are of cultural or ceremonial significance
 - are less than \$100.
- Low risk hospitality received in an official capacity is **not considered** a gift or benefit.

^a This is corrupt conduct under the *Independent Commission Against Corruption Act 1998*

^b Unless approved by your manager prior to acceptance.

- If accepting a gift, the individual may retain it, share it within IPART, or dispose of it, for example donate to charity.
- If there is still doubt about what to do with a gift, consider whether a **reasonable person** would consider the gift or benefit was in contravention of these principles.

If you are offered a gift or hospitality, the following process applies for disclosure and approval:

- **Minor gifts** are not required to be disclosed if they are token (less than \$25) gestures.
- **Seek prior approval** from your manager before you accept all but minor offers of gifts or benefits
- **Record** all but minor offers of gifts or benefits by completing the MyCareer [form](#) that will workflow to your manager for approval.
- IPART's gifts and benefits register will be subject to **public disclosure** on ipart.nsw.gov.au every 6 months in a manner that does not involve publishing individual employee names, but it will identify the organisation or company offering the gift or benefit.

The following principles apply when **giving** gifts or hospitality:

- It must be provided in the conduct of **official business** or other legitimate organisational goals.
- Expenditure should **not provide a personal benefit** to employees or their family or friends.
- **Costs are proportionate to the benefits** obtained for the State and would be considered **reasonable** in terms of community expectations.
- Any purchase of gifts or benefits must comply with IPART's procurement policy.
- Employees must demonstrate **professionalism** in their conduct and uphold their obligation to extend a duty of care to other participants.
- Before spending money on entertainment and hospitality that includes suppliers or service providers, you must seek CEO approval. If it does not include suppliers or service providers, seek your manager's approval.

Framework

IPART employees are bound by both IPART and NSW Public Sector values as well as IPART's Code of Ethics and Conduct

Governance

Table 1 Roles and responsibilities

Role	Key responsibility
Chief Executive Officer	<ul style="list-style-type: none"> Promote a culture that is not influenced by gifts, benefits, or bribes. Regularly review reports about gifts and benefits and outcome. Encourage registration of all offers of gifts and benefits. Pre-approve expenditure on 'entertainment and hospitality' that includes suppliers or service providers.
People Manager	<ul style="list-style-type: none"> Pre-approve acceptance of all but the most minor offers of gifts or benefits. Pre-approve expenditure on 'entertainment and hospitality' that excludes suppliers or service providers. Approve gifts and benefits declarations submitted by your team in MyCareer
Principal Risk Officer (PRO)	<ul style="list-style-type: none"> Update this Gifts and Benefits Policy as required. Publish 'Gifts and Benefits Register' on ipart.nsw.gov.au Report quarterly on gifts and benefits to the ELT
All IPART employees, contractors, consultants and suppliers	<ul style="list-style-type: none"> Record all but the most minor offers of gifts or benefits and whether it has been accepted or not by completing the MyCareer form that will workflow to your manager. Comply with this policy.

Delegations

Delegates must always act within the limits of their financial delegations per IPART's Instrument of Delegation and must not exceed their employer-function or administrative delegations per Corporate Services – Administrative Delegations.

Monitoring and review

This Policy is a managed document. Changes will be issued as a complete replacement document. This Policy will be reviewed, at a minimum every 2 years, or in response to material changes in the operating environment.

Implementation date: 09/07/2021

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Definitions

Table 2 Glossary of terms

Term	Definition
Gift	Item or service given willingly. May include: <ul style="list-style-type: none"> • offers of cash or shares • gifts, such as bottles of wine or personal items • promotional materials, including clothing, books, compact discs or DVDs
Benefit	An advantage received. May include: <ul style="list-style-type: none"> • sponsored travel • attending conferences (participant or speaker) • competition prizes • accommodation and hire car discounts • discounts on commercial items • free or discounted places on training and development courses • loyalty schemes • airline upgrades
Hospitality	Entertainment of guests may include: <ul style="list-style-type: none"> • meals or other hospitality • entertainment, e.g. meals, seats at sporting or theatre events or golf days
Low risk hospitality	May include: <ul style="list-style-type: none"> • Transport for essential site visits • Hospitality that is part of training or conferences IPART has paid for • Incidental working lunch or coffee • Catered briefings and roundtables • Customer experience or other stakeholder forums
Bribe	Inducement given to persuade someone to act in a partial manner
Official capacity	In discharge of duties