

Department of Police, Fire and Emergency Management

Gifts, Benefits and Hospitality Guidelines

Version 1.2

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1. Background

These Guidelines are applicable to all Department of Police, Fire and Emergency Management (DPFEM) members and employees.

DPFEM members and employees must not expect to receive gifts, benefits or hospitality for undertaking the job they are employed or engaged to do.

In all circumstances, members and employees must act with the highest level of integrity and must never solicit gifts, benefits and hospitality. Members and employees must never enter into situations whereby the receiving of a gift, benefit or hospitality may result in an actual or perceived conflict of interest, or that involve persons of disrepute, illicit money, drugs or stolen property.

2. Objectives

All DPFEM members and employees act with the highest standards of integrity, impartiality and transparency.

All DPFEM members and employees adhere to the statutory obligations of their employment in relation to the receiving and giving of gifts and benefits.

3. Gifts, Benefits and Hospitality

A gift, benefit or hospitality includes items that have monetary value or privileges, offered by anyone other than the State Government as the employer, or the Commonwealth Government. Examples include physical objects, honorary titles/degrees/awards, accommodation and travel, and meals. Sponsored travel is a gift or benefit.

A gift, benefit or hospitality does not include gifts from work colleagues (except where conflict of interest may be perceived), Agency/State functions and Commonwealth funded travel.

A gift, benefit or hospitality does not include modest refreshments and tokens (confectionary, pens, etc).

Further examples of what is, and what is not, considered a gift, benefit or hospitality are provided as Attachment A.

4. Procedures

4.1 Declining Gifts, Benefits and Hospitality

- If there is any concern in relation to receiving a gift, benefit or hospitality, then it should be declined, returned, or advice should be sought.

- Money or money equivalent must be declined
- Physical objects with a value of \$100 or more must be declined
- Declined gifts, benefits and hospitality do not need to be declared.

4.2 Procurement and Disposal Processes

- If a gift, benefit or hospitality may influence, or be deemed to influence any part of a procurement or disposal decision at the time or in the future, it is not acceptable.

4.3 Accepting Gifts, Benefits and Hospitality

- For employees and members, all gifts, benefits and hospitality of \$10 and over must be declared.
- The value must be under \$100 and comply within the accepted scope of an appropriate gift, benefit or hospitality (Attachment A).
- If a gift, benefit or hospitality is provided to a group, it is the responsibility of the manager to provide the declaration.
- All declarations must be made using the Gifts and Benefits Notification Form (RM8/TRIM). Instructions for use of the TRIM Gifts and Benefits Notification Form can be accessed via TRIM (A16/126348).
- If a cumulative amount of over \$100 or more is received over a 12-month period from a single supplier, each item should be accounted for and a declaration made to the Gifts, Benefits and Hospitality Register.

4.4 Gifts, Benefits and Hospitality Valued at \$100 or Greater

- Gifts, benefits and hospitality valued at \$100 and more must be referred to the Head of Agency, or their delegate, for consideration.

4.5 Gifts, Benefits and Hospitality Register

- All gifts, benefits and hospitality received must be declared on the RM8/TRIM Gifts and Benefits Notification Form and submitted via usual approval channels for a decision (accept/decline).
- For reporting purposes, the process for TFS will be managed through the Executive Support area, which will be responsible for completing the Gifts and Benefits Declaration Form.

5. Reporting

Agency compliance with the *Tasmanian Government Gifts, Benefits and Hospitality Policy* will be included in the Department's Audit and Risk Management processes, and reviewed by the Agency Management Group on an annual basis.

DPFEM will publish a report against all gifts, benefits and hospitality of \$10 and over on the Department's internet site, on a quarterly basis.

The business owner of the Gifts, Benefits and Hospitality Register is the Deputy Secretary, DPFEM, as the delegate of the Head of Agency.

6. Roles and Responsibilities

It is the responsibility of all DPFEM members and employees, in the course of providing services to TFS and SES, to operate within the requirements of this Guideline and the *Tasmanian Government Gifts, Benefits and Hospitality Policy* and related legislation.

7. Risk Implications

Non-compliance with these Guidelines constitutes a breach of the employee or member's relevant Code of Conduct provisions, and may result in disciplinary action.

8. Values and/or Principles

These Guidelines will operate in accordance with the values of the respective operational service areas of the Department.

9. Key Definitions

Employees:	For the purpose of these Guidelines, 'employees' refers to DPFEM: <ul style="list-style-type: none">○ State Service Employees, including Firefighters.
Members:	For the purpose of these Guidelines, 'members' refers to DPFEM: <ul style="list-style-type: none">○ Tasmania Police officers.
Must:	Indicates a mandatory action.
Should:	Indicates a recommended action to be followed unless there are sound reasons for taking a different course of action.
Sponsored Travel:	Travel funded by a non-State or Commonwealth Government entity.

10. Communication Strategy

The Guidelines will be accessible electronically through the relevant policy and guidelines repositories of the Department's service areas.

Communication of the Guidelines will occur through Noticeboards, newsletters and other relevant messaging.

11. Legislation and Policy Documents

Tasmanian General Government Sector: Gifts, Benefits and Hospitality Policy

State Service Act 2000

State Service Regulations 2011

Police Service Act 2003

Fire Service Act 1979

Employment Direction No. 5 – Procedures for the investigation and determination of whether an employee has breached the Code of Conduct

Employment Direction No. 8 – Gifts and Benefits

Treasurer's Instructions 1101 and 1201 (Code of Ethics for officers engaged in procurement processes).

12. Document Information

General Information

HP Records Manager No.	A16/125625	Replaces document	DPEM and TFS Gifts and Benefits Policies
Effective from	21 September 2016	Review date	July 2018
Business Owner	Deputy Secretary, DPFEM		
Applies to	Whole-of-DPFEM		
Information Security Classification	PUBLIC		

Approval

	Name	Position, Division/Area	Date
Prepared by	Debra Salter	Principal Executive Officer, BES	27 July 2016
Supported		Intra-Agency Policy Working Group	9 September 2016
Supported by		Director, State Emergency Service	9 September 2016
		Director, Forensic Science Service Tasmania	10 September 2016
		Chief Officer, Tasmania Fire Service	21 September 2016
		Deputy Commissioner	21 September 2016
		Commander, Strategy and Support	21 September 2016
		Assistant Commissioner, Support Services	21 September 2016
		Assistant Commissioner, Operations	21 September 2016
Approved by		Secretary	21 September 2016

Revision History

Version	Approved By (Name)	Approved By (Title)	Amendment Notes
1.1	D Hine	Secretary	
1.2	D Hine	Secretary	Amended in accordance with the <i>Tasmanian Government Gifts, Benefits and Hospitality Policy</i> (November 2016).

Attachment A

Gifts, Benefits and Hospitality

What are Gifts, Benefits and Hospitality

A Gift, Benefit or Hospitality includes, but is not limited to:

- a gift of money or equivalent
- a gift of a physical object (excluding token mementos)
- the conferring of a benefit
- the conferring of an honorary degree or title
- a purchasing incentive, such as a gift, service, promotional reward, discount or loyalty rewards, a frequent buyer card redemption, which is received in relation to the purchase of a particular good or service for the Department
- indirect or concealed gifts, including loans of money or property, sale of property at less than full value, or the provisions of a benefit which has a financial or commercial value for less than full value
- provision of hospitality, including meals (excluding modest refreshments)
- accommodation
- travel (eg airfares, taxi fares and vehicle hire)
- education and training not offered or paid for in full by your employer or yourself (eg external conference or seminar ticket, externally hosted training course, or completion or award of an external qualification)
- entertainment (eg tickets to arts/sporting/recreational events) for less than value.

What is not considered to be Gifts, Benefits and Hospitality

A Gift, Benefit or Hospitality does not include:

- a token memento, of little monetary value, such as a card, calendar, diary, etc.
- a modest refreshment, meaning food or refreshment, which is not in conjunction with a meal or snack
- a publicly available discount
- a randomly drawn prize, open to the public
- something for which a person has paid fair value for.