

PURPOSE OF THIS POLICY

The purpose of this policy is to establish standards and provide direction to all Council officials on how to deal ethically with the offer of gifts and benefits in relation to Council's functions and/or their individual roles and responsibilities with Council.

Always read this policy in conjunction with the Related Procedures identified below.

Policy Statement	This policy outlines Council's commitment to ensuring Council officials are meeting public expectations of integrity, accountability, transparency and professionalism in relation to gifts and benefits.
Scope	Councillors, Staff Members, Volunteers, Members of Council Committees, Council Contractors, , Council Advisors, delegates of Council
Related Procedures	• <i>Gifts and Benefits Procedure</i>
Related Documents	• <i>Code of Conduct</i> • <i>Internal Reporting Policy</i> • <i>ICAC - Managing Gifts and Benefits in the Public Sector Tool Kit 2006</i> • <i>Audit Office of NSW Performance Audit: Managing Gifts and Benefits, March 2013</i> • <i>Model Code of Conduct for Local Councils in NSW - 2018</i>
Compliance Requirements	• <i>Independent Commission Against Corruption Act 1988</i> • <i>Local Government Act 1993</i> • <i>Local Government (General) Regulation 2005</i> • <i>Electoral Funding Act 2018</i>
Policy Owner	<i>Head of Integrity</i>
Adoption Date	<i>16 February 2021</i>
Next Review Date	<i>16 February 2024</i> <i>Every 3 years unless legislative requirement differs</i>

1. PRINCIPLES

In the course of their duties, Council officials may encounter situations in which they are offered gifts or benefits for a variety of reasons. The intent behind a gift can either be considered as a gift of influence, or a gift of gratitude.

Regardless of the intent, public perception should be at top of mind if you are offered a gift or benefit. A simple test is to think about how it might be perceived if news of a council official seeking or receiving a gift or benefit was on the front page of the local newspaper or on social media.

- Council has a Gifts and Benefits Policy and framework as the means by which offers of gifts and benefits, regardless of value, are to be dealt with. The framework is broadly aligned to the provisions of the Code of Conduct and more specifically, under Part 6, Personal Benefit, of Council's adopted Code of Conduct.
- You must never seek a gift or benefit
- You may accept gifts and benefits of **token value**. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50.
- Gifts **over** the \$50 token value cap must not be accepted
- Cash or cash-like gifts of **any** value must not be accepted
- Council officials must record **all** offers of a gift or benefit in Council's Gift and Benefits Register
- This policy should be read in conjunction with Council's Code of Conduct, in particular *Part 6: Personal Benefit*
- The Chief Executive Officer or his/her delegate must approve any exceptions to this policy.

2. GENERAL GUIDELINES

Any offer to a Council Official, Contractor, Volunteer or Advisor of a gift or benefit regardless of value and whether received or refused, must be recorded in Council's Gifts and Benefits Register.

Where a gift or benefit above token value cannot be reasonably refused or returned, i.e., where refusal may cause offence or the gift or benefit has been left anonymously, the gift or benefit must be registered in Council's Gifts and Benefits Register and surrendered to Council's Governance team.

Gifts and Benefits register data is provided to Council's Audit Risk and Improvement Committee at its quarterly meetings and is analysed by Council's Governance team and the Office of Integrity.

A breach of this Policy constitutes a breach of Council's Adopted Code of Conduct.

3. ROLES AND RESPONSIBILITIES

Role	Responsibility
ALL COUNCIL OFFICIALS	Declare offers of gifts and benefits, surrender received gifts and benefits, refuse gifts and benefits
CEO	Determine how exceptions and received gifts or benefits are dealt with and/or disposed of
LINE SUPERVISOR	Receive reports of gift or benefit offered or received
GOVERNANCE TEAM	Maintain Gifts and Benefits Register and reporting

4. WHO CAN HELP

For information and advice on gifts and benefits, Council officials can contact:

- The Governance Team, and
- Council's Head of Integrity.

5. DEFINITIONS

<i>Chief Executive Officer</i>	the Chief Executive Officer of Wollondilly Shire Council.
<i>Council official</i>	includes councillors, members of staff of Council, administrators, Council committee members, delegates of Council.
<i>Councillor</i>	any person elected or appointed to civic office, including the mayor and Councillors of Council.
<i>Gift and Benefit</i>	something offered to or received by a council official or someone personally associated with them for their personal use and/or enjoyment.
<i>Not a Gift or Benefit</i>	• items with a value of \$10 or less • a political donation for the purposes of the Electoral Funding Act 2018 • a gift provided to Council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual Council official or someone personally associated with them • a benefit or facility provided by Council to an employee or councillor • attendance by a Council Official at a work-related event or function for the purposes of performing their official duties, or • free or subsidised meals, beverages or refreshments provided to Council officials in conjunction with the performance of their official duties such as, but not limited to: ○ the discussion of official business ○ work-related events such as Council-sponsored or community events, training, education sessions or workshops ○ conferences ○ Council functions or events ○ social functions organised by groups, such as Council committees and community organisations.