

# RECEIVING OF GIFTS POLICY

Business unit	Finance
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Owner	Risk and Assurance Manager
Approved by	Corporate Leadership Team

Version	Author	Date	Description
V 1.0	May Haines		Created
V 2.0	Enid Davids	1 December 2014	Reviewed
V 3.0	Enid Davids	7 November 2016	Reviewed
V 3.1	Enid Davids	20 May 2019	Update introduction paragraph to remove reference to prior 'integrity' R.I.T.E Value.
V4.0	Nishana Reddy	4 November 2021	Reviewed (minor amendments)
V5.0	Nishana Reddy	2 October 2023	Reviewed (minor amendments)

## 1. INTRODUCTION

Occasionally suppliers, other organisations or people who do business with Hutt City Council (HCC or Council) or Council's wholly owned controlled organisations ("CCO's") give gifts or offers of service to Council staff. Gifts are sometimes used to build relationships and goodwill, but they can also create conflicting situations. It is important that receiving a gift does not affect an organisation's or an individual's decision-making because this could be perceived as acting without impartiality or integrity.

## 2. PURPOSE/SCOPE

To provide a framework and guidance to staff on Council and the CCO's (the Group's) expectations around responding to offers of gifts, favour, benefits, or hospitality. Receiving of gifts, by its nature is a sensitive area. It is subject to high public scrutiny and can create financial and reputational risks for the Group. Therefore, caution and prudence are required when accepting gifts. Whilst the simplistic way of avoiding perception is declining a gift, this is not always workable in practice.

Staff must not accept a gift (regardless of its nature or value) if the gift could be seen by others as either an inducement or a reward which might place the employee under an obligation to a third party.

## 3. APPLICABILITY

This policy is applicable to all employees (full-time), part-time, fixed term, casual, contractors and volunteers of the Group.

## 4. DEFINITIONS

- **Gift** - Token of appreciation and/or recognition provided voluntarily, without any expectation and obligation of the recipient to provide something else in return.
- **Approving Manager** – Staff member direct line manager
- **Suppliers** – Current or potential vendors who provide goods and services to the Group.

## 5. PRINCIPLES

Staff must not solicit, demand, request or accept gifts, gratuity, favour, service, rewards, discounts, bequest, distribution from an estate, or other benefit (**collectively, a "gift"**) that might, or appear to compromise their integrity, independence, or impartiality, or that of Council.

Staff must not abuse their official position for personal gain or that of their family or business interests.

The monetary value of the gift or benefit is not the only factor in deciding whether or not it should be accepted. The influence, actual or perceived, that the gift or benefit may represent is also important. Other considerations are:

- How the gift or benefit would look to an outside party;
- The reasons for the gift or benefit being offered;
- The frequency of the gift - even a small gift or benefit given repeatedly may be of concern;
- Whether the gift displays a company or organisation logo; and

- The value or importance of the gift or benefit to the employee.

A gift with an estimated value exceeding \$100 or of undetermined value should be declined or returned immediately, unless it can be used for a Council purpose or shared widely within Council or a team thereof. Such gifts with a value over \$100, that do not place you (or the Group) in a position whereby your decision-making is, or could appear to be influenced, are to be disclosed in the gifts register. [RAA-FORM-005 Gift Disclosure](#) form, refer details 2.2 below. Staff who want to disclose gifts of a lower value are welcome to do so.

Gifts, where practical, remain the property of the Group or are to be shared among the team. Infrequent (no more than twice a calendar year) and inexpensive gifts of promotional nature such as pens, badges and calendars that are distributed by vendors to clients may be accepted. However, multiple gifts from a single source in any calendar year are strongly discouraged.

Staff are prohibited from accepting gifts of money or their equivalent, regardless of the amount, at any time.

Customary business dealings involving payment for a meal or local sports/cultural event/entertainment are acceptable and do not require declaration in the Gift Register provided that they are not excessive in frequency or amount and do not otherwise create the appearance of impropriety, in which case the offer should be declined and/or self-funded. A 'ticket' in excess of \$100 to attend such events may be acceptable providing:

- There is clear benefit in building relationships.
- That the event does not alter impartiality.
- That the host is not in an "active" or soon to be active tender situation.

Staff must not accept koha if it could be perceived by a reasonable person as an inducement or reward that might impact on the Group's reputation.

*Refer Koha Policy for further guidance.*

The exchange of gifts during official proceedings where refusal to accept is likely to cause offence is not captured by this policy. Gifts in such exchanges are to be considered as the property of Council or the relevant CCO rather than to the individual staff member.

To prevent any misunderstanding, all such events or gifts should be referred to your manager for discussion and approval.

Breach of this policy may result in disciplinary action being taken against the employee concerned in accordance with Hutt City Council's Code of Conduct.

## 5.1 GIFT REGISTER

Details of gifts valued over \$100 are to be registered using RAA-FORM-005 Gift Disclosure (details below). Forward completed forms to Risk and Assurance Manager in a timely manner.

Recipient	Position	Estimated Value of Gift	Description of Gift	Name and company giving the gift	Date Gift Received	Manager informed Yes/No	Comments

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## 6. RELATED POLICIES

- Conflict of interest policy
- Code of Conduct
- Gift Disclosure Form

## 7. CONTACT PERSON

For further guidance, please contact the Risk and Assurance Manager.