



Department of  
**Education**

# **Gifts, Benefits and Hospitality Policy**

Effective date: 16 August 2022

Version: 1.0

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## 1. Policy statement

The Department of Education (the Department) is committed to adhering to public sector standards and ensuring the ethical conduct of employees.

Employees are required to act with integrity and impartiality in relation to the acceptance, provision and declaration of gifts, benefits and hospitality. Their workplace decisions and actions must not be unduly influenced by their personal or private interests.

## 2. Policy rules

All employees receiving gifts, benefits and hospitality must:

- not seek or solicit gifts, benefits and hospitality for themselves or others;
- refuse offers of gifts, benefits and hospitality that:
  - give rise to an actual, potential or perceived conflict of interest;
  - extend indirectly to their relatives, friends or associates;
  - are from a person or organisation about whom employees are likely to make business decisions;
  - are in the form of cash or cash vouchers which can be used in the same way as cash;
  - may adversely affect their standing as an employee or which may bring the Department or the public sector into disrepute;
  - are offers of hospitality without a legitimate business benefit;
- refuse bribes or inducements and report any attempts of bribes or inducements to their line manager; and
- manage all gifts, benefits and hospitality in accordance with the Gifts, Benefits and Hospitality Procedures.

In carrying out their public duties, employees providing hospitality must:

- obtain prior approval for any expenditure on hospitality; and
- not incur any expenditure using Department funds in contravention of the Expenditure on Hospitality Procedures.

## Guidance

The intent of this policy is to establish clear rules and guidance for Department employees in responding to offers and the provision of gifts, benefits and hospitality.

Where a school or business unit establishes local requirements with regard to gifts, benefits and hospitality, it needs to be consistent with this policy which prevails.

Senior Executive Officers, Directors of Education, Directors, Principals, Managers and Site Managers are responsible for building a culture and expectation within the work and school community that gifts are not required and should be discouraged in line with [public sector guidance](#).

Employee behaviour should earn and sustain community and government trust and in the context of accepting or making offers of gifts, benefits and hospitality should include:

- not making or accepting offers that influence, or may give the impression to influence any decision unfairly;
- performing duties without favouritism, bias or for personal gain; and
- acting fairly and objectively to maintain public trust by being honest, open and transparent.

This Policy seeks to equip employees to:

- distinguish and appropriately manage modest tokens of appreciation, or hospitality that are a basic courtesy, from inducements, conflicts of interest or non-token offers without a legitimate business benefit;
- identify appropriate boundaries for the provision of gifts, benefits and hospitality in a way that is considered reasonable in terms of community expectations;
- understand that offers of gifts benefits and hospitality can be politely refused and this remains a valid choice regardless of the circumstances surrounding the offer; and
- be confident in using public resources responsibly when making offers of hospitality in the course of their work.

Considering any actual, potential or perceived conflict of interest is central to determining how to respond to an offer of a gift, benefit or hospitality and maintaining high levels of integrity in the Department and schools.

Conflicts of interest are an inevitable fact of organisational life and can arise without anyone being at fault. However, where an actual, potential or perceived conflict of interest exists, it creates serious risks for the individual, the Department and schools, which need to be identified and managed appropriately.

Guidance on the management of Conflict of Interest can be found in the Department's Conflicts of Interest Policy.

If an employee becomes aware of suspected staff misconduct or behaviour, access the [Staff Conduct and Discipline policy and procedures](#).

To help guide employee conduct, please refer to [Our Code of Conduct](#) and [Standards](#).

### 3. Responsibility for Implementation and Compliance

Senior Executive Officers, Directors of Education, Directors, Principals, Managers and Site Managers are responsible for implementation of the policy.

Line managers are responsible for compliance monitoring of the policy.

### 4. Scope

This policy applies to all Department employees.

### 5. Supporting Procedures

[Expenditure on Hospitality Procedures](#)

[Gifts, Benefits and Hospitality Procedures](#)

### 6. Definitions

#### **Benefit**

Benefits include preferential treatment, privileged access, favours or other advantages offered to an individual. They may include invitations to sporting, cultural or social events, access to discounts and loyalty programs, and promises of a new job. The value of benefits may not have definitive monetary value, but as they are valued by the individual, they may be used to influence the individual's behaviour.

#### **Bribe**

To solicit, receive or offer any undue reward to a person to influence the way that a person acts. A reward can encompass anything of value and is not limited to money or tangible goods. The provision of services may amount to a reward.

### **Cash Vouchers and Gift Cards**

Cash vouchers are any vouchers that can be 'universally' used in the same way as cash. For example, a pre-paid debit card is a 'cash' voucher. The acceptance and provision of cash or cash vouchers is prohibited by this Policy.

Gift cards are non-cash vouchers that must be used at specific retailers for goods and services and cannot be converted to cash.

### **Ceremonial Gifts**

Ceremonial gifts are provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are usually provided when conducting official business with delegates from another organisation or representatives of foreign governments.

### **Conflict of Interest**

A conflict of interest arises in circumstances where an employee's performance of public duties is, or could be, influenced, or is viewed as influenced, by the employee's personal or private interests.

Where an employee has more than one role undertaking public duties, the employee may have multiple competing interests.

- An **actual conflict of interest** is a real conflict that exists between an employee's performance of public duties and the employee's personal or private interests. The employee may be unduly influenced by a personal interest when making work-related decisions or taking action in the workplace.
- A **perceived conflict of interest** is where a party, either internal or external to the Department, could form the view that an employee's personal or private interests are improperly influencing their workplace decisions or actions, now or in the future, whether or not this is the case.
- A **potential conflict of interest** is not an actual conflict but could become one in the future. It is possible that an employee's personal or private interests may, at some stage, unduly influence their public duties.

## Declare

The documented disclosure of an offer and the recipient's decision, which includes all pertinent details to enable the Approval Authority to assess the recipient's decision.

## Gift

A gift is anything of value offered either directly or indirectly to an employee above their normal salary or employment entitlements. Gifts can be of a token value such as a box of chocolates, or of a significant value, such as a holiday. Gifts are generally tangible, it is something that can be seen, held or experienced such as consumer goods, event tickets or a holiday.

## Gift of Appreciation (School Staff only)

An offer from or on behalf of a parent, carer or student(s) made to a member(s) of school staff, intended to express appreciation. Where the estimated value is \$100 or less, the Gift of Appreciation is considered Token and does not need to be declared. A gift with an estimated or actual value above \$100 is considered Non-Token and must be declared.

## **Hospitality**

Hospitality relates to entertaining stakeholders, conference delegates and other official visitors. Examples of hospitality may include offers of meals, invitations to events or accommodation.

Hospitality may be offered by the Department to stakeholders to support and facilitate the business of the Western Australian State Government.

Hospitality may also be offered to an officer of the Department from an external party as part of conducting business.

## **Indirect Gift, Benefit or Hospitality**

An indirect gift, benefit or hospitality may arise where it is provided to a family member, friend or associate to accept on the employees' behalf or to influence the employee in some way.

## **Non-Token Offer**

An offer of a gift, benefit or hospitality with an estimated or actual value that is \$50 or more, other than for a Gift of Appreciation (school staff only).

## **Personal or Private Interests**

Personal or private interests include both financial and non-financial interests, and may include the interests of family members, co-workers, close friends, associates or other organisations (e.g. other employers, social clubs, special interest groups or volunteer organisations).

## **Public Duties**



Public duties include the duties required of staff as an employee of the Department and the objectives of an employee's profession or activity. Employees are required to perform their public duties in an accountable, impartial and ethical manner.

### **Token Offer**

An offer of a gift, benefit or hospitality that is made as a courtesy or is of inconsequential or trivial value to both the person making the offer and the recipient.

The primary determinant of a Token offer is that it would not be reasonably perceived within or outside the organisation as influencing an individual or raising an actual, potential or perceived Conflict of Interest. A Token offer is an offer of a gift, benefit or hospitality with an estimated or actual value that is less than \$50, other than for a Gift of Appreciation (school staff only).

## **7. Related documents**

### **Relevant Legislation or Authority**

[Criminal Code 1913 \(WA\)](#)

[Financial Management Act 2006](#)

[Public Sector Management Act 1994](#)

[Public Sector Commission Code of Ethics](#)

[Public Sector Commission Commissioner's Instruction 7](#)

[Public Sector Commission Commissioner's Instruction 8](#)

[Public Sector Commission Conduct Guide](#)

[State Supply Commission Disposal of Goods](#)

[Public Sector Commissioner's Circular 2009-18 Guidelines for Expenditure on Official Hospitality](#)

### **Related Department Policies**

Alcohol and Other Drugs in the Workplace

Conflict of Interest

Staff Conduct and Discipline

Records Management

### **Other Documents**

Code of Conduct and Standards (staff only)

Hospitality Expenditure Application Form

Entertainment Fringe Benefits

Corruption Prevention and Detection

## **8. Contact information**

### **Policy manager**

Director Financial Services

### **All enquiries to be directed to**

Mailbox Address [FinancialPolicy.Advice@education.wa.edu.au](mailto:FinancialPolicy.Advice@education.wa.edu.au)

## 9. History of changes

<b>Effective date</b>	16 August 2022
<b>Last update date Policy version no.</b>	1.0
<b>Notes</b>	<p>The new Gifts, Benefits and Hospitality Policy replaced the Acceptance and Provision of Gifts Policy and the Expenditure on Hospitality Policy. Approved by the Director General on 14 July 2022. D22/0246936</p> <p>Summary of changes to the Gifts, Benefits and Hospitality policy and procedures on <a href="#">Ikon</a> (staff only).</p>

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## 10. More information

### Supporting content

#### Procedure

[Expenditure on Hospitality Procedures](#)

[Gifts, Benefits and Hospitality Procedures](#)

### Policy review date

16 August 2025

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