GIFTS & conflicts of interest – EMPLOYEES

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| Policy number | Draft |
| Effective from | September 2021 |

AIM

To provide guidance for employees about what is and is not appropriate to accept as a gift and identify a conflict of interest, actual and potential.

sCOPE

Applies to all employees.

1. DEFINITION

Business Associate - an external individual or entity that the organisation has, or plans to establish, some form of business relationship, or may seek commercial or other advantage by offering gifts, benefits, or hospitality.

Benefit - includes preferential treatment, privileged access, favours or other advantage 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 be difficult to define in dollars, but as the individual values them, they may be used to influence the individual’s behaviour.

Gift - The transfer of an item or property from one individual to another made gratuitously to the recipient.

Conflict of Interest (Actual) - there is a real conflict between an employee’s paid duties and private interests.

Conflict of Interest (Potential) - an employee has private interests that conflict with their paid duties. It is foreseeable that a conflict may arise in the future, and steps should be taken now to mitigate that future risk which could improperly influence their decisions or actions, now or in the future.

Legitimate Business - gifts, benefits and hospitality accepted or provided for a business purpose, in that it furthers the conduct of official business or other legitimate goals of the organisation.

Token Offer - is an offer of a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the individual. It cannot be worth more than $50 (including cumulative offers from the same source over a 12 month period).

Non-Token Offer - is an offer of a gift, benefit or hospitality that is, or may be perceived to be by the recipient or the person making the offer of more than inconsequential value.

1. POLICY

4.1 FLINTWOOD employees in relation to gifts and benefits must:

* not solicit gift or benefits
* refuse all offers of gifts and benefits where acceptance would create an obligation to the donor or business associate
* declare all non-token gifts, gifts and benefits offered and accepted to HR
* declare an actual or potential conflict of interest at the earliest point in time of it being identified.
* ensure that gifts and benefits are within reason of legitimate business and of acceptable standards. This includes lunch provided for day long meetings, tea and coffee and morning tea, dinner for evening meetings. It may also mean a gift of appreciation given retrospective for things including length of service, outstanding work or volunteering

4.2 FLINTWOOD employees in relation to private arrangements with Participants, families and Carers must:

* declare any private work arrangements with Human Resources
* not use their position at FLINTWOOD as a leverage to acquire financial gain through private working arrangements with Participants, families or Carers
* not use FLINTWOOD resources to access information in order to establish and / or maintain any private arrangements
* not solicit for private work arrangements with the Participants, families or Carers during the hours of employment, nor at any of the organisations sites
* not support any employee in their private working arrangements with FLINTWOOD Participants, family or carers and it may result in a review of the employee’s contract

1. Procedures

5.1 The employee must report all non-token gifts, benefits and hospitality and/or seek advice from the General Manager of People and Finance, if unsure how to respond to a non-token offer of a gift, benefit or hospitality more than $50 in value

5.2 Report all token offers (of up to $50 in value) directly to General Manager of People and Finance, which is to be recorded on the employee's file

5.3 FLINTWOOD may allocate benefits to employees as a part of their employee benefits schemes such as: discount cards, specials, lower priced equipment, opportunity to discounts and bulk buying options. This is fairly offered to employees and not for the exclusive benefit of one individual.

5.4 FLINTWOOD employees supporting a Participant in a private arrangement must notify Human Resources before the commencement of the private arrangement

5.5 Employees cannot influence or try to gain a better deal using Flintwood’s name.

5.6 Advise the General Manager of People and Finance, of all actual and potential conflicts of interests

5.7 Report to the General Manager of People and Finance, all direct and indirect offers of gifts, benefits and hospitality where there is an attempt or perceived attempt to create an obligation

1. RESPONSIBILITIES

Employees

* Declare all gifts, token and non-token to direct Manager
* Advise direct Manager of all actual or potential conflicts of interest
* Advise Human Resources and direct Manager of any approach by Participants, families or carers to engage in private paid arrangements to support Participants

Service Manager

* Declare all gifts, token and non-token to General Manager
* Notify direct Manager of all actual or potential conflicts of interest
* Notify Service Manager of all token gifts, benefits and hospitality given to an employee
* Notify direct Manager of any direct or indirect approach of gifts, benefits or hospitality where acceptance would create an obligation to the donor or business associate

General Manager

* Declare all gifts, benefits and hospitality to the CEO
* Advise direct Manager of all actual or potential conflicts of interest
* Notify General Manager People, Finance & Systems of all token gifts, benefits and hospitality given to a Service Manager or employee
* Notify CEO and General Manager People, Finance & Systems of any direct or indirect approach of gifts, benefits or hospitality where acceptance would create an obligation to the donor or business associate

CEO

* Declare all gifts, benefits and hospitality to the Board of Directors
* Notify the Board of Directors of any direct or indirect approach of gifts, benefits or hospitality where acceptance would create an obligation to the donor or business associate

**BOARD OF DIRECTORS**

* Oversee any potential conflicts arising from gifts and conflict of interest

CHANGE HISTORY

| Version | Release / Review date | Author / Reviewer | Change details |
| --- | --- | --- | --- |
| 0.1 |  | Andrew Sadleir | New policy – merged Gift and Conflict of Interest policies |
| 0.2 | Sept 2021 | Policy Committee | Reviewed and Approved |
| 0.3 |  |  |  |