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| **CORPORATE & aDMINISTRATIVE POLICY SERIES****2.3. | ACCEPTING GIFTS & HOSPITALITY** | NZPC Logo |

**Purpose**

To provide guidance on accepting gifts and invitations received in the course of work with the Commission.

**Policy owner**

The General Manager is the policy owner, responsible for developing, implementing and reviewing the policy for approval by the Board.

**Scope**

This policy applies to all gifts, invitation and hospitality offered or provided to staff and Board Members in the course of their work or while representing the Commission.

**Principles**

* Commission staff and Members have a duty to be impartial in their decisions and must not abuse their Commission position for private purposes;
* Conflicts of interest must be avoided – these may be either real or perceived; and
* As an independent Government agency, the Commission needs to be take care with and be selective about gifts and hospitality that are offered and accepted.

**Policy**

Staff and Members will not, as general rule, accept gifts and invitations from external parties, except as permitted in limited circumstances by this Policy.

In all cases judgement must be exercised as to whether any gift or invitation is likely to be seen as compromising the Member’s or staff member’s position.

As a general rule, a line may be drawn in situations where a gift or invitation (whatever its nature of value) would be seen by others as an inducement or a reward which might place a staff member under an obligation to a third party, or is inappropriate or excessive to the occasion or reason for which it is being given or offered.

The Commission recognises that hospitality can, in appropriate circumstances and well managed, be a legitimate and desirable means of building business relationships. Where those relationship benefits are not present, such as un-hosted tickets to an event, the Commission will not generally permit attendance.

**Gifts**

Where offers of gifts or gratuities are made, or gifts are received, these should be reported to the General Manager in the case of staff, and the Chair in the case of Members, who will determine the appropriate response, or final disposition of any gift already received. The decision may be to accept, return or dispose of the gift.

All gifts received (except minor value gifts, see below) should be recorded in the Gifts Register which is held by the Office Manager.

Gifts with an estimated value greater or in the order of $100 (GST inclusive) are not generally accepted, apart from the exceptions noted below.

Non-consumable gifts accepted (apart from the exceptions noted below) will go into a gift pool, and be periodically distributed amongst staff and Members through a random draw of names, or be allocated or used in another way by the General Manager, such as to recognise achievement (provided such allocation addresses the underlying concern associated with receiving gifts).

Consumable or perishable gifts accepted, such as food and wine may be shared amongst a wider group of people.

Minor value gifts (those which are inexpensive and infrequent, defined as being received occasionally and with a value less than or in the order of $30 (GST inclusive)), such as diaries, pens or calendars may be retained by the recipient.

**Exceptions**

There may be exceptions to where for cultural or other reasons, which make the gifting process particularly significant, it may be appropriate for an individual to retain a gift presented to them in their role at the Commission. In some cases, where a gift is made to an individual as a gesture of appreciation and recognition, redistributing the gift would be inappropriate.

In accepting any such gift, the staff member or Member must be conscious of their overarching obligations of impartiality and objective analysis and decision making. Maintaining a reputation for impartiality and objectivity is central to the Commission’s effectiveness, and there can be no obligation of reciprocity implied or expected when a gift is accepted from another party.

*Gifts to the Commission as an entity*

Gifts which are made to the Commission as an entity on occasions such as of goodwill and recognition, may carry enduring significance to the Commission. The General Manager or Chair will determine whether these are retained for display or other Commission purposes.

*Gifts with cultural significance to Māori (or other cultures)*

Gifts with cultural significance to Māori include greenstone/pounamu, kete (woven baskets), whalebone pendants and kakahū (feather cloaks), which the Commission may receive as a gesture of appreciation and recognition.

Such gifts may also be given to individual staff or Board members and, in such circumstances; the gift may have been intended to confer mana (dignity/status) on the specific recipient.

The Commission also recognises that other cultures have giving norms and protocols, which the Commission will, as required, have regard to.

Where a Member or staff member is given a gift of cultural significance, if not obvious it should be clarified whether the gift is for the organisation to retain in perpetuity or whether it pertains to an individual for the above-mentioned reasons. For transparency, such matters, and the decision as to treatment of the gift, will be decided by the General Manager.

**Invitations to events**

Staff and Members may receive invitations to attend various functions and events. In considering any invitation for hospitality, the nature of the Commission’s relationship with the party extending the invitation is central in deciding whether or not is appropriate to accept.

Members and staff represent the Commission at various events. In most instances, it will be important that they attend these events, for example; where it is of benefit to the Commission that they attend or it is necessary for them in undertaking their role, and there is a clear link between the hospitality and their role in representing the Commission.

In cases where there could be a perception of conflict of interest arising, for example such as hospitality from service providers or suppliers during procurement negotiations, the invitation should be declined.

Prior to the event, Members must advise the Chair, and staff must advise the General Manager, of any invitations to any event they wish to accept. If there is a prospect of the invitation being perceived as a risk of compromising the Member or staff member, the advice will be to not accept the invitation.

Any invitation for hospitality which is accepted is to be declared and recorded on the Gift Register. A list of annual approved events will also be maintained and updated.

If attendance at a function has been approved, then attendees should remain conscious of their obligation to maintain the impartiality and objectivity of the Commission and expectations about appropriate conduct apply, particularly with regard to the consumption of alcohol. Further, given attendance pertains to generating some work benefits, attendees should be prepared to explain those work benefits post-attendance, such as through sharing information with their manager or across their team.

**Review**

This policy will be reviewed by the General Manager annually.

**Approval**

Approved by the Board on 18 May 2011.

**Document history**

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| Version | Updated By | Reason for Update | Consultation | Date |
| 0.1. | Gary Delbridge | Draft for Management Consideration | General Manager | 5 May 2011 |
| 1.0. | Gary Delbridge | Approved by the Board | Assurance Committee & Board | 18 May 2011 |
| 1.1. | Peter Alsop | Review | Assurance Committee | 14 March 2013 |
| 1.2. | Daiman Smith | Review | Assurance Committee | 4 March 2015 |

**References**

Related policies

* Conflicts of Interest
* Code of Conduct
* Sensitive and Discretionary Expenditure

Reference to external sources

* Office of the Auditor-General Good Practice Guide: Controlling sensitive expenditure.