

Gifts Policy

Policy Statement

This policy determines the action(s) that should be taken when the Ombudsman's office or an officer of the Ombudsman's office receives a gift from an external party.

Application of Policy

This policy applies to all full-time, part-time and fixed term contract employees of the Ombudsman's office.

Principles

Gifts which become the property of the Ombudsman's office

There are two situations in which a gift becomes the property of the Ombudsman's office:

- the gift is of more than nominal value and for some reason cannot be returned
- the gift can be used for the work of the Ombudsman or has a public benefit.

Gifts that can be retained by the officer

Where officers are invited to a function or luncheon in their role as a representative of the office, these invitations may be accepted on the understanding that it does not imply any intention to purchase, contract or otherwise influence. If there is any doubt, officers should approach the branch manager for directions. The receipt of token gifts is acceptable where the gift is an unsolicited memento such as a pen, key ring, diary, calendar etc which does not have more than a nominal value. If a small consumable gift e.g. box of chocolates or bottle of wine, is given to an officer for making a speech or performing another public act, the general rule is that the person who performed the act will be permitted to keep the gift. However, the officer must inform their branch manager, who will make the decision in each case. Should the officer not want the gift it will be auctioned amongst staff with the proceeds donated to a charity chosen by the officer concerned.

Return of gifts

In some situations it will not be appropriate to keep a gift. These include where the gift may create or be perceived to create a conflict of interest of the officer of the office. These gifts will be refused or returned with an explanation why they cannot be accepted. In both of the above situations the reporting requirements described below must also be followed.

Reporting and registration of gifts

All gifts must be reported to the employee's branch manager. Registration of the gift is not required for token gifts of nominal value such as mugs and pens. All other gifts and offers of hospitality, whether they are accepted or not, must be entered in the Gifts Register which is held by the Executive Officer.

Procedures

Reporting and documenting offers of gifts

All offers of gifts to an officer must be reported as soon as possible to their branch manager. This is the case whether or not the gift was accepted. If there is any doubt about whether a gift should be accepted the officer should consult with their branch manager. Registration is not required for token gifts of nominal value such as mugs and pens. A file note or email advising of the gift should be sent to the Executive Officer for filing on the gifts file. For all other gifts the officer must complete a Gift Registration Form (as shown in Appendix 1).

The officer offered the gift describes the details of the offer - date, time, place, who offered, to whom the offer was made, a description of the gift, the response of the officer and any other relevant details.

The Gift Registration Form should be signed by the officer and their branch manager and then forwarded to the Assistant Ombudsman Strategic Services (**AOSS**). The AOSS will determine if the gift needs to be entered into the Portable and Attractive Items register. If it does then a copy of the form will be forwarded to the Budget and Finance Coordinator in line with the Portable and Attractive Items Policy.

The original form is then signed by the AOSS and forwarded to the Ombudsman's Executive Officer.

The Executive Officer enters the gift into the Gifts Register (as shown in Appendix 2) and files the form on the relevant file.

Authorisation & Contacts

Authorisation

| | |
|--|---------------------|
| Policy Title: | Gifts Policy |
| Version Number: | 2.0 |
| Approved By: | Corporate Executive |
| Date Issued: | 18 April 2008 |
| Approval Date of Last Revision: | January 2011 |

Owner & Contacts

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|-------------------------|--|
| Policy Owner: | Assistant Ombudsman Strategic Services |
| Primary Contact: | Branch Manager |
| File Reference: | 080170 |

Gifts Registration Form

The office's Code of Conduct and the Gifts Policy outlines the guidelines regarding acceptance or return of offers of gifts to the office. Details of the Gift Register procedures are outlined in the Gifts Policy. A copy of the Code of Conduct and Gifts Policy can be found on the Intranet.

| To be completed by the Receiving Officer | | |
|--|---|--|
| Description of the gift | <div>.....</div> <div>.....</div> <div>.....</div> | |
| Gift was offered by: | Name of person and/or organisation: | |
| Gift was offered to: | Name of officer: | |
| | Date: | Time: |
| | Place: | |
| Response of officer: | <input type="checkbox"/> Gift was accepted <input type="checkbox"/> Gift was not accepted | |
| Estimated value of gift: | <input type="checkbox"/> \$0 - \$50 <input type="checkbox"/> \$51 - \$1000 <input type="checkbox"/> \$1000 and above | |
| What happened to the gift if it was accepted? | | |
| <input type="checkbox"/> Became property of the Ombudsman's office <input type="checkbox"/> Retained by the officer <input type="checkbox"/> Other | | |
| Give details of use and location: | | |
| Officer's signature: | | Date: |
| Branch Manager's signature: | | Date: |
| Assistant Ombudsman Strategic Services | | |
| Has the gift been entered into the Portable and Attractive Items Register? | <input type="checkbox"/> Yes - Forward a copy to the Principle Procurement and Finance Officer <input type="checkbox"/> Not applicable | |
| AOSS's signature: | | Date: |
| Executive Officer | | |
| <input type="checkbox"/> Gift added to register | | <input type="checkbox"/> Form has been filed (File # 050190) |

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