

Gifts and Benefits - Policy Number 503

Edited August 2023

1. Purpose

The aim of this policy is to ensure all business-related gifts and benefits given and received by Pacific Community Housing and its staff are properly managed and disclosed. It is essential that all staff not place themselves in situations which could lead to or be seen to give rise to a conflict of interest.

This policy is based on and complies with the Independent Commission Against Corruption (ICAC) managing gifts & benefits in the workplace toolkit and the AS 3806 Compliance Standard.

2. Scope

This policy applies to all employees working for Pacific Community Housing, whether employed directly or indirectly, such as via a recruitment agency or through a work placement.

3. Definitions

- **Employee** – any person employed by, or engaged to represent, Pacific Community Housing
- **Workplace** – the office or any alternative location where an employee is representing the company
- **Gift** – an item of value. For example; a gift voucher, entertainment, hospitality, travel, commodity, property etc. which one person or organisation presents to another
- **Gift of Influence** – a gift that is intended to generally ingratiate the giver with the recipient for favourable treatment in the future
- **Gift of Gratitude** – a gift that is offered to an individual or an organisation in appreciation of performing specific tasks or for exemplary performance of duties
- **Bribe** – a gift or benefit offered to or solicited to influence that person to act in a particular way and to induce the recipient to act in a way that is contrary to the known rules of honesty and integrity
- **Benefit** – similar to a gift in that it is of value to the recipient, but less tangible. For example meals, seats at sporting events, access to corporate boxes at sporting venues, upgrades on flights, or access to confidential information
- **Gifts and Benefits Register** – an official organisation record that details gifts and benefits received or given by Pacific Community Housing employees
- **Nominal Value** – the monetary limit of acceptable gifts. By accepting the gift, there would be no obligation, perception or expectation for reciprocation or providing preferential treatment. For Pacific Community Housing, all items received should be declared, including token gifts from tenants e.g. biscuits, chocolates, homemade items. Any benefits/gifts with a value limit greater than \$100 must not be accepted at all.

4. Policy

This policy states the organisation's requirements regarding the management of gifts and benefits, which protects staff members, their reputation and that of the company and minimises potential negative consequences for you and the organisation.

Pacific Community Housing is committed to be a professional and ethical workplace. This can only be achieved and maintained if the community is confident that staff are not influenced by gifts, benefits and bribery.

For employees, there are many real and perceived risks associated with being offered or accepting gifts or benefits. Gifts may be offered/received as an expression of gratitude, rather than influence, with no obligation to repay in kind, or given to create a feeling of obligation. In the business context, gifts can have different meanings and purposes.

The purpose of the gift, to a certain extent, affects how it should be managed. Employees should exercise judgement in determining whether receipt of a gift could be seen by others as an inducement which could place that staff member under an obligation to the donor or associated parties.

Any benefits/gifts with a value limit greater than \$100 must not be accepted at all.

If an employee is ever unsure about whether or not to accept/give a gift/benefit, clarification can be sought from their relevant Line Manager or the Governance Senior Manager.

If an employee believes that s/he has been offered a bribe they should notify their most senior manager within the department/function and the Governance Senior Manager. Where necessary, ICAC and the NSW Police will be notified immediately.

All employees must provide an email notification to the Governance Senior Manager within 10 days of receiving/being offered/giving any gifts or benefits. The following details must be included in the email notification:

- Date the gift/benefit was received;
- Person(s) or organisation(s) involved in giving/receiving the gift;
- A description of the gift/benefit
- Reason the gift/benefit has been given/received
- The estimate of the value of the gift/benefit – this must be provided even with token gifts.

This will then be added to the Gifts & Benefits register.

A quarterly review of the register enables the Finance Risk & Audit Committee to identify and manage any emerging risks. This register is also submitted to the Registrar of Community Housing on an annual basis as a part of registration requirements.

This policy applies at all times including Christmas and other cultural and religious occasions which involve the giving of gifts.

5. Compliance & Breaches

Pacific Community Housing may commence applicable disciplinary procedures if an employee is found to be deliberately not reporting received/given gifts and benefits. An incident report will also be lodged with the Finance Risk & Audit Committee (FRAC).

This policy is subject to change from time to time at the discretion of Pacific Community Housing. Where an individual is observed to not be working within the scope of this policy, the breach will be addressed by a team leader.

6. Responsibilities

It is the responsibility of the:

- **Chief Executive Officer** to ensure this policy and associated procedures are applied and committed to by the Business Leadership Team.
- **Team Leaders** to ensure familiarity with this policy and related procedures, to commit to following them accordingly and where relevant, promote the policy to their team.
- **Employees** to ensure they comply with this policy, be responsible for their own behaviour and if required, attend relevant training as provided by the company from time to time.

7. Legislative Framework and Related Policies

- Code of Conduct – Policy 500
- Complaints and Appeals – Policy 110
- NSW Affordable Housing Ministerial Guidelines 2023 - 2024
- National Community Housing Standards 2010