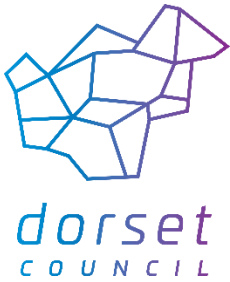


Policy No. 50 – Gifts and Benefits



Ref: DOC/25/15272

Adopted: 19 December 2016
Minute 250/16

Version: 4

Reviewed Date: 23 March 2026

Council Minute No: 65/2026

Statutory Authority: Local Government Act 1993 – Part 5A
Local Government (General) Regulations 2025 – Part 3
Dorset Council Internal Operational Policies
Dorset Council Code for Tenders and Contracts (Policy 31)
Local Government Code of Conduct Framework

Related Documents: Gifts & Benefits Guidelines – DOC/25/15273
Department of Premier and Cabinet Gifts and Donations
Guideline – August 2019

OBJECTIVE

To define the obligations of Council officials in relation to offers of gifts or benefits. Council officials include the Mayor, Councillors, Council staff (including agency staff), committee members, volunteers and contractors.

POLICY

1. Purpose and Scope

The purpose of this policy is to ensure Council officials act with integrity, impartiality and transparency when dealing with offers of gifts and benefits.

This policy applies to all gifts and benefits offered to or received by Council officials in connection with their role at Council.

For the purposes of this policy, Council officials include the Mayor, Councillors, Council staff (including agency staff), committee members, volunteers and contractors.

2. Guiding Principles

Council officials must at all times:

- Act fairly, impartially, and in the public interest;
- Avoid actual or perceived conflicts of interest; and
- Maintain public confidence in the integrity and independence of Council decision-making.

People dealing with Council should understand that gifts or benefits are not required to receive fair, professional or high-quality service.

3. General Rules

Council officials:

- Must only accept gifts and benefits in accordance with this policy;
- Must not solicit gifts or benefits;

- Must not use their position to gain a personal benefit or advantage;
- Must not accept money in any form, regardless of the amount;
- Must not accept any gift or benefit that could influence, or be perceived to influence, the performance of their official duties;
- Must not accept gifts or benefits for family members, close associates or related businesses where this could be perceived as an attempt to gain favourable treatment; and
- Must comply with all reporting and disclosure requirements set out in Council's Gift and Benefits Guidelines.

4. Accepting or Declining Gifts and Benefits

Gifts and benefits should generally be declined. Token gifts of nominal value may be accepted where permitted by the Gifts and Benefits Guidelines.

A gift or benefit **must not** be accepted if:

- It is more than the nominal value;
- It creates a sense of obligation; or
- It could reasonably be seen as influencing a Council decision or action.

In limited circumstances, refusing a gift or benefit may cause offence or harm a professional relationship. In such cases, a Council official may accept a gift or benefit of limited value **only if**:

- Acceptance does not compromise, or appear to compromise, their integrity;
- Council's reputation is not put at risk; **and**
- All reporting and disclosure requirements are met.

5. Reporting and Disclosure

All gifts and benefits accepted, or declined where required, must be reported in accordance with Council's Gifts and Benefits Guidelines.

The current threshold for nominal value and reporting requirements are set out in those Guidelines.

6. Responsibilities and Compliance

All Council officials are responsible for complying with this policy.

Breaches of this policy may result in action being taken, including counselling, censure, disciplinary action (up to and including termination of employment), and/or legal or civil actions, depending on the circumstances.

Any person may report an alleged breach of this policy to the General Manager or Mayor as appropriate. All reports will be assessed and investigated as required.

7. Review

This policy will be reviewed at least every four (4) years, following Local Government elections or earlier if there are significant changes to legislation, standards, or related Council policies or procedures.

GIFTS AND BENEFITS GUIDELINES

OBJECTIVE

These guidelines support Council's Gifts and Benefits Policy by helping Council officials make sound and consistent decisions when offered gifts or benefits.

They are intended to prevent situations where Council officials may be influenced, or perceived to be influenced, and to maintain public confidence in the fairness, impartiality, and integrity of Council.

SCOPE

These guidelines apply to all gifts and benefits offered to or received by all Council officials in connection with their official role at Council.

DEFINITIONS

Council official:	Mayors, Councillors, Council staff (including staff engaged through an employment agency), Council Committee members, volunteers, and contractors.
Gift:	A tangible item provided at no cost, including (but are not limited to) cash, property (real or otherwise), goods, services at discounted rates, alcohol, clothing, invitations and tickets to sporting, cultural or entertainment events.
Benefit:	A non-tangible advantage of value, such as preferential treatment, access to confidential information, or hospitality.
Bribe:	A gift or benefit given offered to influence the decision or behaviour of a Council official for personal or organisational gain.
Cash:	Money or vouchers which are readily convertible to money.
Gift of influence:	A gift that is intended to create goodwill or obligation for favourable treatment now or in the future.
Nominal value:	The monetary threshold below which a gift or benefit is considered to have no significant or lasting value (refer to section 1.4).
Significant value:	Any gift or benefit with a value above the nominal value threshold.
Token gift or benefit:	A low value, mass produced item commonly provided in business settings (i.e. pens, calendars, promotional items).
Non token gift or benefit:	An individual or high value gift or benefit, including travel, accommodation, corporate hospitality or event tickets.
Gifts and Benefits Declaration Form:	The form used to declare reportable gifts or benefits (Attachment 1).
Gifts and Benefits Register:	The register maintained by Council of all declared gifts and benefits (Attachment 2).

GUIDELINES

1.1 General Principles

Council officials may occasionally be offered gifts or benefits. Most gifts and benefits should be declined.

When considering an offer, Council officials must consider:

- The value of the gift or benefit;
- The intent behind the offer;
- Whether the giver has, or may seek to have, dealings with Council; and
- Whether acceptance could influence, or appear to influence, official duties.

Council officials must avoid situations where gifts and benefits could reasonably be seen as an attempt to gain favourable treatment.

1.2 Acceptable Gifts and Benefits

Token gifts or benefits at or below nominal value may generally be accepted and do not need to be declared, provided they are infrequent and not likely to create a conflict of interest.

If multiple token gifts are received from the same person or organisation within a twelve-month period, and their cumulative value may be significant, they must be declared.

If there is any uncertainty about whether a gift or benefit is token or of nominal value, advice should be sought from a supervisor, the General Manager or the Mayor.

1.3 Examples of Token Gifts and Benefits

- Promotional items such as pens, diaries, ties, scarves or calendars;
- Flowers, chocolates, or small gift items;
- Books provided at official functions or public events;
- A single bottle of reasonably priced alcohol given on a formal occasion;
- Modest meals or refreshments provided infrequently in connection with official business;
- Modest meals or refreshments provided when formally representing Council at training, workshops, or conferences.
- Invitations to approved community or Council-related events.

1.4 Nominal value and frequency

The nominal value limit is \$50.00.

Council officials who receive more than one token gift or benefit from the same person or organisation within a twelve-month period must declare the gifts in the Gifts and Benefits Register.

1.5 Unacceptable gifts and benefits

The following gifts and benefits must not be accepted:

- Cash;
- Gifts or benefits of significant value;
- Non-token gifts or benefits that could influence or be perceived to influence a Council decision.

If a non-token or above-nominal gift or benefit is offered and cannot reasonably be refused (for example, where refusal would cause significant offence or embarrassment), it must be declared using the Gifts and Benefits Declaration Form and recorded in the Register.

Where a gift or benefit is refused because it appears to be an attempt to gain special treatment, the matter must be reported to a supervisor, the General Manager, or the Mayor.

1.6 Examples of Non-token Gifts and Benefits

- Free or discounted travel or accommodation;
- Use of holiday homes;
- Tickets to major sporting or entertainment events;
- Corporate hospitality at venues or events;
- Free training or excursions;
- Access to confidential information;
- Discounted goods or services for personal use
- Goods and services provided via a determination in a Will.

Gifts exchanged between public authorities for protocol purposes may be accepted where they are intended for the organisation rather than an individual and create no obligation.

1.7 Significant value

A gift or benefit is of significant value if it exceeds the nominal value threshold of \$50.00.

1.8 Gifts of Influence

A gift or benefit must not be accepted if a reasonable person could conclude that it may influence, or appear to influence, the actions or decisions of a Council official.

If a gift or benefit is suspected to be offered for the purpose of influence, it must be declined and reported immediately to a supervisor, the General Manager or the Mayor.

1.9 Bribes

Council officials must not offer, solicit, or accept bribes.

Any bribe offered must be refused and reported immediately to a supervisor, the General Manager or the Mayor (for Councillors). Council will report the matter to the Police.

Receiving a bribe is an offence under both the common law and Tasmanian Legislation.

1.10 Family Members

Council officials must take reasonable steps to ensure that immediate family members (parents, spouses, children and siblings) do not receive non-token or above-nominal gifts or benefits that could be connected to the official's role.

1.11 Records and Registers

Gifts and benefits that meet reporting requirements must be declared using the Gifts and Benefits Declaration Form and recorded in the Gifts and Benefits Register.

The Register is maintained and monitored regularly by the General Manager.

1.12 Disposal of Gifts

Where a non-token or significant gift is accepted because it could not reasonably be refused, a supervisor, the General Manager or the Mayor will determine appropriate disposal.

Options may include:

- Retention by Council;
- Shared used within Council, where appropriate;
- Donation to a suitable charity.

Examples where disposal may be required include:

- Protocol gifts
- Anonymous gifts
- Gifts received in public forums
- Gifts received through a Will, where the relationship was primarily Council-related.

Adopted by Council: 19 December 2016

Reviewed: January 2026

Reviewer: Finance Manager

Ref: DOC/25/15273

Useful Decision-Making Guide

This guide is only an example of how a Council official may consider whether a gift or benefit should be accepted. Specific circumstances should be discussed with a Supervisor, Director, General Manager or Mayor.

Is the gift one of money or readily exchanged for money?



Yes – refuse the offer and report it to your supervisor, the General Manager, or the Mayor.



No – lower risk, could consider.



Is it offered to encourage you to give favourable treatment in your official capacity?



Yes – refuse the offer and report it to your supervisor, the General Manager, or the Mayor.

No – lower risk, could consider.



Could the gift be seen by other people to influence your behaviour as a Dorset Council official?



Yes – refuse the offer and report it to your supervisor, the General Manager, or the Mayor.



No – lower risk, could consider.



Will you or Dorset Council be making important decisions regarding the gift giver in the near future?



Yes – refuse the offer and report it to your supervisor, the General Manager, or the Mayor.



No – lower risk, could consider.



Is the gift value above the nominal value?



Yes – consider refusing offer unless it was a ceremonial gift. Discuss with your supervisor, the General Manager, or the Mayor.



No – lower risk, could consider.



Have you received other gifts from this person/business previously?



Yes – consider gifts as a series and observe reporting requirements. Discuss with your supervisor, the General Manager, or the Mayor.

Attachment 1:

Dorset Council Gifts and Benefits Declaration Form

Name	
Department	
Date gift offered	
What is the gift?	
What is the dollar value (approximate) of the gift?	
Who is the gift from?	
Individual (provide name)	
Organisation (provide name)	
Where was the gift offered? (i.e. at a function, over the counter, through the mail, at a meeting....)?	
Recipients relationship to the donor	
Should the gift or benefit accepted or declined	
If the gift was accepted, should it be retained by the employee or organisation?	
If the gift was retained by the organisation should it be disposed?	
Council Official's signature	
Date	
Responsible Officer (Supervisor, General Manager, Mayor) comments	
Responsible Officer's name and signature	
Office Use	
Date details recorded on Gifts and Benefits Register	
Responsible Officer's name and signature	

Attachment 2:

Dorset Council Gifts and Benefits Register

This register shows reportable gifts and benefits that have been offered to and received by Council Officials for the financial year <insert year>.

The register includes instances where Council Officials have received more than the specified number of token gifts of a nominal value from the same person or organisation, in a specified period.

Date Gift Received	Description of Gift or Benefit	Value (\$)	Name of Donor and Organisation	Name of Recipient	Reasons for Accepting the Gift	Disposal (Yes/No)	Name and Signature of Accountable Officer

Register Reviewed: Date:

General Manager: