

Gifts and Benefits Policy

1. Purpose and Scope

- 1.1 The Gifts and Benefits Policy establishes a framework within which AIAT staff and Board Members can accept or decline gifts or benefits in a manner that is consistent with the Institute's Staff Code of Conduct.
- 1.2 This Policy applies to all
 - 1.2.1 all non-academic and academic staff of AIAT whether full-time or fractional, continuing, fixed-term, or casual (known as staff in this document);
 - 1.2.2 members of the Board of Directors, Academic Board and respective committees (known as Board Members in this document); and
 - 1.2.3 benefits received by staff or Board Members in the course of their official duties.
- 1.3 This Policy also covers gifts and benefits received by an immediate family member or close associate of an AIAT employee, which can be reasonably attributed to the employee's official duties or association with AIAT.

2. Definitions

Refer to *Glossary of Terms* for commonly used terms. The definitions below are those specific to this policy and procedure.

Benefit - means anything believed to be of value to the recipient, or that might be perceived by a reasonable person to be of benefit to the recipient. A benefit may include preferential treatment in regard to employment, access to events, functions and information; club membership; discounts in shops.

Bribe - means a gift or benefit that is offered to or solicited by a person in order to influence that person to act in a particular way.

Gift - means articles, items or monies given by one party to another party. A gift can include money, tickets, alcohol or other products. For the purposes of this policy, a gift does not mean a donation.

Official gift - means gifts that are presented to AIAT usually from another organisation in recognition of its services or achievements or gifts presented to AIAT at an official or a ceremonial function which might include dedicated plaques, plates, vases or trophies.

Solicitation - means the act of asking another party for gifts and benefits.

3. Policy Statement

- 3.1 AIAT has a responsibility to ensure that its activities, including those of its staff and Board Members conform to acceptable standards of integrity and professionalism.
- 3.2 AIAT acknowledges that it is not uncommon for individuals to give and receive gifts during the course of business and recognises that there may be occasions when staff or Board Members may be offered, or be in a position to confer, a gift or benefit.
- 3.3 This policy cannot address every situation that may be encountered, however it is intended to provide staff and Board members with guidance principles on what is appropriate in relation to gifts and benefits, either received or to be conferred.

4. Policy Principles

- 4.1 Gifts or benefits that are offered to AIAT staff and Board Members must be managed as follows:
 - 4.1.1 staff and Board Members must never accept bribes or gifts in the form of cash or monetary gifts;
 - 4.1.2 staff and Board Members must never seek out gifts or other benefits;
 - 4.1.3 gifts must never be accepted from any person currently or about to be engaged in a procurement process;
 - 4.1.4 gifts must never be accepted from foreign entities that may seek to access or influence particular areas of the activity through various forms of funding arrangements and other inducements targeted at individuals that may create a foreign interference risk. If in any doubt about a particular situation, staff and Board Members should seek advice from the CEO;
 - 4.1.5 AIAT maintains a Register of Gifts and Benefits and requires all staff and Board Members to enter in it details of any gift or benefit offered or received.
- 4.2 Staff and Board Members must not accept any gift or benefit that may create or be perceived by a reasonable person to create a conflict of interest.
- 4.3 Gifts or benefits offered to family members, friends or other associates of staff or Board Members to avoid the requirements of this policy, must never be accepted.

Bribes, Potential Bribes and Solicitation of Gifts or Benefits

- 4.4 Staff and Board Members must never offer or accept a bribe or solicit gifts or benefits to or from others to act in a particular way. Staff and Board Members must decline gifts or benefits that would be perceived as a bribe.
- 4.5 Any Staff or Board Members who is offered a bribe or gift in breach of this policy, or who witnesses or reasonably suspects another employee has been offered or has received a bribe or a gift or benefit in breach of this policy, must notify the compliance officer specified in the Whistleblowing Procedure within 24 hours or as soon as possible .
- 4.6 The compliance officer will initiate appropriate action in regard to handling of the incident as per the Whistleblower Procedure.

- 4.7 Following investigation, deliberations and management of the incident, if it is determined that the gift can be accepted (i.e. that there was no corrupt dealings), the gift or benefit must be recorded in the Register of Gifts and Benefits.

Gifts or Prizes Received at Conferences and Trade Shows

- 4.8 All gifts or benefits or prizes received by staff or Board Members at conferences and trade shows are to be considered as gifts or benefits under this policy. This includes random draws e.g. lucky draw prizes. However, this does not apply to academic 'prizes' awarded for excellence or competence based on merit, such as for a paper or presentation.

Acceptance of Gifts or Benefits

- 4.9 As a general rule, and wherever practical, staff and Board Members should decline acceptance of any gifts or benefits to avoid compromising situations that may be perceived as corrupt or unethical.
- 4.10 Board Members are expected use their discretion as to whether the gift or benefit was given due to their engagement with AIAT or with another organisation in which they are involved. Any gift or benefit they accept as an AIAT Board Member must be reported in the Register of Gifts and Benefits.
- 4.11 Staff and Board Members should consider both the value, frequency and the purpose of the gift or benefit which is being offered. Staff and Board Members must also look at the range of perceptions that might apply to a situation regarding the acceptance of a gift or benefit.
- 4.12 Staff and Board Members must take particular care to ensure gifts, benefits and hospitality received, and external relationships they develop, do not result in preferential treatment or a perception of preferential treatment.
- 4.13 No gifts or benefits should be accepted that appear to have a nominal value of more than \$150.
- 4.14 All gifts or benefits regardless of value that are offered but declined must be recorded in the Register of Gifts and Benefits within 5 business days of receipt or within 5 business days of return to Adelaide if interstate or overseas travel is involved.
- 4.15 All gifts or benefits regardless of value or nature of circumstances of their receipt, should be recorded in the Register of Gifts and Benefits within 5 business days of receipt or within 5 business days of return to Adelaide if interstate or overseas travel is involved.
- 4.16 All gifts received must be handed over to the Campus Manager within 5 business days of receipt or within 5 business days of return to Adelaide if interstate or overseas travel is involved. Gifts must not be retained by staff or Board Members personally.

Disposal of Gifts

- 4.17 Some areas of AIAT, by the nature of their work, receive official gifts which will need to be displayed in AIAT premises after they have been recorded in the Register of Gifts and Benefits.
- 4.18 It is the responsibility of the CEO to seek advice on and determine when a gift should be disposed of and the appropriate disposal method.
- 4.19 All disposal of gifts should be recorded in the Register of Gift and Benefits.
- 4.20 Where an official gift is disposed of in accordance with this Policy the disposal action must be recorded on the Register of Gifts and Benefits in the field titled “Where is the gift currently located”. The following information should be recorded:
- 4.20.1 The name of the recipient;
 - 4.20.2 The date on which it was disposed;
 - 4.20.3 How it was disposed - e.g. sold, or discarded.

Failure to Comply with this Policy

- 4.21 All staff and Board Members are expected to comply with this policy. Non-compliance may lead to:
- 4.21.1 Misconduct or other disciplinary proceedings against the staff or Board Member. This may include termination of employment;
 - 4.21.2 Referral to and action taken by external agencies such as the South Australian Police; or
 - 4.21.3 Legal action against the individuals concerned.
- 4.22 Staff and Board Members may also be required to return any gift that has been accepted in breach of this policy.

Reports

- 4.23 The CEO will provide a report regarding the Register of Gifts and Benefits on an annual basis to the Risk, Quality and Audit Committee.

5. Roles and responsibilities

- 5.1 The CEO is responsible for:
- 5.1.1 determining the outcome of keeping or appropriately disposing of a gift or benefit that is greater than the nominal value or of unknown value;
 - 5.1.2 maintaining the Register of Gifts and Benefits;
 - 5.1.3 determining disposal action of official gifts; and
 - 5.1.4 providing a report on activity related to the Register of Gifts and Benefits on an annual basis to the Risk, Quality and Audit Committee.

5.2 Staff and Board Members are required to:

- 5.2.1 be familiar with and comply with the terms of this policy at all times;
- 5.2.2 report breaches to this policy via an offer of a bribe or gift or witnessing or reasonably suspecting another employee has been offered or received a bribe or gift; and
- 5.2.3 seek clarification from their manager if they have doubts on any aspect of this Policy.

6. Policy Details

Institution	Australian Institute of Advanced Technologies (AIAT)
Policy name	Gifts and Benefits Policy
Policy Reference No.	POL – 42
Policy Approval	Board of Directors
Policy Authority	Executive Management Group
Responsible Officer	CEO
Governance Reference Threshold Standards	HESF 2021: 6.2.1.a, 6.2.1.d
Related Documents	Conflict of Interest Policy Conflict of Interest Procedure Staff Code of Conduct Dealing with Unsatisfactory Performance and Misconduct (Staff) Procedure Register of Gifts and Benefits Whistleblowing Policy Whistleblowing Procedure
Related Legislation	Higher Education Standards Framework (Threshold Standards) 2021 (HESF)
References	AIAT has referred and benchmarked with the following institutions and policies during the creation of this policy: Griffith University (2019) Gifts and Benefits Policy University of the Sunshine Coast (2019) Staff Gifts and Benefits – Operational Policy Western Sydney University (2017) Gifts and Benefit Policy
Date of approval	31 March 2022
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Policy Category	Operational

6. Document Version Control

Document No	POL - 42	Last Modify Date	Summary of Changes
Version No	1.0	NA	Initial version approved by Board of Directors
Created Date	Feb 2022		