



THE UNIVERSITY OF
NOTRE DAME
A U S T R A L I A

POLICY:
GIFTS AND BENEFITS

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The Objects of the University are:

- a. *the provision of university education, within a context of Catholic faith and values; and*
- b. *the provision of an excellent standard of:*
 - i. *teaching, scholarship and research;*
 - ii. *training for the professions; and*
 - iii. *pastoral care for its students.*

1 Principles

- 1.1 The University's Code of Conduct provides that Staff Members *must not accept any direct or indirect pecuniary or other benefit from a third party in connection with the performance of duties without prior written permission from the University.*
- 1.2 The University, however, recognises that Staff Members, in the course of their work, may be offered occasional Gifts or Benefits as a token of appreciation, gratitude or as a gesture of courtesy and that these may not constitute a conflict of interest
- 1.3 The purpose of this Policy is provide guidance to Staff Members on Gifts and Benefits and (in doing so) to reduce the likelihood and perception that Staff Members have been influenced in their decision making activity, omission or failure to act, by the receipt of a Gift or Benefit.
- 1.4 This Policy:
 - Sets out the circumstances in which Staff Members can accept an occasional Gift or Benefit which is provided as part of a normal business or social practice as a token of appreciation or gesture of courtesy; and
 - Outlines a process to record and manage Gifts and Benefits.

2 Definitions

- 2.1 In this Policy, a reference to:

Benefit means anything that is 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 but is not limited to hospitality.

Gift means any item of value which a person or organisation presents to a member of the University relating to or as a consequence of their employment.

Gifts and Benefits Register means the official University record that details Gifts and Benefits received by University Staff Members and how that gift or benefit was managed. The Gifts and Benefits Register will be maintained by the University Secretary.

Staff Members means all Staff Members of the University and includes affiliates such as Consultants and Contractors engaged by the University.

Student Board and **Student Affairs Committee** each has the meaning ascribed in the University Statutes.

Hospitality means meals, refreshments, entertainment or accommodation.

3 Scope

- 3.1 This Policy applies to all Staff Members on all campuses. This Policy also applies to Students acting as members of a Student Board or a Student Affairs Committee, or acting on official University Business.
- 3.2 A reference to approval by a Dean or Executive Director refers to that position at a minimum approval level. Where required under this Policy, Staff Members at or above Dean or Executive Director Level must seek approval from their direct supervisor.
- 3.3 Authority under this Policy cannot be delegated further, save by the Vice Chancellor.

4 Policy - Gifts and Benefits

- 4.1 Staff Members must not:
 - i. Solicit any Gift or Benefit from any person or organisation; and/or
 - ii. Accept any Gift or Benefit, if that gift or benefit creates, or may be perceived to create, a conflict of interest.
- 4.2 Staff Members may, in accordance with this Policy, accept an occasional Gift or Benefit presented as a token of appreciation, gratitude or as a gesture of courtesy.

5 Conditions of Acceptance of Gifts or Benefits

5.1 A Staff Member may accept an occasional Gift, Benefit or Hospitality subject to the following conditions:

5.1.1 *Value of the Gift or Benefit is under \$100*

If a Gift or Benefit has a commercial value below \$100, then that Staff Member can retain that Gift or accept that Benefit without approval.

5.1.2 *Value of the Gift or Benefit is between \$100 and \$250*

If a Gift or Benefit has a commercial value between \$100 and \$250, then that Gift or Benefit may be accepted by that Staff Member with approval from their Dean/Executive Director. The Staff Member must report the Gift of Benefit to the University in accordance with Paragraph 7.

5.1.3 *Value of the Gift or Benefit is over \$250*

If the commercial value of a Gift or Benefit totals more than \$250, then that Gift or Benefit may be accepted with approval from the Vice Chancellor (or delegate). The Staff Member must report the Gift of Benefit to the University in accordance with Paragraph 7.

5.1.4 *Value of Gifts and/or Benefits over a 12 month period*

If Gifts or Benefits from the same person or organisation are offered during any 12 month period, and the total commercial value of those gifts or benefits exceeds \$250, then the Staff Member must advise the University Secretary of full details of the gifts and/or benefits from that person or organisation in accordance with Paragraph 7.

6 Gifts from Students

6.1 A Staff Member may only accept a Gift (not a Benefit) from a Student provided that it is valued at under \$100 and is approved in writing by that Staff Member's Dean (Academic) or Executive Director (General).

6.2 A Gift from a student can only be accepted if:

- i. It is given for the purpose of expressing gratitude or as a token of appreciation for the performance of that Staff Member's duties. Staff Members must use their professional judgment when considering gifts from Students and should take into account all factors including the value of the Gift, the nature of the Gift, the timing of the Gift and how acceptance of the Gift would be perceived by others.
- ii. No Gift from a Student can be accepted if it could be perceived as intended to influence the conduct or judgment of the Staff Member.

7 Reporting and Recording of Gifts or Benefits

7.1 Reporting

It is the responsibility of the Staff Member who is offered a reportable Gift or Benefit to advise the University Secretary within 5 working days of the offer. The notification form is attached at Appendix 1 (“Notification of a Gift or Benefit”).

7.2 Recording

The University Secretary must record all reportable gifts and benefits in the Gifts and Benefits Register.

8 Related Policies

Other Policies relevant to this Policy include:

- Code of Conduct for Staff Members.
- Conflicts of Interest Policy.
- Hospitality Guidelines

The conditions set out in this Policy may be altered by the Vice Chancellor at any time and Staff Members are subject to the conditions of this Policy as amended.

9 Advice & Approval

If any Staff Member (including those approving a Gift or Benefit) is unsure of the value or nature of the Gift or Benefit, he or she must consult the University Secretary.

APPENDIX 1: NOTIFICATION OF A GIFT OR BENEFIT FORM

This form is to be completed for all Gifts and Benefits exceeding \$100 in accordance with the Gifts and Benefits Policy. This form must be completed and sent to the University Secretary within 7 days of the offer.

STAFF MEMBER DETAILS	
Name	
Academic/General	
School/Office	
Campus	
Contact Phone Number	
DETAILS OF THE GIFT OR BENEFIT	
Date Received	
Description of Gift or Benefit	
Estimated value	
Details of the person or organisation giving the Gift or Benefit	
Brief outline of the circumstances	
<p>APPROVAL</p> <p>Signature of Dean/Executive Director/Supervisor approving Gift or Benefit</p>	
STAFF DECLARATION	
<p>I confirm the above details are true and correct. I have not solicited the gift or benefit and its acceptance does not place the University or myself under obligation to the donor or create a conflict of interest.</p> <p>Signature</p> <p>Date</p>	
UNIVERSITY SECRETARY ONLY	
Processed by University Secretary:	Date: