



Gifts, Benefits and Hospitality Declaration Procedure

1. Guiding Principles

The WA health system, [Gifts, Benefits and Hospitality Policy](#) (the Policy) applies to all WA Health staff members, including those employed by the WA Country Health Service (WACHS).

WA Health is committed to the principles and values expressed in the Western Australian Public Sector [Code of Ethics](#) and the WA health system [Code of Conduct Policy \(MP 0124/19\)](#). The Code of Conduct outlines the requirement that all WA Health staff must “disclose any personal or professional *matters that may lead to actual or perceived conflicts of interest*” and will “*not accept gifts which are, or could reasonably be interpreted to be, designed to secure influence or preferential treatment in favour of the giver*”.

The intention of the Policy is to provide the minimum mandatory requirements that must be followed if a gift is offered so as to ensure that the integrity and responsibilities of WA Health staff are not compromised or perceived to be compromised. It is acknowledged from time to time WACHS staff members may be offered gifts in the course of, or incidental to their employment. If a gift or benefit is to be accepted, it needs to be appropriately reported, approved and recorded.

Sometimes a gift or benefit may be offered to influence a WACHS staff member in making a decision, or to provide a favour which will advance the interests of the giver, either now or in the future. Even gifts and benefits of modest value can be used to cultivate, over time, a relationship where a WACHS staff member may feel an obligation or loyalty to the giver.

Accepting gifts, benefits or hospitality creates a risk that may undermine the public's trust and confidence in the WA health system and may:

- create a potential, perceived or actual conflict of interest;
- influence staff members to act in their own personal interest rather than in the public interest, or to unfairly favour or disadvantage an organisation or individual;
- create a culture of entitlement; and
- present opportunities with the potential to escalate into bribery, misconduct or corruption.

The policy only relates to personal gifts and does not include donations to WA Health or Area Health Services (AHS). The treatment of donations should be made in accordance with Section 530 Donations and Gifts of the [WA Health Financial Management Manual Index v2-00](#).

In line with the Policy, this procedure outlines the steps to be followed by all WACHS staff for declaring gifts that have been offered to them in the course of their employment. Reference should also be made to WA health system, [Managing Conflicts of Interest Policy \(MP 0113/19\)](#).

2. Procedure

To ensure consistency with the requirements of the Policy, WACHS staff must declare all offers of gifts, benefits and hospitality (including non-acceptance of the same) received in the course of, or in connection with their employment.

The declaration of all offers of gifts must be recorded within the System Manager [Gift Declaration Register](#) (GDR); directions on the use of the GDR are provided within the [System Manager Gift Declaration Register User Guide](#) (user guide).

Further guidance on the declaration of gifts, benefits or hospitality can be found in the [Gifts, Benefits and Hospitality Information](#).

2.1 Template letter

In conjunction with the declaration of all offers of gifts, benefits and hospitality in the GDR, it is best practice when possible for the declaring officer to advise the person / company offering the gift of any decision to decline the gift, benefit or hospitality using the standard template letter (see [Attachment 1](#)). If the template letter is used, this must be uploaded into the System Manager GDR (please refer to Step 9 of the user guide).

2.2 Reporting

A quarterly report of all Gift Declarations registered in the GDR is generated and provided to the WACHS Executive and Audit and Risk Committee on a quarterly basis; this includes an overview of gifts, benefits and hospitality declared within WACHS.

2.3 Breaches of the Policy

A breach of this mandatory Policy by a WACHS staff member may constitute a breach of discipline. Refer to the [Discipline Policy \(MP 0127/20\)](#) which specifies breach of discipline process.

For Contracted Medical Practitioners, a breach of this mandatory policy may constitute a dispute about professional conduct. Refer to the [Disputes About the Professional Conduct of a Contracted Medical Practitioner Engaged Under a Medical Services Agreement Policy \(MP 0083/18\)](#) which specifies this process.

A breach of this mandatory policy by a WACHS staff member may constitute misconduct as defined in the [Notifiable and Reportable Conduct Policy \(MP 0125/19\)](#) which specifies misconduct reporting process.

3. Roles and Responsibilities

The **Executive Director Business Services** has overall responsibility for managing approval and governance of all WACHS gift declarations.

The **Heads of Departments or Directors (Tier 4)** have responsibility for approving gifts offered to WACHS staff within each of their regions.

All WACHS staff who are offered gifts are responsible for following the gift declaration process outlined in this procedure, by using the WA Health System GDR.

4. Compliance and Evaluation

A quarterly report generated from the GDR will be used to analyse trends including timeliness of reporting; acceptance / non acceptance of gifts; the number of gifts received by individual employees and / or offered from the same provider.

WACHS may be required to provide an attestation for complying with this policy to the System Manager.

It is a requirement of the WA health system *Code of Conduct Policy* that staff must 'comply with all applicable WA health system policy frameworks'.

5. Standards

[National Safety and Quality Health Service Standards – 1.1](#)

6. Related Information

[System Manager Gift Declaration Register \(GDR\) User Guide](#)
[Gifts, Benefits and Hospitality Information](#)

7. Related WA health system Policies

MP0112/19 [Gifts Benefits and Hospitality Policy](#)
MP0113/19 [Managing Conflicts of Interest Policy](#)
MP0047/19 [Sponsorship Policy](#)
MP0017/19 [WA Health Staff Air Travel Policy](#)

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Version:	3.00	Date Published:	03 December 2020

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Attachment 1 – TEMPLATE LETTER – DECLINING A GIFT, BENEFIT OR HOSPITALITY

Your Ref : Leave blank if none
Our Ref : TRIM Reference
Enquiries to : Name of contact and telephone number

Name
Company Name
Address
Address

Dear Mr/s Bloggs

Thank you for your offer of the following gift, benefit or hospitality (delete as appropriate):

Description of gift, benefit or hospitality

< Choose one of the following statements – Statement 1 >

Unfortunately, I am unable to personally accept your gift as it contravenes our gift policy / is a conflict of interest or may be perceived as a conflict of interest.

I wish to thank you for your generosity however, it is gratefully acknowledged.

< Choose one of the following statements – Statement 2 >

Unfortunately, the WA Country Health Service is not able to accept this gift as it contravenes our gift policy / is a conflict of interest or may be perceived as a conflict of interest.

Thank you for your generosity and the thoughtful intention to acknowledging our services and support.

Yours sincerely

Name
TITLE
< Insert date >

Copy of letter declining the gift is to be uploaded onto the System Manager GDR

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