

ANO Gifts and Benefits policy and register

The Aircraft Noise Ombudsman's (ANO's) Gifts and Benefits Policy draws on the Australian Public Service (APS) Commission's Gifts and Benefits policy - <http://www.apsc.gov.au/aps-employment-policy-and-advice/aps-values-and-code-of-conduct/aps-values-and-code-of-conduct-in-practice/gifts-and-benefits>

Gifts and benefits

The issue of whether or not an ANO employee accepts a gift or benefit is not always straightforward.

At times, acceptance of offers of entertainment or hospitality can provide valuable opportunities for networking with stakeholders. For the ANO office to carry out its functions fairly, impartially and professionally, however, and for the public to be confident that it will do so, ANO employees must be able to demonstrate that they cannot be improperly influenced in the performance of their duties by offers of gifts or other inducements.

When an ANO employee receives an offer of a gift or benefit, it is important that they consider the ethical issues involved and that there is an open and transparent process in the agency for discussing such issues. It is important to consider every offer on its merits, taking into account the relationship of the individual or organisation making the offer with the ANO.

The main risk of accepting a gift or benefit is that it may result in an actual or perceived conflict of interest. At the extreme, it could be perceived as a bribe, which is an offence under the Criminal Code.

When deciding whether to accept a gift or benefit, the reputation of the ANO office is paramount. A useful test is for ANO employees to consider how they might answer questions from a parliamentary committee. If it would be embarrassing, then perhaps the gift or benefit should not be accepted.

It is not possible to establish set rules about accepting gifts or benefits as it is contingent on the circumstances. In some instances accepting even minor benefits may be construed as undermining public confidence.

A gift or benefit may include:

- gifts, such as bottles of wine, manufacturer's samples or personal items
- promotional materials, including clothing, books, compact discs or DVDs
- sponsored travel
- benefits under loyalty schemes, such as frequent flyer schemes
- meals or other hospitality
- accommodation and hire car discounts
- entertainment, such as meals, seats at sporting or theatre events or golf days
- discounts on commercial items
- free or discounted places on training and development courses.

Acceptance of gifts or benefits will not usually be appropriate from a person or company if they are involved in a tender process with the ANO.

It should not be assumed that gifts of minor value are always acceptable. Even token gifts that carry a company's logo can create, in some circumstances, a perceived conflict of interest. For example, wearing clothing bearing the logo of a particular aviation operator could send a very inappropriate message to members of the public.

Hospitality

The ANO may provide official hospitality if it furthers the conduct of public business. Expenditure on official hospitality must be publicly defensible on the basis that the primary purpose of the event is work-related. Offers of hospitality have the potential to cause perceived or actual conflicts of interest. However, offers of hospitality may be accepted if they genuinely assist the agency to develop and maintain constructive relationships with stakeholders.

Sponsored travel

As a general rule, the ANO pays for staff travel as part of their official duties. Situations may arise, however, where a body external to the ANO office offers to pay for travel for an ANO employee. In such cases of sponsored travel, an ANO employee is being offered a benefit and it should be treated in the same way as gifts and other benefits described in this document.

As a general rule, ANO employees should not accept offers of travel sponsored by private organisations or groups. Sponsored travel includes cases where transport, accommodation or living expenses are paid for. Acceptance of such travel may lead to the perception that the ANO office or the ANO employee is favouring the organisation concerned or using their position to gain a benefit. Exceptions to this rule would be the provision of fares and accommodation to attend legitimate conferences associated with the role of the Aircraft Noise Ombudsman's office.

Entertainment

Offers of entertainment are often used in private business to make relevant business contacts and improve business relationships. In some instances, accepting an offer of entertainment may improve stakeholder relationships. Attendance at significant events can provide opportunities to make important stakeholder connections that will be of considerable benefit to the ANO office in fulfilling its Charter. However, ANO employees should ensure that accepting the offer would not create an actual or perceived conflict of interest.

Register

All gifts or benefits received (with the exception of food and beverages provided at functions) with a nominal value in excess of \$30 shall be registered on the 'gifts and benefits register' stored in Administration\Finance and budgeting.

Effective date

This policy is effective from 1 January 2014 and remains in effect until further notice.