

College of Emergency Nursing Australasia

Gifts and Benefits Policy

1 Purpose

The purpose of this policy is to establish for the College of Emergency Nursing Australasia (the 'College') the principles that should be used to determine the appropriateness of accepting gifts and benefits. The policy also defines the conditions for the acceptance or rejection of gifts and benefits of nominal, significant, major or intangible value, as well as appropriate disclosure reporting requirements. This policy applies to all members of the National Board, committees, subcommittees or other person (the 'College entities') authorized to carry out any activity or function of the College.

2 Scope

This policy applies to all members of the National Board, committees, subcommittees or other person (the 'College entities') authorized to carry out any activity or function of the College, and to all gifts and benefits received by College entities in the course of their official duties.

This policy also covers gifts and benefits received by an immediate family member or close associate of the College, which can be reasonably attributed to the entities official duties or association with the College. This policy does not apply to:

- Gifts and benefits received by College entities as a result of undertaking outside work. This is subject to prior approval being sought to conduct outside work by the National Board.
- Honorariums from an individual organisation that do not exceed a total value of \$500 in a single year, unless any single gift has a fair value of \$200 or more, philanthropic gifts made by individuals, corporations, foundations or legal entities to assist the College in the pursuit of its aims and goals.

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3 Definitions

The following definitions apply for this policy:

Affiliates means honorary appointees, emeritus professors and members of University/faculty committees, and any other person appointed or engaged by the College to perform work for the College.

Bequest means a donation of property by will.

The Declaration Form is the CENA Gifts and Benefits Declaration Form (add hyperlink).

Fair value means:

- The domestic recommended retail price (if known), or the monetary value set by a licensed valuer (for example, for antiques or jewellery), or the monetary value that has been mutually agreed by the Finance Director.

Gift or benefit means items (both tangible and intangible) received by the College of College entity in the course of official duties. Gifts or benefits are differentiated by monetary value:

- **Honorarium** means a gift for a voluntary service or a professional service for which no fee is charged, set or agreed upon in advance. Honorariums include 'thank you' gifts (for example, to a speaker or presenter) and may be paid as money or property, as outlined by the Australian Taxation Office.
- An **intangible gift or benefit** may be nominal, significant or major in nature, but has no lasting transactional value.
- A **major gift or benefit** is a single gift or benefit with a fair value in excess of
- \$500 or an accumulation of nominal/significant gifts or benefits received from the same individual/organisation in the course of a financial year where the aggregate value is in excess of \$500.
- A nominal gift or benefit is one with a fair value of less than \$200.

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- A significant gift or benefit is one with a fair value between \$200 and \$500.

Official duties means any College function for which a College entity is contractually engaged or else holds influence or has access or possesses the ability to hold influence or have access, irrespective of the time of day or location of the College entity at the time.

A reasonable observer means a fair-minded person in possession of the facts.

The **register of significant and major gifts and benefits** is the official register maintained by Finance Director and used to record details of significant and major gifts and benefits that are either accepted or rejected by the College. Details stored in the register are treated as confidential information.

4 Policy statement

4.1 Assessing the appropriateness of gifts and benefits

College entities must apply the following standards when assessing the appropriateness of accepting or rejecting gifts and benefits offered to them in the course of their official duties.

4.1.1 Accepting a gift or benefit will not influence or have the potential to influence College entities in such a way as to compromise or appear to compromise integrity and impartiality, or create a conflict of interest or the reasonable perception of a conflict of interest, as outlined in CENA Conflict of Interest policy.

4.1.2 Accepting a gift or benefit must not be related to advice or decisions about but not limited to the following: awarding contracts, facilitating academic assessment, academic credit or awards, and/or giving approvals.

4.1.3 The gift or benefit must not be solicited either directly or indirectly by the intended recipient.

4.1.4 Any obligation or potential obligation implied in acceptance of a gift or benefit of a greater than nominal value must be assessed and determined by the Finance Director as not compromising the integrity and impartiality of the College.

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4.1.5 A gift or benefit must not be accepted if any reasonable observer would think that the recipient may be under obligation to act in a partial manner.

4.1.6 A gift or benefit must not be accepted if it is offered in monetary form or as anything convertible to money.

4.2 Authority to accept or reject gifts and benefits

All significant and major gifts and benefits given to College entities in the course of their official duties are the property of the College. The accepting or rejecting of gifts and benefits must be managed in a transparent manner with due concern for probity and ethical behaviour.

Gifts and benefits received by the College or a College entity must be disclosed as indicated in the following Gifts and Benefits Authorities and Conditions table (Table 1).

The College entity completing the [Gifts and Benefits Declaration Form](#) must provide a reason for receiving the gift or benefit. The Finance Director and/or Executive Director must declare whether the gift or benefit was retained by the College or the College entity, and whether the recipient believed the gift could be an attempt to influence or compromise either the College or College entity.

The Declaration Form must be submitted within 14 days of receiving the gift or benefit. If the College entity is away from the College at the time the gift is offered or given (e.g. oversees conference), the form must be submitted within seven days of returning.

Table 1: Gifts and benefits authorities and conditions table

Category of gift/benefit	Authority/conditions to accept	Disclosure required
a) Nominal (fair value of less than \$200)	College entities can accept the gift or benefit subject to verbally informing their Supervisor, and where the gift or benefit meets the standards of appropriateness as detailed in section 4.1.	Verbal.

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<p>b) Significant (fair value of between \$200–\$500)</p>	<p>With the approval of the Finance Director, a College entity may choose either to:</p> <ul style="list-style-type: none"> • Keep the gift or benefit • Donate it to the College <p>The Finance Director can approve the acceptance of a gift or benefit for one of these purposes if it meets the standards of appropriateness as detailed section 4.1.</p>	<p>Completed Declaration Form assessed and signed by the Finance Director.</p>
<p>c) Major — single (fair value of single gift greater than \$500)</p>	<p>With the approval of the Executive Director, a College entity may choose either to:</p> <ul style="list-style-type: none"> • Keep the gift or benefit • Donate it to the College <p>The Executive Director can approve the acceptance of a gift or benefit for one of these purposes if it meets the standards of appropriateness as detailed in section 4.1.</p>	<p>Completed Declaration Form assessed and signed by the Finance Director and Executive Director</p>

5.3 Register of significant and major gifts and benefits

The Finance Director is responsible for the establishment and maintenance of the College's official register of significant and major gifts and benefits offered, accepted or rejected by the College; and any associated procedures and forms required to track and record this information.

5.4 Monitoring and quality assurance

The Finance Director is responsible for the development and implementation of quality assurance procedures to monitor compliance with this policy, including monitoring the Declaration Forms received, investigating declarations that are not in full compliance with this policy and, where appropriate, referring matters to the National Board.

The National Board is responsible for confirming compliance with this policy via the Annual General Management sign-off process.

5.5 Breaches

All suspected breaches of this policy should be reported directly to the National Board in writing. Upon assessment, appropriate actions will be taken depending upon the particular facts, which may

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result in initiation of disciplinary action that could involve severance from the organisation if deemed to be an incident of misconduct, wrongdoing or an abuse of power or authority, including notifying relevant statutory authority and/or agency where breaches of relevant legislation may be evident.

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