

ACCEPTING AND GIVING GIFTS

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations firmly believes in upholding the highest standards of professional conduct. It is imperative for every member of our organization to maintain clear professional boundaries, consistently demonstrate unwavering integrity, and ensure complete transparency in all relationships and transactions. This not only safeguards our organization's reputation but also strengthens the trust and confidence of those we serve and collaborate with.

The gift policy guides support professionals, facilitators and the director on whether they are allowed to accept gifts both within and outside of the work premises. If a gift is allowed, this policy defines the acceptable value and type of gift permissible to them.

Finally, the gift policy defines under what circumstances a support professional, facilitator or director may accept a gift, on the types of gifts you can accept, the frequency of gift acceptance and identifies critical issues triggered by certain gifts.

The Director will determine in what circumstances it is appropriate to present gifts to clients in appreciation of their business.

Definitions

A **gift** is a thing given willingly to a support professional, facilitator or director without payment; a present.

Alternatively, a **gift** might be a thing given as a present by a support professional, facilitator or director to a client.

Procedure

- Each situation, including the client's and the support professional, facilitator or director's motivations for accepting the gifts, needs to be considered.
- In terms of the monetary value of gifts, all members of the organisation should consider the value in relation to the client's level of wealth and income, particularly given that most clients are in receipt of benefits from the

Department of Social Services as their sole form of income. Given this, any nominal gift with an estimated value that exceeds \$25.00 should be refused.

- Cash should never be accepted from clients as a gift; accepting cash can cause a real or perceived conflict of interest. Any offer of money must be declined, immediately reported to the Director, and the details of the offer noted on the shift notes.
- Any gifts given to the support professional, or facilitator should be disclosed to the Director. Any gifts given to the Director should be disclosed to the facilitator working with that client. In both occurrences a note should be made in the client's shift notes.
- Gifts of no more than \$25.00 in value from a client should be accepted no more than twice yearly.
- If you decide it is inappropriate to accept a particular gift, then consider how you can inform the client in a respectful manner.
- Gifts should not be given to clients as a general rule, although giving a thank you gift at the end of the year can be an appropriate way to show appreciation of their business.
- All gifts, regardless of their perceived or actual value must be disclosed and recorded on the gift register kept by Mypower Foundations to ensure transparency, and to monitor the frequency and source of the gifts.
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Responsibility

In some circumstances, receiving a gift from a client could be seen as unethical; the support professional, facilitator or the Director will need to determine whether accepting the gift might be seen as taking unfair advantage of a professional relationship.

Alternatively, giving a gift to a client may be seen as unethical as it reflects a lack of appropriate boundaries.

Relevant Legislation and Policies

- Privacy Act 1988
- Corporations Act 2001
- Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)
- NSW Independent Commission Against Corruption Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services

- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities