

Gift Declaration Registry

User guide

integrity starts ,,, with **I**



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1. What you need to know regarding gifts, benefits and hospitality

1.1 Why do gifts, benefits and hospitality in the WA health system matter?

The offer of gifts, benefits or hospitality can create risks which undermine the public's trust and confidence in the WA health system, if they are not appropriately managed. These risks include:

- conflicts of interest (actual, perceived or potential)
- attempts to influence employees/staff to provide unfair favour or preference
- the development of a culture of entitlement
- potential misconduct, bribery, or corruption.

1.2 Guidance and policy information

The <u>Gifts, Benefits and Hospitality Policy</u> (the Policy) is a mandatory policy for all Department of Health employees and Health Service Provider staff members. It specifies principles and requirements for the management of all offers of gifts, benefits and hospitality connected with your employment.

- · Supporting information for the Policy can be found here.
- Each health entity (the Department of Health and each health service provider) has its own Integrity team. If you require assistance to understand your obligations under the Policy, you should seek advice from your manager or the relevant Integrity team within your health entity.

Note: 'Gift' will be used in most places in this document as shorthand for gifts, benefits and hospitality.

2. What to consider before you declare a gift, benefit or hospitality

All offers of gifts, benefits and hospitality need to be declared in the Gift Declaration Registry, even if you don't accept the offer.

Before you make a declaration in the Gift Declaration Registry, you should consider the following. Navigate to any of the following sections for further information.



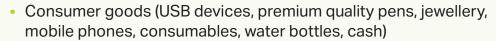
2.1 Is the item that has been offered a gift, benefit or hospitality under the Policy?

The terms 'gift', 'benefit' and 'hospitality' are defined within the Policy as:

Examples of gifts, benefits and hospitality:

Gift

Anything of value offered or gifted (including prizes) to an employee or staff member in addition to their normal salary or employment entitlements.



- Discounts on goods or services
- Food, drinks, gift baskets

Benefit

Any preferential treatment, privileged access, favour or other advantage offered to a staff member above their normal salary or engagement entitlements. A benefit is usually intangible, as something that can be experienced.

Access to discounts or loyalty programs

- Access to confidential information
- · Free or subsidised online training
- · Discounted or free attendance at events

Hospitality

Items which relate to the entertaining of employees or staff members.

- Meals, drinks, refreshments
- Invitations to catered events
- Catering of events

The following are not considered an offer of a gift, benefit or hospitality for the purposes of the Policy:

- · Gifts offered to employees or staff members solely in their personal capacity with no relationship to their employment.
- Items provided by the Department of Health or a health service provider to their own employees or staff members. For example, working lunches, items provided by way of staff recognition, training sessions.
- Donations of money or property to the Department of Health or a health service provider.
- Discounts or offers that are publicly available or open to any person.

2.2 If the item is not a gift, what other policy might be applicable?

Certain items that are not offers of gifts, benefits or hospitality under the Policy are managed in accordance with separate policies and procedures. See the chart below:

Items dealt with under other policies and procedures

Donation of money, equipment or other items to a WA health system entity

Section 530 Receiving Donations, WA Health Financial Management Manual

Expenditure on hospitality or gifts to non-staff members such as guests or visitors

Section 602 – Acceptable Expenditure for Official Purposes, WA Health Financial Management Manual

Sponsored travel for a staff member/employee

WA Health Staff Air Travel Policy (MP 0017/16)

Approved sponsored hospitality

Grants, Esoteric Arrangements and Sponsorship Policy (MP 0005/16)

2.3 Is the item a token gift?

Token gifts and team gifts are certain categories of lower risk gifts that are not considered a gift for the purpose of the Policy. As such, offers of token gifts and team gifts should not be declared in the Gift Declaration Registry.

Team gifts

The item is likely to be a team gift if you answer '**yes**' to all of the following statements:

- 1. The gift was offered by a work team or group of WA health system staff members. ☑
- 2. The gift was provided to celebrate a significant personal event or milestone. For example, retirement, birth of a child, ceasing employment, wedding, milestone birthday. ☑

Token gift checklist

The item is likely to be a token gift **only** if you answer '**yes**' to **all** of the following statements:

- There is no potential for the gift to influence future decisions of the recipient or create an actual, potential or perceived conflict of interest.
- 2. The estimated value of the gift is **less than 50 dollars**. ☑
- 3. The item is **not** on the list of <u>Unacceptable Gifts</u> under the Policy. ☑
- 4. The gift **was not** offered by or on behalf of a commercial organisation. ☑
- 5. The provider **has not** offered any other gifts to the recipient or their team during the **past 12 months**. ☑

2.4 Is the item an unacceptable gift?

Certain types of gifts are considered unacceptable gifts. Under the Policy, staff members must never accept unacceptable gifts.

There are 3 types of unacceptable gift:

Gifts that are offered by, or on behalf of, a person or organisation to a staff member who is responsible for, or likely to be **responsible for a decision** in relation to the party offering the gift.

Gifts that are capable of **creating a perception** that a public officer has accepted a **bribe** or **benefit**, or **gained an advantage**.

- The acceptance of any of these unacceptable gifts presents
 a risk to the WA health system that is in no circumstances
 appropriate. As such, the acceptance of these gifts is prohibited.
- Where you are offered an unacceptable gift, ideally, you should refuse the gift at the first opportunity. Where this is not practical (for example, it may cause offence, you did not realise what you had received, it is delivered by post) the gift should be returned to the provider as soon as reasonably practicable.
- Offers of unacceptable gifts must be declared in the Gift
 Declaration Registry in accordance with the Policy as they are
 offers of gifts, benefits or hospitality.

Gifts of money or of a nature easily converted to cash. These include:

- cash, cheque or bank transfer
- shares or cryptocurrency
- gift vouchers or gift cards
- lottery tickets.

2.5 Is it appropriate to accept this gift?

- Once an offer of a gift, benefit or hospitality has been received, you should consider whether you intend to accept or decline it.
- In making this decision, you must consider the risks associated with acceptance of the gift, to inform your decision.
- The GIFT test (below) is a tool that outlines a range of considerations which may assist you to identify the risks associated with the acceptance of a gift.

GIFT test				
G – Giver	 Who is providing the gift, benefit or hospitality and what is their relationship to me? Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the giver (person or organisation) benefit from a decision I make? 			
I – Influence	 Is the giver seeking to influence my decisions or actions? Is the gift, benefit or hospitality being offered to me publicly or privately? Is the gift a courtesy token of appreciation or highly valuable? Does its timing coincide with a decision I am about to make? 			
F – Favour	 Is the giver seeking a favour in return for the gift, benefit or hospitality? Is the gift, benefit or hospitality being offered honestly? Has the giver made several offers to me or people in my business area over the last 12 months? Would accepting the gift create an obligation on me to return a favour? 			
T – Trust	 Will public trust be enhanced or diminished? Could I publicly explain why I am accepting the gift, benefit or hospitality? What would my colleagues, family, friends and associates think? Have I made good records on accepting the gift, benefit or hospitality in accordance with reporting and recording procedures? 			

Source: Public Sector Commission, Decision-making tool: GIFT Test, published 3 December 2021, available at: https://www.wa.gov.au/government/publications/decision-making-tool-gift-test

Where you are unsure about whether it is or is not appropriate to accept an offer of a gift, you should seek guidance from your manager in the first instance.

2.6 Which gifts need to be declared in the Gift Declaration Registry?

- Offers of gifts should be declared in the Gift Declaration Registry as soon as reasonably practicable. A gift cannot be accepted until approval is provided via the Gift Declaration Registry.
- When declaring offers of gifts in the Gift Declaration Registry, you should ensure that the information provided is considered and sufficiently detailed to inform the designated approver in appropriately considering the declaration.

The table below outlines what should and should not be declared in the Gift Declaration Registry:

Gifts that must be declared in the Gift Declaration Registry	Items that must not be declared in the Gift Declaration Registry
Offers of unacceptable gifts. These must be declined.	Token gifts as defined in the Policy.
Offers of gifts, benefits or hospitality that you intend to accept.	Offers of gifts solely in your personal capacity with no relationship to your employment. For example, from family members or friends.
Offers of gifts, benefits or hospitality that you intend to decline.	Items provided by the your employer (your employing health entity). For example, working lunches, items provided by way of staff recognition, training sessions.
	Sponsored travel as described in <u>WA Health Staff Air Travel Policy</u> (MP 0017/16).
	Donations of money, equipment or other items to WA health system entities dealt with in accordance with <u>Section 530, Receiving Donations, WA Health Financial Management Manual.</u>
	Offers of approved sponsored hospitality authorised in accordance with <u>Grants, Esoteric Arrangements and Sponsorships Policy</u> (MP 0005/16).
	Discounts or offers that are publicly available or open to any person.

3. Conflicts of interest and gifts

- A conflict of interest refers to a situation arising from a conflict between the performance of public duty and a private or personal interest.
- A conflict of interest may be:
 - an actual conflict of interest, which occurs when there is a real conflict of interest between your public duties and private interests.
 - a potential conflict of interest, which occurs when you have a private interest that could conflict with your public duties.
 - a perceived conflict of interest, which occurs when a member of the public or a third party could form the view that you have a private interest that could improperly influence your decisions or actions, now or in the future, whether this is the case or not.

- The offer of a gift has the potential to create a conflict of interest.
 A gift offer may also be made in the context of an existing conflict of interest between the party who offers the gift and the recipient.
- Where an actual, perceived or potential conflict of interest exists, you are required to identify, declare and manage the conflict of interest in accordance with the <u>Managing Conflicts of Interest Policy (MP 0138/20)</u>. Conflicts of interest must be declared in the Conflict of Interest Registry, and a management strategy must be identified and approved to appropriately manage the conflict of interest.

More information about conflicts of interest can be found in the <u>Managing Conflicts of Interest Policy (MP 0138/20)</u> and Managing Conflicts of Interest Information.

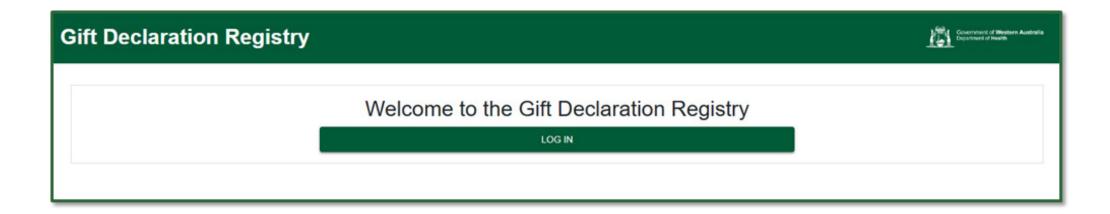
4. How do I access the Gift Declaration Registry?

4.1 Logging into the system

The Gift Declaration Registry can be accessed at:

gdr.hdwa.health.wa.gov.au

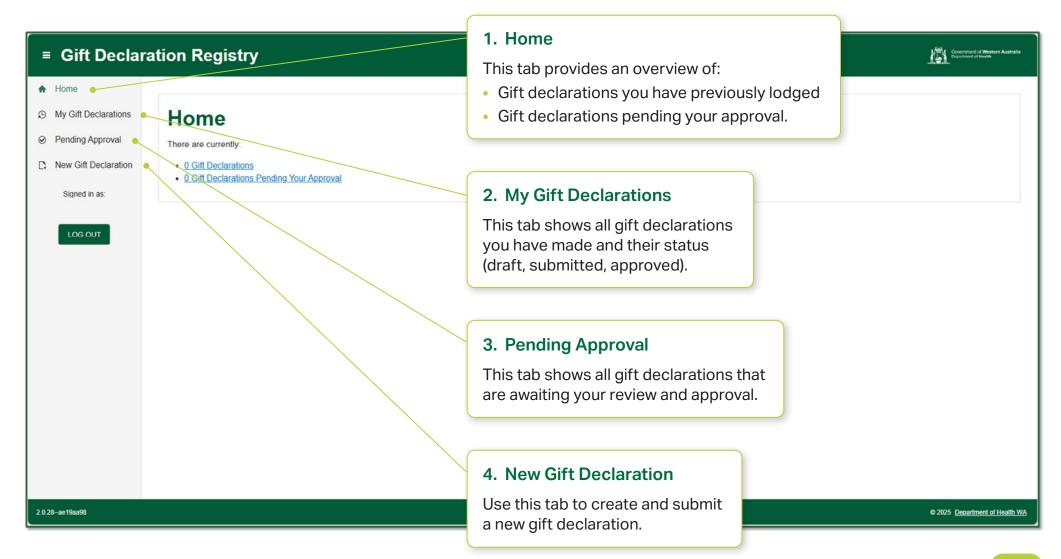
- Your log in details are the same as your regular network credentials. Assuming you are already logged into the health network using your HE number and password, you do not need to re-enter these credentials.
- Simply click the 'Log in' button to enter the system.



4.2 Layout of the Gift Declaration Registry system

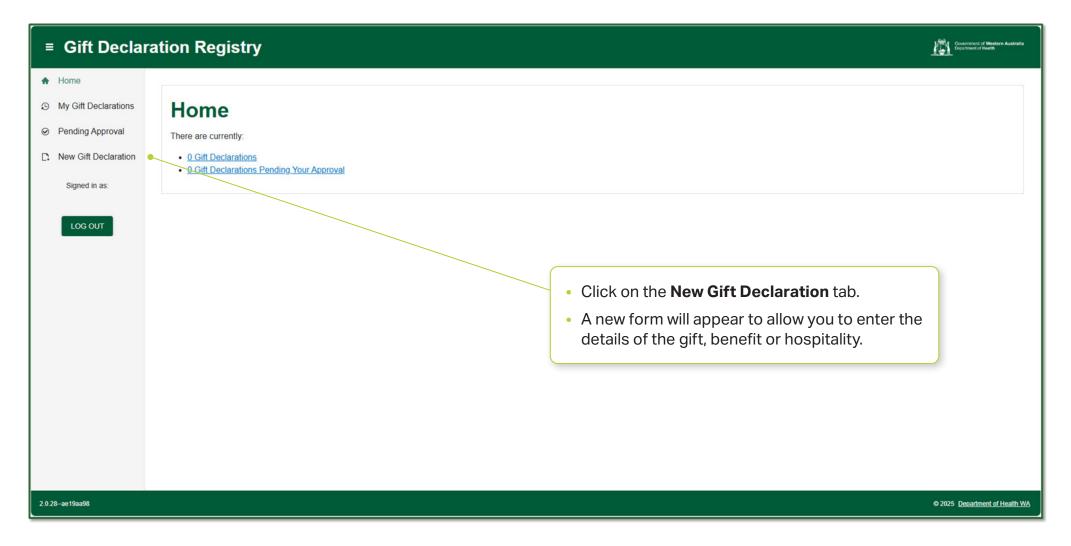
Main navigation

See the graphic below for guidance on navigating to key tabs/windows in the Gift Declaration Registry:



5. How do I enter a new gift declaration?

5.1 Step 1: Open the new gift declaration form



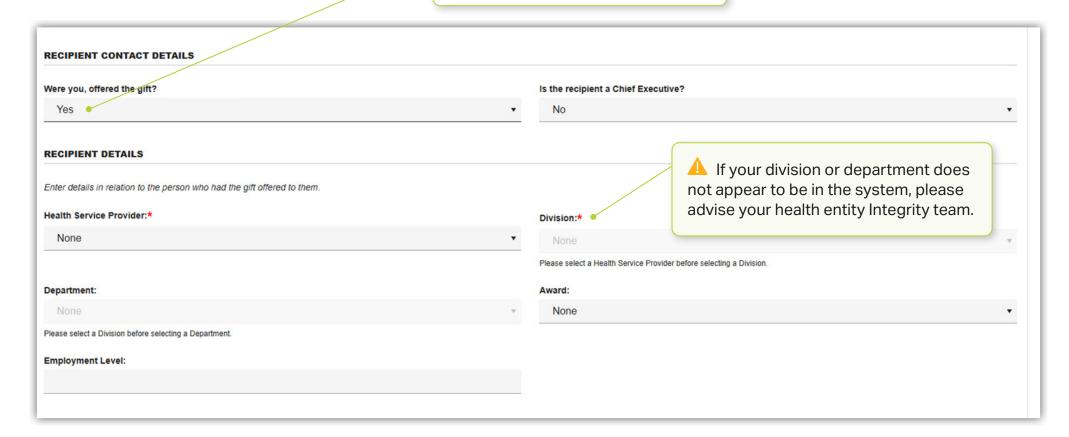
5.2 Step 2: Enter recipient details

You can make a declaration for a gift offered to:

- you
- another staff member
- a team.

If you were offered the gift:

Select '**Yes**' if the gift was offered to you and provide relevant details.



If someone else or a team was offered the gift:

RECIPIENT CONTACT DETAILS

Were you, offered the gift?

No

Recipient Name:*

Recipient Contact Number:*

Recipient Contact Number:*

If the gift was offered to a health service provider Chief Executive, select 'Yes'. See further details under Enter Approver Details.

The system does not validate information entered on behalf of another gift recipient.

Please consult the Global Address List to ensure recipient details are correctly entered.

5.3 Step 3: Enter approver details

If the recipient is not a Chief Executive

Your health entity will have designated a position at an appropriate senior level, such as an Executive Director, to review and approve gift declarations submitted through the Gift Declaration Registry. If you are unsure who can approve your gift declaration, discuss with your manager or contact your local Integrity team.



If the recipient is a Chief Executive

A list of authorised Chief Executive reviewers can be found on the intranet <u>here</u>. The reviewer who receives the declaration will coordinate a response with the Office of the Director General, Department of Health.

Approver:*

Please enter your approver's first name, last name or HE number.

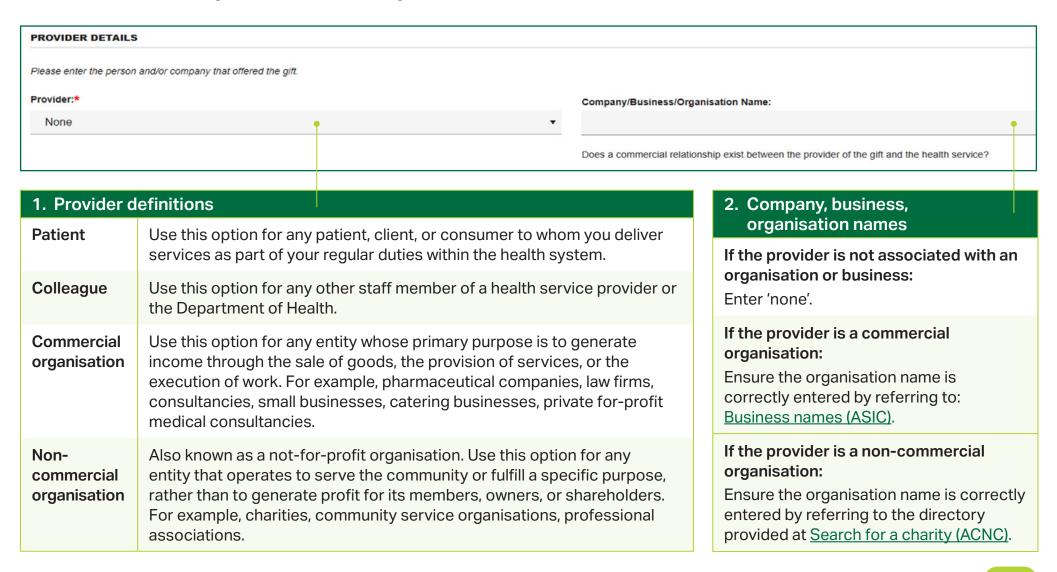
 Gift declarations made by Chief Executives must select from the list of individuals designated as Chief Executive Reviewers.

Approver: Once you have confirmed the appropriate approver, search for their details

 The review process will be coordinated by the reviewer in coordination with the Office of the Director General.

5.4 Step 4: Enter provider details

The provider of the gift and the context under which the gift was offered are key considerations in assessing the integrity risk associated with the gift. The tips and information below are designed to help ensure the details provided in this section are accurate, and to help inform the decision as to how the gift offer should be managed.



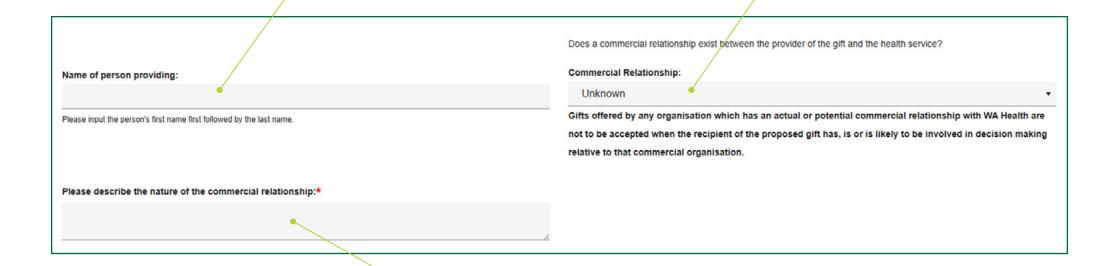
5.4 Step 4: Enter provider details (continued)

3. Name of person providing:

Enter the full name of the individual who offered the gift. This person may have made the offer on behalf of an organisation.

4. Commercial relationship:

Select '**Yes**' if a commercial relationship exists between the gift provider and any person or business unit within your health service provider or health entity.



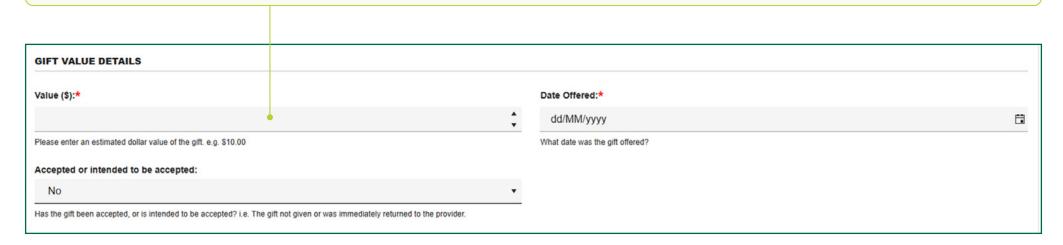
5. Describe the nature of the commercial relationship:

If no current relationship exists, consider whether a future commercial relationship is possible. For example, is the individual or organisation offering the gift likely to be a prospective applicant in a tender process?

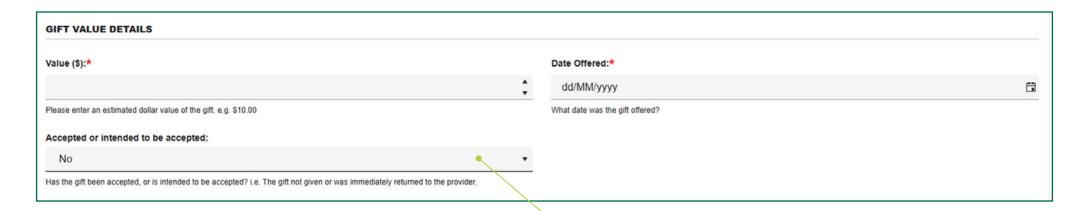
5.5 Step 5: Provide gift value details

Estimating gift value:

- The value of the gift should reflect its current retail price, or that of an equivalent item, inclusive of GST.
- The estimated value should not reflect the cost incurred by the provider.
 - For example, if an organiser offers complimentary conference registration, the estimated value should be based on the standard fee paid by a full-paying attendee, not the cost to the organiser.
- If a gift includes multiple components, each component should be individually considered when estimating the total value.
 - For example, if you are offered funded attendance at a conference or event, consider the costs of any additional activities such as conference dinners, networking drinks, and transportation.
- Guidance is provided in the Gifts, Benefits and Hospitality Guideline to assist you in estimating the value of a gift.



5.5 Step 5: Provide gift value details (continued)



Accepted or intended to be accepted

Select 'Yes' if any of the following apply:

- You or another person or area within your workplace is currently in possession of the item.
- The gift has been retained for use by your health entity.
- The gift has been received and donated to a charitable organisation.
- The gift has been received and shared among multiple employees or staff members.

Is the gift a token gift?

Is the gift a token gift?

- This field will only appear if the estimated value of the gift is \$50 or less.
- Keep in mind that only specific types of gifts are classified as token gifts, regardless of their monetary value.

Is the gift a token gift?:*

No

An offer of a gift, regardless of value, is not a Token Gift if it:

- · is offered by a commercial organisation.
- · meets the definition of an Unacceptable Gift, for example cash, gift cards or lotto tickets.

A Token Gift, refers to a gift that:

- · has a nominal value of up to \$50.
- · would not be perceived as influencing an individual or raising an actual, potential or perceived Conflict of Interest.

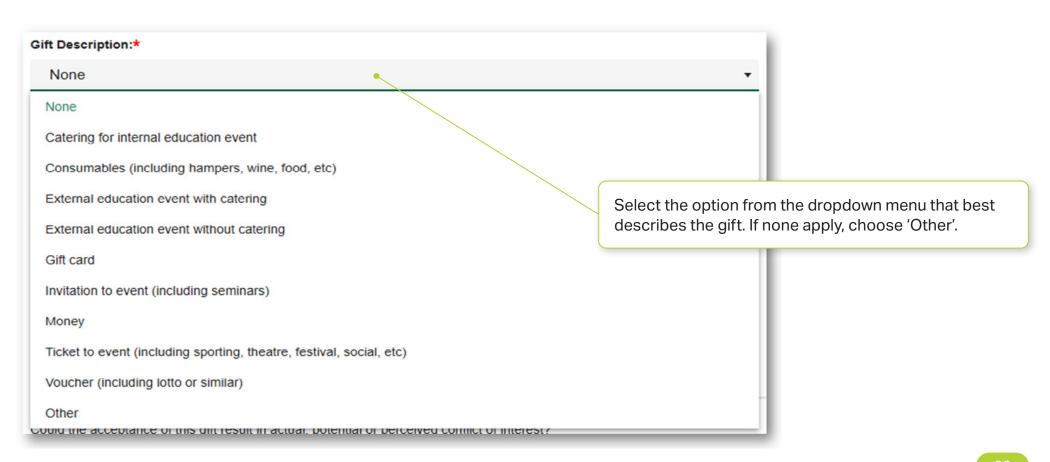
A If the gift qualifies as a **token gift**, it does not need to be declared in the Gift Declaration Registry.

5.6 Step 6: Provide gift details

Next, you will be asked to enter details of the gift, including a description of the gift, the reason for the gift offer, and its current location.

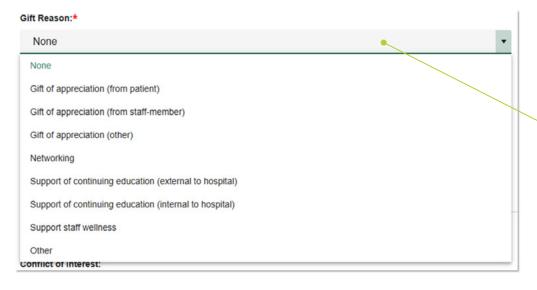
Gift description





Gift reason and details



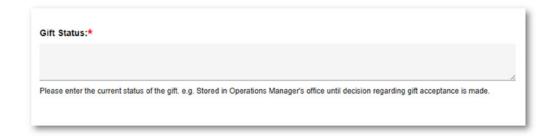


Gift reason:

If the reason for the gift is unclear, select 'Other' and describe the nature of your relationship with the individual or organisation offering the gift.

Gift status

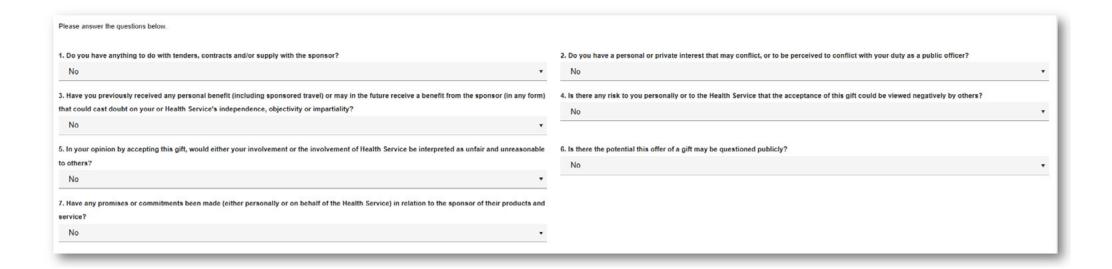
Provide the current location of the gift. If it has been returned, include details of when and how the return occurred.



5.7 Step 7: Answer conflict of interest questions

Individual conflict of interest questions

- These 7 questions are intended to help you assess whether the gift offer may present a conflict of interest.
- In most cases, if accepting a gift would create a conflict of interest with the provider, it is not appropriate to accept the gift.



Conflict of interest - Final question

Answer the final conflict of interest question based on your responses to the previous 7 questions and any other relevant considerations.

⚠ If you select '**Yes**', a conflict of interest form will be emailed to you.

For guidance about declaring a conflict of interest, refer to the relevant policy and supporting documents available on the Managing Conflicts of Interest Policy (MP 0138/20).

Taking into account your answer to these questions and any other relevant considerations, please answer the following question:

Could the acceptance of this gift result in actual, potential or perceived conflict of interest?

Conflict of Interest:

Yes

If you have answered "Yes" to the question above, a Conflict of Interest (CoI) form will be automatically generated and sent to you via an email link. The CoI form features an integrated approval process.

Could acceptance of this gift result in actual, potential or perceived conflict of interest?

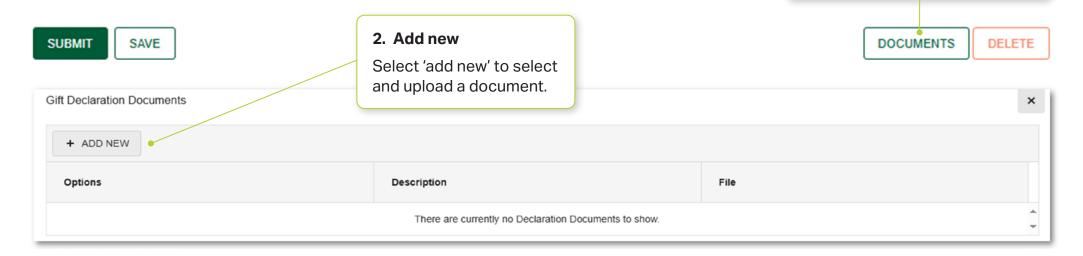
- If you are unsure of whether a conflict of interest exists, but you answered 'Yes' to one or more of the 7 questions above, you must select 'Yes' for this item on the form.
- Further guidance is available in the <u>Conflicts of Interest and Gifts</u> section of this document, the <u>Managing Conflicts of Interest Policy (MP 0138/20)</u>, and other supporting materials.

Select 'No' only where:

- there is no actual, potential or perceived conflict of interest to declare
- you are unsure whether a conflict of interest exists, but you answered 'No' to all 7 questions
 in the context of your current declaration.

5.8 Step 8: Save, upload any supporting documents and submit

You can upload any documents or evidence that supports your declaration as attachments.



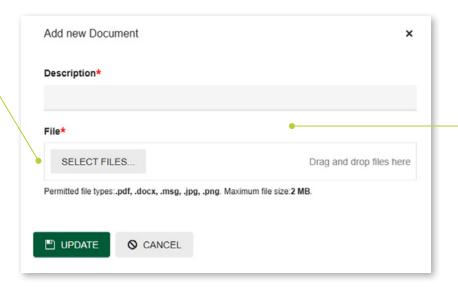


4. Submit your

SAVE

declaration

SUBMIT



Example files could include:

1. Documents

Click on the 'documents' button

to upload attachments.

- Copies of emails or letters offering a gift
- Photographs of the gift
- Copies of emails or letters rejecting or accepting an offer of a gift
- Copies of emails or letters in which you have received advice about how to deal with the offer of the gift.

DOCUMENTS

DELETE

5.9 Next steps

Once you submit, you will receive an email confirming lodgement of your gift declaration.

- If you answered 'Yes' to the question 'Could the acceptance of this gift result in actual, potential or perceived conflict of interest?', you will receive an additional email directing you to lodge a conflict of interest declaration in the Conflict of Interest Registry.
- No further action is needed If you indicated that you do not intend to accept the gift. No further action is required if you stated that the gift is a token gift, unless the gift is an unacceptable gift.

Where review and approval of a gift declaration is required:

- The approver will get a link to access the system and review the declaration.
- You may get a follow-up email asking for more details or changes to your declaration. If your gift declaration is approved, including your plan to return or accept the gift, you will receive an email notification.

6. How do I search and edit my gift declarations?

6.1 Finding your Gift Declaration Registry entries

To find your Gift Declaration Registry entries, go to the My Gift Declarations tab and see the navigation section for guidance.

6.2 Editing Gift Declaration Registry entries

To edit an entry in the Gift Declaration Registry, go to 'My Gift Declarations' in the left-hand menu. Find the entry you want to update and click 'Edit'. You can only edit a declaration if it is in draft or requires changes. Once submitted for approval or completed by the approver, it can't be edited.

7. How do I review/approve a gift declaration?

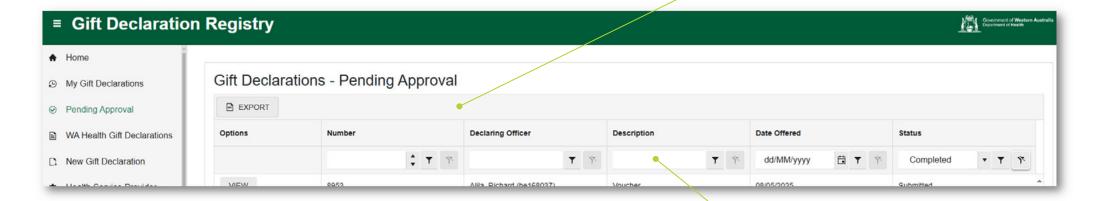
7.1 Step 1: Access gift declaration(s) pending approval

There are 2 ways to access gift declarations that need review and approval:

- 1. Click the link in the email about the new gift declaration. You may need to log in first, after which you will be taken directly to the new declaration.
- 2. Log into the Gift Declaration Registry system:
 - Navigate to the 'Pending Approval' tab in the left-hand menu.
 - The 'Pending Approval' tab will show a list of gifts waiting for approval.
 Click on a gift declaration to review and approve it.

Gift declarations - Pending approval

Declarations sent to you for approval will appear in this list.



7.2 Step 2: Determine whether you are the appropriate approver for this gift.



Each health entity specifies the positions authorised to approve gift declarations. If you are unsure of the appropriate approver, check with your local Integrity team to confirm the process for your health entity.

Search fields

You can use the search fields to narrow down your list, if you are looking for a specific declaration.

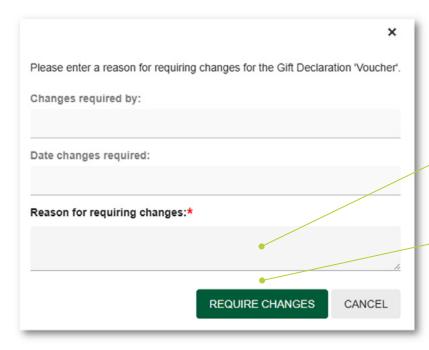
What if I am not the appropriate approver?

If you are not the right person to approve the gift:

 Scroll to the bottom of the gift declaration form sent to you for review or approval. Select 'Require Changes'.



• In the section 'Reason for requiring changes', advise the declarer of the correct approver.



1. Require changes

Scroll to the bottom of the form and select the 'Require changes' button.

2. Provide details of the correct approver.

3. Click the 'Require Changes' button to return the declaration to the declarer.

• The declarer will receive an email asking them to review and resubmit the gift declaration and update the approver details.

7.3 Step 3: Reviewing a gift declaration

Reviewing information in the declaration:

- If the declarer has not discussed the gift offer with you prior to submitting the declaration, there may be details you want to check or have updated. Speak directly with the declarer to resolve any issues.
- If you agree that some information in the declaration needs updating, return the form to the declarer (see 'What if more information is required prior to approval' section below).

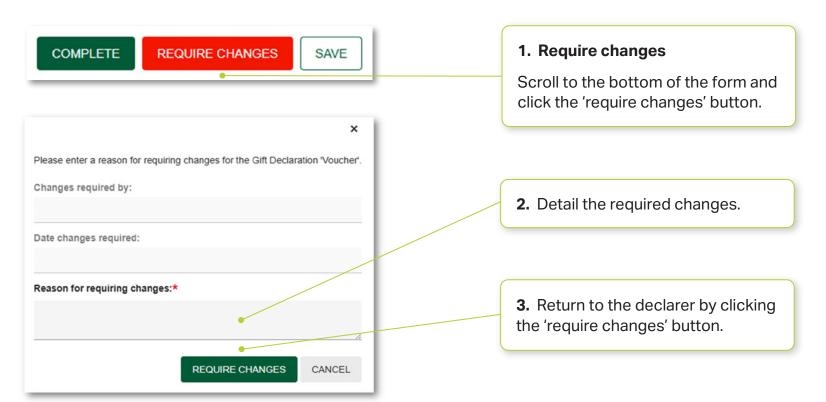
What if more information is required prior to approval?

The approver can 'require changes' to request more information from the declarer.

Note:

It is the approver's responsibility to ensure that:

- actions by the declarer have been carried out as recorded in the declaration (e.g. returning a physical gift, refusing a gift offer by email)
- the details in the approval section are consistent with the details that the declarer has provided in other sections of the declaration.

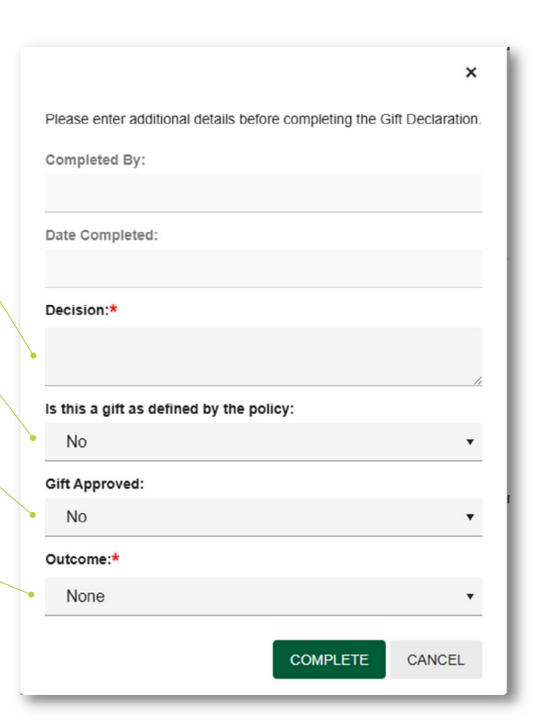


7.4 Step 4: Completing a gift declaration

If you are satisfied with the details provided and how the gift offer has been managed, select 'complete'. You will be asked to enter information in 4 fields.

- **1. Decision:** State whether the gift can be accepted, what should be done with it, and briefly explain your decision.
- **2.** Is this a gift as defined by the Policy: Check the Policy definition or see the 'Is this a Gift' section of this guide for guidance.
- **3. Approved:** Indicate whether you approve the gift being accepted. 'Accepted' can include outcomes other than returning the gift to the provider.
- **4. Outcome:** Ensure the selected outcome matches both the decision description and the information provided by the declarer.

Once you are confident that all 4 boxes are complete and consistent, click 'Complete'. The declarer will receive a final email notification once the gift declaration is complete.



8. Where do I go for support?

If you're unsure how to respond to an offer of a gift, benefit, or hospitality in line with the Policy, seek advice from your manager first. If your manager (or their manager) can't assist or you need more information, contact your Integrity team.

This document can be made available in alternative formats on request.

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