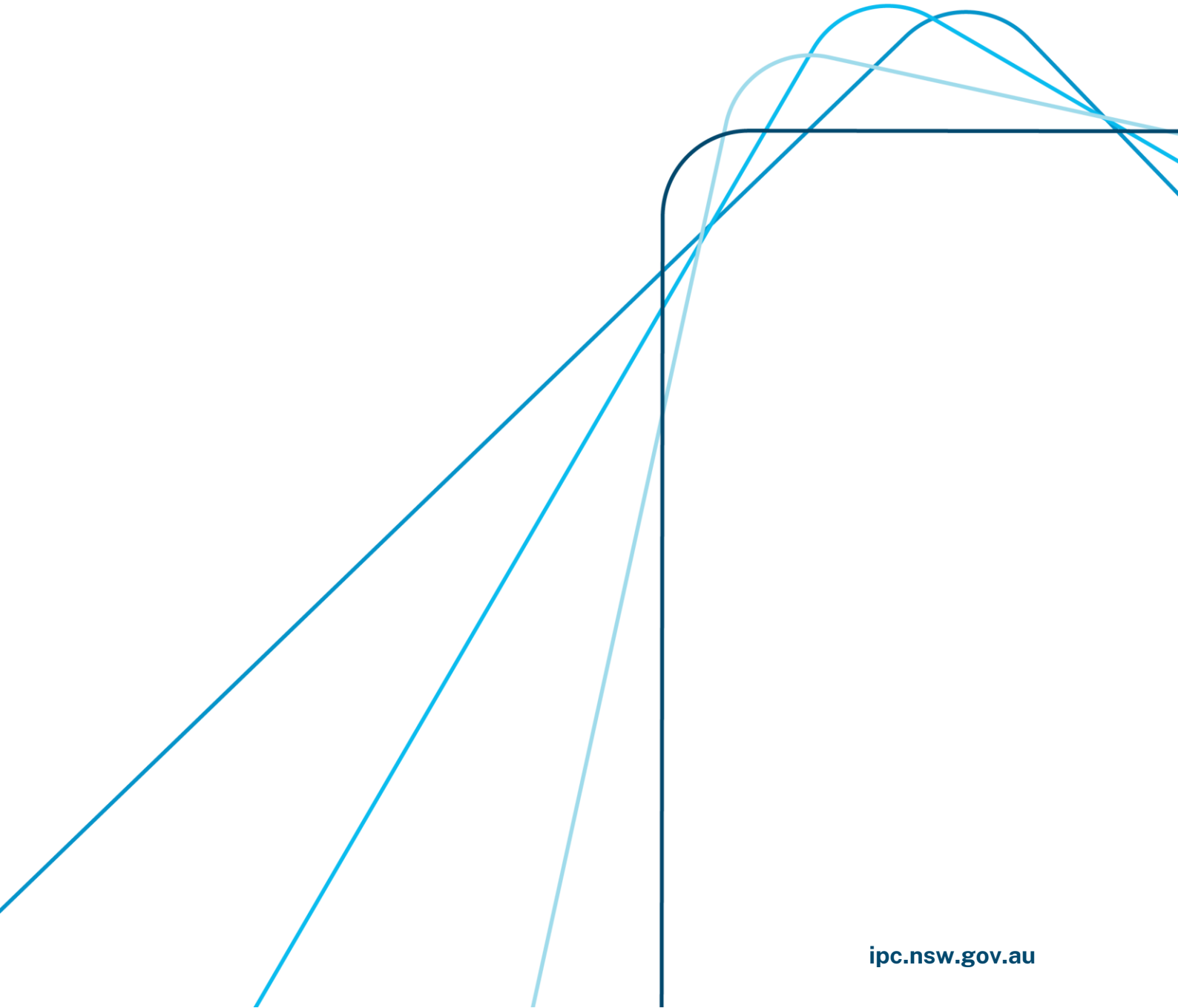
Information and Privacy Commission NSW

IPC Gifts and Benefits Policy

January 2026



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Scope

The Information and Privacy Commission NSW (IPC) is committed to being a professional and ethical workplace. This can only be achieved and maintained if the community is confident that staff are not influenced by gifts and benefits. For staff there may be real and perceived risks associated with being offered or accepting gifts or benefits while on duty.

Purpose

The purpose of this policy is to provide a framework to assist staff in making decisions about managing offers of gifts and benefits to ensure the independence and integrity of the IPC. This policy applies in all circumstances including where gifts or benefits may be offered outside normal working hours or while on leave.

This policy is based on key principles and guidance in the Office of the Public Service Commissioner's Behaving Ethically Guide and IPC's Code of Conduct (which incorporates the Code of Ethics and Conduct for NSW Government Sector Employees).

Definitions

- A **gift or benefit** includes goods or services provided by a customer, complainant, supplier, government agency or any other organisation that the IPC deals with in an official capacity, which has an intrinsic value and/or a value to the recipient, a member of their family, relation, friend or associate.
- A **Gift Register** is a document that contains details of a gift or benefit that has been accepted by a staff member, including a description of the gift or benefit, its value, the giver, the recipient, the reason for receiving it and the Manager/Director/CEO who has authorised its acceptance.

Principles

Gifts or benefits may be intended or likely to influence, or could be reasonably perceived as being intended or likely to influence staff. All reasonable steps should be taken by staff to ensure that immediate family members are not the recipients of gifts or benefits that could give the appearance to an impartial observer of an indirect attempt to secure influence or favour. It is often not a question of whether a gift or benefit is or was an attempt to influence, but what an impartial observer would think.

The following principles apply to staff with respect to gifts and benefits:

- staff must not solicit or seek a gift or benefit from any person while working in an official capacity
- staff must never accept lottery or 'scratch and win' tickets
- if any offer or suggestion of a bribe is made directly or indirectly, the facts must be reported by the staff member to a Director immediately – the Director must inform the CEO who is under a duty to report to ICAC any matter that may concern corrupt conduct
- staff must not accept gifts and benefits that may be perceived as representing a conflict of interest or which might reasonably be seen to compromise their integrity
- all accepted gifts or benefits must be declared using the appropriate form
- accepted gifts or benefits must be recorded in the IPC Gifts Register and any gifts and benefits valued over $100 (excluding gst) will be published on the IPC website
- the person or company offering a gift or benefit valued at over $100 (excluding gst) must be advised that their information will be published on the IPC's website in accordance with the *Privacy and Personal Information Protection Act 1998* (NSW).

Policy Statement

Gifts and benefits may include but are not limited to:

- offers of cash
- gift cards
- gift baskets
- bottles of alcohol
- promotional items, including equipment, clothing and technology
- free or discounted meals, refreshments, travel or accommodation
- airline upgrades
- frequent flyer points
- accommodation and hire car discounts
- corporate hospitality – such as seats at sporting or theatre events
- discounts or other preferential treatment
- plants or flowers
- lottery and 'scratch and win' tickets
- lucky door prizes or other prizes offered at conferences.

Gifts and Benefits that are excluded from this Policy include:

- gifts and benefits not accepted
- discounted rates/benefits or treatments associated with government travel
- small promotional items included in conference packages – such as pens, notepads, usbs
- small boxes of chocolates or other confectionery
- refreshments with a value of $10 or less
- free or discounted training or attendance at conferences and seminars, where the attendance is required as part of staff's official duties and there is value to the organisation in terms of corporate knowledge
- gifts made as part of a will
- gifts and benefits to or from a relative, friend or acquaintance outside of the course of official duties and which do not create a conflict of interest
- gifts and benefits that form part of an approved assistance program – such as a disaster relief arrangement or cultural exchange program.

Managing Offers of Gifts or Benefits

In considering whether to accept a gift or benefit staff should consider:

- the nature of the IPC's and the staff member's main functions
- the scale, lavishness or expense/cost/value of the gift
- the current or potential relationship between the member of staff and the giver, including the likelihood of further contact

- whether gifts are being exchanged formally with another government agency or delegation
- the frequency of occurrence, regardless of the value
- the degree of openness surrounding the occasion or gift.

There may be circumstances where accepting hospitality may give rise to a real or apparent conflict of interest, but attendance is required as part of a staff member's official duties. Staff members are to discuss offers of gifts and benefits in advance with their Manager/Director/CEO and have any acceptance of gifts and benefits signed off by their Manager and Director/CEO.

Accepting a Gift or Benefit

Each staff member who accepts a gift or benefit must submit a gift or benefit notification form (Appendix) that records all gifts or benefits accepted and authorised by whom and on what basis. If the staff member does not wish to personally keep the gift, it may be shared among a staff team or given to the Manager Corporate Services and Systems to be shared by all IPC staff. This action should be recorded on the notification form.

Accepted gifts or benefits must be recorded in the Gift Register and gifts above $100 will be published on the IPC website. The person offering a gift or benefit over $100 must be advised that their information will be published on the IPC website in accordance with the *Privacy and Personal Information Protection Act 1998* (NSW).

Value of Gift or Benefit

If the market value of a gift or benefit cannot be determined, an internet search can be provided as evidence of the market value and recorded on the notification form.

Related Documents

- IPC's Code of Conduct
- *Independent Commission Against Corruption Act 1988* (NSW)
- Behaving Ethically: A Guide for NSW government sector employees (Public Service Commission)

Document information

Identifier/Title:	IPC Gifts and Benefits Policy
Business Unit:	IPC
Author:	Director Corporate Services and Business Improvement
Approver:	Chief Executive Officer
Date of Effect:	January 2026
Next Review Date:	January 2028
EDRMS File Reference:	D19/189116/DJ
Key Words:	Gift, benefit, integrity, conflict of interest

Document history

Version	Date	Reason for Amendment
1.0	August 2020	Initial version
2.0	July 2021	Annual Review
3.0	December 2023	Review of Policy
4.0	December 2025	Review of Policy

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