

Gifts, Benefits and Hospitality Policy

Purpose

To outline the department's policy:

- on minimising external offers of gifts, benefits and hospitality made to, and accepted by, employees (including other workplace participants)
- when it can provide gifts, benefits and hospitality.

Policy rules

Receiving – dealing with offers of gifts, benefits or hospitality

1. You should discourage gifts, benefits and hospitality to you or your close relatives, friends or associates, that result from your role with the department, and minimise the offers you do accept.
2. You must not seek [gift offers](#) for yourself or anyone else.
3. You are to refuse all gift offers that:
 - are likely to influence you, or be perceived to influence you, during your duties as an [employee](#) of the department
 - raise an actual, potential or perceived conflict of interest such as an offer from a [business associate](#)
 - extend to your relatives or friends
 - have no [legitimate business reason](#) (if the offer is \$50 or more)
 - are money or similar, such as vouchers, or easily converted into money
 - pay for flights, accommodation or any other perks when offered other than by a conference organiser to compensate for you presenting at a conference
 - could bring your integrity, or that of the department, into disrepute.
4. You can accept:
 - [token gift offers](#) which do not amount to a conflict of interest
 - gifts offered as part of culture and practice of communities such as from an overseas delegation
 - thank you gifts such as a small gift to a speaker at a conference and seminar
 - tickets to conferences and seminars approved in advance, where the conference organiser offers to fund travel and accommodation costs for an employee to present a paper at the conference
 - gifts when there are legitimate business reasons to accept.

Disclosing and reporting of gifts, benefits and hospitality

5. You must disclose all [reportable \(non-token\) gifts](#) by completing a gifts, benefits and hospitality declaration form within 14 days of the offer, even if the offer is declined.
6. You do not have to disclose if you have received a business as usual benefit, either [sustenance](#) or an invitation to an [official business event](#), but you will need to submit an official business event attendance form. **Refer to:** Official business events policy for more information.
7. You are to report any attempted [bribes](#) to the Protected Disclosure Coordinator (who reports criminal or corrupt conduct to Victoria Police or Independent Broad-based Anti-corruption Commission).

Offering – managing the provision of gifts, benefits and hospitality

8. You should avoid making offers of gifts, benefits and hospitality unless:
 - there is a legitimate business reason to further the conduct of official business or other legitimate organisational goals, or promotes and supports government policy objectives and priorities
 - it does not raise an actual, potential or perceived conflict of interest
 - any costs are proportionate to the benefits obtained for the State, and would be considered reasonable in terms of community expectations.

Note: The source of authority for this policy can be found in the Policy Register.

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Forms and templates

- Gifts, benefit and hospitality declaration form
- Official business events attendance form

Contact

- Your line manager
- Integrity advice service
Email: integrity@delwp.vic.gov.au

Terms used in this policy

The key terms that are underlined and used throughout this policy are defined here and in the Online Glossary.

Bribe: An inducement such as an offer of money, made with the intention to corruptly influence an employee in the performance of their duties. Bribery of a public official is a criminal offence.

Business associate: External organisation or individual that the department has established, or is likely to establish, a business relationship with, or who may gain from a business decision of the department, now or in the future.

Conflict of interest: A conflict between a person's public duty as an employee and their private interests (financial or non-financial) or duty to another organisation. A conflict of interest exists whether it is:

- real – it currently exists
- potential – it may arise, given the circumstances
- perceived – members of the public could reasonably form the view that a conflict exists, or could arise, that may influence the performance of their duties as an employee, now or in the future.

Employees: Employees of the department and other workplace participants such as trainees, university and work experience students, contractors, consultants, agency staff, union delegates, apprentices, cadets, visiting scientists and volunteers who perform work for or on behalf of the department.

Gift offer: Anything of monetary or other value offered by an external source to an employee or their close relative, friend or associate because of the employee's role with the department. It includes free or discounted:

- items or services – such as food hamper, desk calendar, box of chocolates, door prize, gardening services
- benefits – preferential treatment, privileged access, favours or other intangibles such as a discount gym membership or the promise of a new job
- hospitality – the friendly reception and treatment of guests. It includes offers of food, drink, travel, accommodation, events and activities such as sporting, social, industry, arts, entertainment.

Depending on its value, a gift offer is token or reportable.

Where an employee is offered hospitality that qualifies as sustenance or an official business event it is not a gift offer.

A generic bulk offer, such as via spam email, is not a gift offer unless it is accepted.

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Legitimate business reason: A business purpose that furthers the official business or other legitimate goals of the agency, public sector or State.

Official business event: When an employee is invited to an event that it is in the public interest for them to attend such as events hosted by other government agencies, engagement with community or industry stakeholders or maintaining sector or professional knowledge.

Reportable (non-token) gift offer: Gift offer with an estimated value of \$50 or greater, or is of cultural, historic or other significance such as a ceremonial gift.

Sustenance: Food and drink that does not exceed common courtesy and is offered while performing official duties at another organisation's or individual's work premises such as coffee and sandwiches at a business meeting. If you are unsure if the event exceeds sustenance, talk to your line manager.

Token gift offer: Gift offer that is inconsequential and trivial in value to both the offeror and the employee. Whilst this is the primary determinant, the offer must be worth less than \$50.