



GIFTS, BENEFITS, AND HOSPITALITY POLICY

Contents

- Gifts, Benefits, and Hospitality Policy 1**
- Contents* 1
- 1. *Purpose* 2
- 2. *Scope* 2
- 3. *Definitions* 2
- 4. *Minimum accountabilities for receiving and providing gifts, benefits and hospitality* 3
 - 4.1 Receiving offers of gifts, benefits or hospitality 3
 - 4.2 Providing gifts, benefits and hospitality 4
- 5. *Additional requirements for receiving and providing gifts, benefits and hospitality* 4
 - 5.1 Additional requirements for receiving offers of gifts, benefits or hospitality 4
 - 5.2 Additional guidelines for providing gifts, benefits or hospitality 5
- 6. *Roles and responsibilities* 5
 - 6.1 Employees 5
 - 6.2 Managers 5
 - 6.3 The CEO 5
- 7. *Breaches of the policy* 6
 - 7.1. Speak up 6
 - 7.2 IBAC and the Victorian Ombudsman 6
 - 7.3 Requirements for responding to breaches 6
- 8. *Governance and reporting* 6
- 9. *Policy review* 6

1. Purpose

The purpose of this policy is to support impartial decision making, prevent corruption, and maintain public trust by setting out requirements for Respect Victoria and its employees when:

- responding to offers of gifts, benefits and hospitality
- providing gifts, benefits, and hospitality.

This policy aligns with the [Victorian Public Sector Commission \(VPSC\) minimum accountabilities](#) for managing gifts, benefits and hospitality in the Victorian public sector.

In addition, Respect Victoria has procedures and guidelines that provide information for employees about how to declare offers of gifts, benefits and hospitality, along with more detailed guidance on receiving and providing gifts, benefits and hospitality.

2. Scope

The policy applies to:

- employees of Respect Victoria
- members of the Respect Victoria Board
- contractors, consultants and labour hire employees required as part of their contract to comply with this policy.

For ease of reading, in this policy the term ‘employee’ is used to cover anyone the policy applies to, as set out above, regardless of their employment or engagement status.

3. Definitions

Table 1 below provides definitions of key terms used in this policy.

Term	Definition
Benefits	Preferential treatment, favours or other advantage. For example, invitations to sporting, cultural or social events, access to discounts, or the promise of a new job.
Business associate	An individual, group or organisation that Respect Victoria has, or plans to have, a business relationship with, or who may seek commercial or other advantage.
Conflict of interest	A conflict of interest exists if employees have a private interest that could influence, or reasonably be seen to influence, how they perform their public duties. The conflict can be actual, potential or perceived.
Gifts	Items or services that are free, discounted, or would generally be seen by the public as a gift. For example, vouchers, gift cards, artwork, chocolates, flowers or car repair. The monetary value of a gift is its estimated market value. Gift cards and vouchers are treated the same as money under the minimum accountabilities.
Hospitality	The friendly reception and entertainment of guests, which ranges from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation.
Internal register	The official record of all declarable offers of gifts, benefits and hospitality made to Respect Victoria and its employees, whether accepted or declined.

Legitimate business benefit	A gift, benefit or hospitality that furthers the conduct of official business or other legitimate goals of Respect Victoria, the public sector or the State.
Non-token offer	An offer worth \$50 or more.
Official gifts and items	Gifts or items with cultural, ceremonial, religious, historic, or other significance. Sometimes accepted or given on behalf of our organisation as part of business with official delegates or representatives of a community group, organisation, or government.
Public register	The official record of information made public from Respect Victoria's internal register. The public register is published on Respect Victoria's website annually.
Token offer	An offer worth less than \$50.

Table 1: Definitions

4. Minimum accountabilities for receiving and providing gifts, benefits and hospitality

The minimum accountabilities are issued by the VPSC and are mandatory under the [Instructions supporting the Standing Directions of the Minister for Finance 2018](#).

A gift, benefit or hospitality must not be accepted or given by Respect Victoria or its employees if the offer does not comply with the minimum accountabilities.

4.1 Receiving offers of gifts, benefits or hospitality

Employees must comply with the following minimum accountabilities when responding to all offers of gifts, benefits or hospitality (token or non-token), including offers from other public sector organisations.

Minimum accountability 1 – Do not solicit offers

Employees must not solicit (seek) any gift, benefit or hospitality, for themselves or others, if the offer could reasonably be seen as connected to their employment.

Minimum accountability 2 – Offers that must be refused

Employees must always refuse a gift, benefit or hospitality (token or non-token), if it:

- is money, used in a similar way to money, or easily converted to money
- gives rise to a conflict of interest (actual, potential or perceived)
- could compromise the public's trust in the impartiality of the employee, Respect Victoria, or the public sector
- is not consistent with community expectations
- could reasonably be seen as a bribe or other inducement. All such offers should be reported to the CEO, or the Chair where it relates to the CEO or Board members, who will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission
- is non-token, unless there is a legitimate business reason to accept – e.g. to further the conduct of official business or other legitimate goals of Respect Victoria or the State.

Minimum accountability 3 – Declare all non-token offers

Employees who receive a non-token offer (valued at \$50 or more) must:

- declare the offer in writing, even if they refuse it

OFFICIAL

- always refuse the offer unless it complies with minimum accountability 2, and the delegated approver (the CEO for employees, and the Chair for the CEO and Board members) has provided approval to accept the offer.

The offer and outcome will be recorded in Respect Victoria's internal register and public register. Refer to the Gifts, Benefits & Hospitality Procedure for information about how to make a declaration.

4.2 Providing gifts, benefits and hospitality

Employees must comply with the following minimum accountabilities when providing gifts, benefits and hospitality on behalf of Respect Victoria.

They apply when making any offer of a gift, benefit or hospitality, including an offer to another Victorian public sector organisation.

Minimum accountability 4 – business purpose

Any gift, benefit and hospitality (token or non-token) provided on behalf of Respect Victoria must be provided for a business purpose, in that it:

- furthers the conduct of official business or other legitimate organisational goals, or
- promotes and supports government policy objectives and priorities.

Minimum accountability 5 – cost and community expectations

Employees must ensure that the cost of providing a gift, benefit or hospitality is:

- proportionate to the benefits obtained for the State
- would be considered reasonable in terms of community expectations.

Minimum accountability 6 – conflicts of interest

Employees must ensure that they do not provide a gift, benefit or hospitality unless:

- no conflict of interest exists (actual, potential or perceived), or
- they declare the conflict and develop a management plan that explicitly allows the gift, benefit, or hospitality to be provided.

Minimum accountability 7 – behaviour

Employees must ensure that when hospitality is provided, participants:

- demonstrate professionalism in their conduct
- uphold their obligation to extend a duty of care to other participants.

An employee who is a participant accepting hospitality must also comply with these standards.

5. Additional requirements for receiving and providing gifts, benefits and hospitality

In addition to the minimum accountabilities above, a gift, benefit or hospitality must not be accepted or given by Respect Victoria or its employees if the offer does not comply with the requirements below.

5.1 Additional requirements for receiving offers of gifts, benefits or hospitality

Respect Victoria requires that employees refuse a gift, benefit or hospitality if it:

- is a repeat offer (token or non-token) that causes a conflict of interest – i.e. multiple offers from the same person, group or organisation
- is from a person, group or organisation the employee is likely to make or influence a decision about in the foreseeable future (i.e. decisions involving tender processes, procurement, or awarding grants, sponsorship or funding allocations)
 - The exception is if the offer is token hospitality (a basic courtesy) or a learning opportunity (such as a webinar) that is relevant to the employee’s work duties; has a legitimate business benefit; is free for all attendees; does not include covered or discounted travel or accommodation costs; and is consistent with community expectations.
- could be perceived as endorsement for a product or service
- could be seen as advantaging a supplier or sponsor in future procurement decisions
- is an event or other hospitality that Respect Victoria will already be sufficiently represented at to meet its business needs.

5.2 Additional guidelines for providing gifts, benefits or hospitality

In addition to the minimum accountabilities above, Respect Victoria must have guidelines that cover:

- providing gifts, benefits and hospitality for employees
- providing alcoholic beverages
- giving official gifts and items.

6. Roles and responsibilities

6.1 Employees

All employees must:

- comply with this policy when they are offered or provide gifts, benefits or hospitality
- seek advice from their manager, director, or the Office of the CEO if unsure what to do.

6.2 Managers

In addition to complying with this policy as employees (see 6.1 above) all managers must:

- be aware of the gifts, benefits and hospitality risks inherent in their direct reports’ roles
- oversee direct reports’ compliance with this policy
- promote awareness and give advice
- model good practice.

6.3 The CEO

In addition to complying with this policy as an employee and manager (see 6.1 and 6.2 above), the CEO must fulfill their obligations under the VPSC minimum accountabilities to:

- model good practice and foster a culture of integrity
- establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality
- effectively communicate these policies and processes to employees
- communicate Respect Victoria’s policy on gifts, benefits and hospitality to business associates, including that Respect Victoria discourages associates from making offers
- support and protect employees who speak up in good faith about a possible breach of the policy
- report annually to the Finance, Audit & Risk Committee on the management of this policy

OFFICIAL

- ensure an internal gifts, benefits and hospitality register is maintained
- ensure that both this policy and a public register of gifts, benefits and hospitality are published on Respect Victoria's website.

7. Breaches of the policy

Employees who may have breached this policy must notify their manager in writing immediately. This allows Respect Victoria to assess how best to mitigate the risk – for example, arranging to return the gift. Respect Victoria will respond to alleged breaches consistent with the public sector Code of Conduct, this policy, and any other obligations that apply.

Misconduct may amount to a breach of the Code of Conduct and can result in termination of employment. Contractors may be subject to contract renegotiation or termination.

If a criminal offence may have occurred, the Victorian or Federal Police may investigate and prosecute.

7.1. Speak up

Employees are encouraged to speak up if they believe a breach of this policy has happened, is happening, or might be about to happen. Employees can do this by notifying their manager, director, or the CEO.

7.2 IBAC and the Victorian Ombudsman

Alternatively, if an employee believes corrupt or improper conduct is occurring, they can make a complaint directly to the Independent Broad-based Anti-corruption Commission (IBAC) or the Victorian Ombudsman.

7.3 Requirements for responding to breaches

Respect Victoria must always:

- actively support and protect employees who speak up in good faith
- take decisive action, including possible disciplinary action, against anyone who discriminates against or victimises an employee who speaks up in good faith
- respond in a constructive manner to the information provided.

8. Governance and reporting

Respect Victoria's public gifts, benefits and hospitality register must be published annually on our website. The contents of the register must align with the VPSC minimum accountabilities.

Respect Victoria must report annually to the Finance, Audit & Risk Committee on compliance with this policy, including providing a copy of the internal gifts, benefits and hospitality register, analysis of the organisation's gifts, benefits and hospitality risk, risk mitigation measures and any proposed improvements.

9. Policy review

This policy will be reviewed at least once every three years, or when the VPSC minimum accountabilities are updated.