



Gifts, Benefits and Hospitality Policy

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Gippsland Water

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Policy statement

We are committed to creating and maintaining a strong integrity culture and to being accountable for the way in which we deliver our services.

We do not seek or expect gifts, benefits or hospitality for doing our jobs; thanks is enough.

This policy is intended to support individuals and Gippsland Water to avoid conflicts of interest and maintain high levels of integrity and public trust.

Purpose

When we perform our public duties, it's vital that our decision-making is impartial. This helps us to maintain public trust and prevent corruption.

Sometimes, when offering or receiving gifts, benefits and hospitality, employees encounter difficult situations where they're not sure if they're doing the right thing.

This policy sets out how we:

- respond to offers of gifts, benefits and hospitality.
- provide gifts, benefits and hospitality.

Scope

This policy applies to:

- All Board members and employees of our organisation.
- Contractors, consultants and labour hire employees required as part of their contract to comply with this policy.
- Any other person performing work on behalf of Gippsland Water such as independent committee members, Board or committee delegates, volunteers, industry placement students, interns, trainees, apprentices and work experience students.

For ease of reading, in this policy we use the term 'employee' to cover anyone the policy applies to, as set out above, regardless of their employment or engagement status.

Exclusions

This policy does not apply to employee entitlements covered under the following:

- Travel Policy
- Gippsland Water Enterprise Agreement
- Gippsland Water Reward and Recognition Framework

It does not apply to fundraising. Refer to our [Sponsorship policy](#).

Policy details

Minimum accountabilities

Employees must comply with the Victorian Public Sector Commission (VPSC) [minimum accountabilities](#) for the management of gifts, benefits and hospitality.

Roles and Responsibilities

When working for us, no matter what that work is, employees must act with integrity and impartiality consistent with the Code of Conduct.

This includes placing the public interest above your private interests.

This does not just help our workplace. It protects you if you are accused of wrongdoing and helps you to navigate difficult situations.

The below table details the specific responsibilities assigned to your role.

Employees	<p>As an employee, you must comply with this policy when you:</p> <ul style="list-style-type: none"> • Are offered gifts, benefits or hospitality. • Provide gifts, benefits or hospitality. <p>If unsure what to do, seek advice from your supervisor or manager.</p>
Direct Supervisor or Manager	<p>If you have direct reports, you must also:</p> <ul style="list-style-type: none"> • Be aware of the gifts, benefits and hospitality risks inherent in your direct reports' roles. • Oversee your direct reports' compliance with this policy. • Promote awareness and give advice. • Model good practice.
Managing Director	<p>As a public entity head, the Managing Director must fulfill their obligations under the minimum accountabilities.</p>

Definitions

Benefits	<p>Preferential treatment, privileged access, favours or other advantage.</p> <p>Examples: invitations to sporting, cultural or social events, access to discounts and loyalty programs, or promises of a new job.</p>
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Business associate	An individual, group or organisation that we have, or plan to have, a business relationship with or who may seek commercial or other advantage.
Conflicts of interest	<p>A conflict of interest exists if you have a private interest that could influence, or reasonably be seen to influence, how you perform your public duties.</p> <p>The conflict can be actual, potential or perceived.</p> <p>If a conflict of interest exists, our conflict of interest policy will also apply.</p> <p>For more information, refer to our Conflict of interest policy.</p>
Fundraising	<p>Raising money in a way that does not breach the minimum accountabilities because it occurs under an applicable fundraising policy that is consistent with relevant law, government policy and codes of conduct.</p> <p>For more information, refer to our Sponsorship policy.</p>
Gifts	<p>Items or services that are free, discounted, or would generally be seen by the public as a gift.</p> <p>Examples: items such as vouchers, gift cards, free tickets to a paid event, artwork, chocolates, flowers; services such as car repair.</p> <p>The monetary value of a gift is the estimated monetary value of the item if it were not being provided either free or discounted.</p> <p>Note: Gift cards and vouchers as they are treated the same as money under the minimum accountabilities.</p>
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 our employees or organisation, whether accepted or declined.
Legitimate business benefit	Furtheres the conduct of official business or other legitimate goals of the organisation, the public sector or the State.

Non-token offer	The offer is worth \$50 or more.
Official gifts and items	<p>Official gifts or items may be offered as part of the culture and practices of communities and government, within Australia or internationally.</p> <p>Official gifts and items include items with cultural, ceremonial, religious, historic, or other significance.</p> <p>Note: Official gifts and items are declared and recorded regardless of their value and regardless of whether they were accepted or refused.</p>
Public register	<p>The official record of information made public from our internal register.</p> <p>It is published online here: Gifts, Benefits and Hospitality</p>
Token offer	<p>The offer is less than \$50.</p> <p>Note: Some offers may be described as ‘free’ but there are real costs involved, like services, catering, venue hire. These costs must be considered when estimating the value.</p>

Responding to gifts, benefits or hospitality offers to employees

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

In most instances, our default response to any offer is ‘thanks is enough’.

Integrity test – offers you must refuse

Employees must refuse a gift, benefit or hospitality (token or non-token) if any of the following apply:

Money or similar	Employees must refuse the offer if it is money, used in a similar way to money, or easily converted to money.
Conflict of interest	<p>Employees must refuse the offer if it gives rise to a conflict of interest (actual, potential or perceived).</p> <p>This means employees must refuse the offer if it could influence, or reasonably be seen to influence, how employees perform their public duties.</p> <p>Refer to our Conflict of Interest policy for more information on conflict of interest.</p>

Public trust	Employees must refuse the offer if it could compromise the public's trust that they'll perform their job in an impartial manner or the public's trust in the impartiality of our organisation or the public sector.
Non-token offer without a legitimate business reason	<p>Employees must refuse a non-token offer unless there is a legitimate business reason to accept.</p> <p>It must further the conduct of official business or other legitimate goals of our organisation, the public sector or the State.</p>
Community expectations	Employees must refuse the offer (token or non-token) if it is not consistent with community expectations.
Bribe	<p>Employees must refuse the offer if it could reasonably be seen as a bribe or other inducement.</p> <p>If an individual considers they have been offered a bribe or inducement, the offer must be reported to the Managing Director or the Chief Financial Officer.</p> <p>They will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission.</p>
Repeat offers	<p>Repeat offers are multiple offers from the same person, group or organisation.</p> <p>Their combined effect can sometimes lead to a perception that they could influence an employee.</p> <p>Employees must refuse the offer if it is a repeat offer (token or non-token) that could reasonably be seen as adding up to a conflict of interest or lead to reputational damage.</p>
Decisions you are likely to make or influence	<p>Employees must refuse the offer if it is from a person, group or organisation they're likely to make or influence a decision about in the foreseeable future. For example, procurement, recruitment, grants management, funding agreements, enforcement and regulatory functions.</p> <p>This could reasonably be seen as a conflict of interest.</p> <p>Note: The only exception is that you can accept an offer if it is:</p> <ul style="list-style-type: none"> token hospitality (a basic courtesy)

	<ul style="list-style-type: none"> a learning opportunity, such as a webinar, and all of the following apply: <ul style="list-style-type: none"> it is relevant to your work duties it has a legitimate business reason (benefit) it is free for all attendees the covering or discounting of additional costs (travel, accommodation) is not included in the offer it is consistent with community expectations.
Offers by suppliers or contractors	<p>Accepting offers from suppliers for free or discounted development opportunities that they were not engaged to provide will not pass the integrity test in some circumstances.</p> <p>Employees may only accept development opportunities from suppliers where there is a legitimate business reason, attendance meets community expectations and any risk of conflict of interest can be appropriately managed.</p> <p>To ensure that our employees have development opportunities that do not raise conflicts of interest, our organisation will try to build training and development offerings into our contracts as deliverables, wherever appropriate.</p>
Endorsement	Employees must refuse the offer if accepting it could reasonably be seen as endorsing a product or service.
Advantage to a supplier or sponsor	Employees must refuse the offer if accepting it could reasonably be seen as advantaging a supplier or sponsor in a future procurement.
Sufficient attendees	For hospitality and events, employees must refuse the offer if our organisation will already be sufficiently represented to meet its business needs or – as is the case for all other offers – if it does not comply with other elements of the integrity test.
Lobbying	Employees must refuse the offer if it has been made by a person or organisation with a primary purpose to lobby Ministers, Members of Parliament or public sector agencies.

Declining offers

In cases where offers should or must be refused, employees must decline it at the time the offer is made.

Sometimes this is difficult, for example:

- The offer may have been delivered via mail, making declining difficult.
- Declining the offer may cause offence or even be unsafe in the moment for the employee being offered it.

If an employee is unable to decline at the time the offer is made, the employee must follow the procedure outlined in [Appendix 2](#).

Employees may use the GIFT test to help assess whether to accept or refuse the particular gift, benefit or hospitality. Refer to the [GIFT test](#).

Token offers

Employees may only accept a token offer (value less than \$50) if it passes the 'integrity test'. Token offers do not need to be declared.

Non-token offers

Employees must declare all non-token offers (valued at \$50 or more), even if it has been refused.

An employee may only accept a non-token offer, if it passes the 'integrity test', and there is:

- a legitimate business reason to accept, and
- prior approval from either the employee's General Manager or the Managing Director to accept.

All offers accepted are done so on behalf of Gippsland Water and are not kept by individual employees, unless meets the exception criteria.

How to declare an offer

Employees must declare all non-token offers, (value of \$50 or more) using the [declaration form](#) within five business days of receipt of the offer for review and approval of their manager.

The Managing Director must submit their form to either the Board Chair, Corporate Secretary or an independent third party (not a subordinate) for review and approval.

The Board Chair must submit their form to the Corporate Secretary for review and approval.

When declaring an accepted offer, employees must clearly document the legitimate business benefit and provide sufficient detail to explain the reason for accepting the offer. Employees must describe the nature of the benefit and how it relates to a specific function or activity.

Refer to [Recording legitimate business reasons within declarations for our register](#) for detail required.

Providing gifts, benefits and hospitality offers to others

This section sets out the requirements for providing gifts, benefits and hospitality.

Integrity test – providing

When providing a gift, benefit or hospitality on behalf of our organisation, employees must ensure all of the following:

Business reason	Ensure it is for a business reason. There must be a legitimate business benefit that furthers the conduct of official business or other legitimate organisation goals, the public sector or the State. Examples: welcome guests, facilitate the development of business relationships and outcomes.
No conflict of interest	Ensure it does not raise a conflict of interest (actual, potential, or perceived).
Proportionate costs	Ensure that any costs incurred are proportionate to the benefits obtained for Gippsland Water/State.

Employees may use the [HOST test](#) to assess whether a particular gift, benefit or hospitality would comply with the above [integrity test](#).

Processes you must follow – providing a gift, benefit or hospitality

Employees must adhere to:

- processes and procedures for providing gifts, benefits and hospitality
 - [Gifts and Benefits](#)
 - [Hospitality](#)
- as well as any other applicable policies or procedures relating to:
 - [Alcohol](#)
 - [Procurement](#)
 - [Reward and recognition](#)

Conduct during hospitality

Any employee who participates in the provision and/or acceptance of hospitality must demonstrate professional conduct at all times and will uphold their obligation to extend a duty of care to other participants.

Providing official gifts and items

Before providing an official gift or item, employees must:

- Make reasonable enquiries to ensure it is culturally appropriate to do so; and

- Seek written approval from their General Manager or the Managing Director.

Reporting

Declaration register

Declaration forms will be stored in accordance with the *Public Records Act 1973* and the *Information Privacy Principles* under the *Privacy and Data Protection Act 2014*.

Access to the internal register is restricted to:

- Individuals accessing own entry;
- Managers for their own team when named as the Manager; and
- Governance Leader and Governance Advisor.

Publication of the register

We maintain and publish an [online public register](#) of all declared offers in accordance with the minimum accountabilities.

Reporting to the Executive Leadership Team

A report will be presented to the Executive Leadership Team on a regular basis detailing compliance against the requirements of the gifts, benefits and hospitality policy.

Reporting to the Audit and Risk Committee

Gippsland Water's Audit and Risk Committee will receive a report at least annually on the administration and quality control of the gifts, benefits and hospitality policy, processes and internal register. The report will include a copy of the internal register, analysis of Gippsland Water's gifts, benefits and hospitality risks (including multiple offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

Breaches

If employees may have breached this policy, they must notify their manager in writing immediately. This enables us to assess how best to mitigate the risk – for example, arrange to return the gift.

Gippsland Waters response to breaches

We will respond to alleged breaches of this policy consistent with the Act, the applicable code of conduct, this policy and any other obligations that apply.

We will take a graduated approach. Our response will be fair, reasonable and proportionate. In some instances, no action will be taken. In others, we will deal with the matter:

- On an informal basis, for example, through education or counselling
- Through a performance management process or similar, or
- If other methods are not appropriate, through a misconduct process.

A finding of misconduct may amount to a breach of the code of conduct. Serious misconduct 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.

For further information on managing breaches of this policy, please contact the Governance Leader.

Speak-up

We encourage individuals to speak up if you believe a breach of this policy:

- Has happened
- Is happening
- Might be about to happen.

You can do so by notifying your manager or the Governance Leader.

Individuals who believe they have observed corrupt or improper conduct, can make a complaint directly to the Independent Broad-based Anti-Corruption Commission (IBAC) or the Victorian Ombudsman.

Sometimes this can occur on a whistle-blower basis as a public interest disclosure.

Gippsland Water will:

- Actively support and protect employees who speak up in good faith.
- Take decisive action, including possible disciplinary action, against individuals who discriminate against or victimise those who speak up in good faith.
- Respond in a constructive manner to the information provided.

More information and advice

A conflict of interest resulting from the acceptance of a gift, benefit or hospitality is not always clear to those who have them. Individuals who are unsure about the acceptance of a gift, benefit or hospitality, or the application of this policy, should ask their manager or the Governance Leader for advice.

Policy review and approval

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively without requiring approval of the approving body. Examples include only a change to the template, name of a position or department, or a minor update to legislation which does not have a material impact.

Responsible Officer

Governance Leader

Review Frequency

Every three years

Approving Body

Executive Leadership Team

Normative references

Legislation

1. [Public Administration Act 2004 \(Vic\)](#)

Government policies and requirements

2. [Minimum accountabilities for the management of gifts, benefits and hospitality \(see Instructions supporting the Standing Directions of the Minister for Finance\)](#)
3. [Code of conduct for directors of Victorian public entities](#)
4. [Code of conduct for Victorian public sector employees](#)
5. [Supplier Code of Conduct](#)
6. [Victorian Public Sector Commission's Gifts, benefits and hospitality policy framework](#)

Gippsland Water policies and requirements

7. [Conflict of Interest Policy](#)
8. [Fraud, Corruption and Other Losses Prevention and Management Policy](#)
9. [Human Resources Policy](#)
10. [Privacy Policy](#)
11. [Drug and Alcohol Policy](#)
12. [Rewards and Recognition Framework guidelines](#)
13. [Travel Policy](#)
14. [Public Interest Disclosure](#)
15. [Gippsland Water Enterprise Agreement](#)

Appendix 1: Minimum accountabilities

The minimum accountabilities are issued by the Victorian Public Sector Commission (VPSC).

A gift, benefit or hospitality must not be accepted or given by a public sector organisation or its employees if the offer does not comply with the minimum accountabilities.

The minimum accountabilities are binding under the *Instructions supporting the Standing Directions of the Minister for Finance 2018*.

Minimum accountabilities – receiving offers of gifts, benefits and hospitality

You must comply with the 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

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

Minimum accountability 2 – Offers you must refuse

You must always refuse a gift, benefit or hospitality (token or not token) if any of the following apply:

1. Money or similar:

You must refuse the offer if it is money, used in a similar way to money, or easily converted to money.

2. Conflict of interest

You must refuse the offer if it gives rise to a conflict of interest (actual, potential or perceived). This means you must refuse the offer if it could influence, or reasonably be seen to influence, how you perform your public duties.

3. Public trust

You must refuse the offer if it could compromise the public's trust that you will perform your public duties in an impartial manner or the public's trust in the impartiality of your organisation or the public sector.

4. Community expectations

You must refuse the offer if it is not consistent with community expectations.

5. Bribes

You must refuse the offer if it could reasonably be seen as a bribe or other inducement. Report the offer to the head of your public sector organisation or their delegate (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission).

6. Legitimate business reason – non token offers

Even if the offer complies with all the other requirements above, you must refuse a non-token offer unless there is a legitimate business reason to accept it. The offer must further the conduct of official business or other legitimate goals of your organisation, the public sector or the State.

Minimum accountability 3 – Declare all non-token offers

If you receive a non-token offer (valued at \$50 or more), you must:

- declare the offer in writing, even if you refuse it
- always refuse the offer unless it complies with minimum accountability 2 and you have approval as set out in your organisation's policy.
- The offer and outcome will be recorded on the organisation's official internal register and in the public register.

Minimum accountabilities – providing gifts, benefits and hospitality

These minimum accountabilities relate to providing gifts, benefits and hospitality on behalf of your organisation.

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

You must ensure that any gift, benefit and hospitality (token or non-token) you provide on behalf of your organisation is 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

You 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

You must ensure that you do not provide a gift, benefit or hospitality unless:

- no conflict of interest exists (actual, potential or perceived), or
- you declare a conflict and your organisation develops a management plan that explicitly allows you to provide it.

Minimum accountability 7 – behaviour

You 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.

If you are a participant who is accepting hospitality, you must also comply with these standards.

Minimum accountabilities – additional obligations for heads of public sector organisations

As the head of a public sector organisation, in addition to the other minimum accountabilities, you must also comply with the following requirements.

Minimum accountability 8 – culture and good practice

You must model good practice and foster a culture of integrity.

Minimum accountability 9 – policies and processes

You must establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality.

Your organisation's policy must comprehensively address the minimum accountabilities.

You must ensure that the requirements in your organisation's gifts, benefits and hospitality policy are at least as strong as those in the minimum accountabilities.

The VPSC recommends that your organisation:

- adopt the gifts benefits and hospitality model policy and model forms published by the VPSC.
- where appropriate, adapt them to take into account your organisation's functions and any requirements in its establishing documentation.

When an employee speaks up in good faith you must ensure that your organisation's policy and procedures require the organisation to:

- actively support and protect employees who speak up in good faith about a possible breach of the policy
- 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.

Minimum accountability 10 – communicating to employees

You must ensure that your organisation's policy and related processes are communicated effectively to employees.

This includes communicating that a breach of the policy may constitute a breach of a binding code of conduct and, where appropriate, may result in disciplinary action. In some circumstances, a breach may constitute criminal or corrupt conduct.

Minimum accountability 11 – communicating to business associates

You must ensure that a clear policy position is established and communicated to business associates on the offering of gifts, benefits and hospitality to employees, including the possible repercussions for a business associate acting contrary to the organisation's policy position.

The information provided to (potential) suppliers should include:

- what constitutes a gift, benefit or hospitality
- the organisation's policy
- that the organisation discourages the making of offers
- any whole of Victorian Government supplier codes of conduct.

Minimum accountability 12 – reports to audit committee

You must report at least annually to the organisation's audit committee on the administration and quality control of its gifts, benefits and hospitality policy, processes and internal register.

This report must include a copy of the internal register, analysis of the organisation's gifts, benefits and hospitality risks (including repeat offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

Minimum accountability 13 – internal register

You must ensure that an official internal register of non-token gifts, benefits and hospitality offered to employees is established and maintained.

At a minimum, the register must record sufficient information to:

- effectively monitor, assess and report on the minimum accountabilities,
- meet the information requirements for the public register.

Minimum accountability 14 – publishing organisation's policy and the public register

You must ensure that the following documents are available to the public:

- your organisation's gifts, benefit and hospitality policy
- the public register of reportable gift offers received.

If your organisation has an external website the policy and public register must be published on it. If no public website exists, other reasonable arrangements must be made to ensure the information is available to the public.

The public register should cover the previous financial year and be published within four months of each new financial year.

The public register must at a minimum contain the following reportable information:

- all non-token offers, whether they were accepted or not
- the date each non-token offer was made
- the position of the recipient
- the position and organisation of the person making each offer

- where possible, whether the offeror is a business associate of the organisation a description of each offer and its value
- whether the offer was accepted or declined.
- if accepted, the business reason for doing so.

Appendix 2: Responding to gifts, benefits or hospitality offers requirements

1. GIFT Test

This table is a useful tool when considering how to respond to a gift offer.

G	Giver	<p>Who is offering the gift, benefit or hospitality and what is their relationship to me?</p> <p>Does my role require me to select contractors, award grants, make decisions regarding enforcement, licensing, leasing of land or regulation, undertake a recruitment exercise or determine policies?</p> <p>Could the person or organisation benefit from a decision I make?</p>
I	Influence	<p>Are they seeking to gain an advantage or influence my decisions or actions?</p> <p>Has the gift, benefit or hospitality been offered to me publicly or privately?</p> <p>Is it a basic courtesy or a token of appreciation or is it a non-token offer?</p> <p>Does its timing coincide with a decision I'll be making in the foreseeable future?</p>
F	Favour	<p>Are they seeking a favour in return for the gift, benefit or hospitality?</p> <p>Has the gift, benefit or hospitality been offered honestly?</p> <p>Has the person or organisation made several offers over the last 12 months?</p> <p>Would accepting create an obligation, or feeling of obligation, to return a favour?</p>
T	Trust	<p>Would accepting the gift, benefit or hospitality diminish public trust?</p> <p>How would the public view acceptance of this gift, benefit or hospitality?</p> <p>What would my colleagues, family, friends or associates think?</p>

Remember, these are meant to be useful prompts only. The obligations for employees are set out in the [Integrity test](#).

2. Examples of offers to refuse

Conflict of Interest

Example

Sally is involved in managing a tender for a major contract. Part of doing so involves interviewing each applicant.

One applicant offers to host Sally at their office for the interview and provide her with food.

Even if the value of the meal was well below \$50, it would be reasonable for people to believe that it could influence how Sally performed her public duty of impartially awarding the contract. Sally must refuse and declare the offer.

Non-token offer without a legitimate business reason

Example

James is required to meet with a supplier to conduct business. The supplier invites James to meet him at a corporate box during a sporting event (at no cost to James but at a cost to the supplier).

There is no legitimate business reason for the meeting to take place in this way.

James must refuse and declare the offer.

Repeat offers that cause a conflict of interest

Example

Rachael is responsible for managing a relationship with one of our suppliers. She often meets with the supplier's representative at a café because it's a convenient place for both parties to meet.

The supplier has offered to pay for Rachael's coffee. It may be appropriate for Rachael to accept the offer a single time or perhaps occasionally. However, the supplier offers every or most times.

It would not be appropriate for Rachael to accept each time or more than occasionally, because it could create the perception of influence. A member of the public could reasonably infer that Rachel expects suppliers to pay for her food and drink when they meet and that this may influence her decision making.

Offers by suppliers or contractors

Example

An organisation you are likely to make, or influence, a decision about in the foreseeable future offers you a learning opportunity that is relevant to your work duties and has a legitimate business benefit. It is free for all attendees.

You can accept the offer if it is also consistent with community expectations.

An offer to attend a free webinar is far more likely to be consistent with community expectations than an offer to attend a conference – particularly if the latter includes accommodation, travel or related benefits, such as a gala dinner.

Refuse the offer if it is made by a person, group or organisation whose primary purpose is to lobby ministers, members of parliament or public sector agencies.

Endorsement

Example

A member of our Fleet team is offered several vehicles to use by a dealership for our operations department.

The dealership is making the offer on the basis that it can include advertising indicating that it is the preferred dealer of vehicles to Gippsland Water.

In this instance the offer should be refused.

3. What you must do...

Official gifts or items

Official gifts or items may be offered as part of the culture and practices of communities and government, within Australia or internationally.

Employees may accept an official gift or item, but do so on behalf of Gippsland Water, irrespective of value.

An official gift or item:

- Must be declared.
- Will be recorded on our internal register.
- Will not usually be published in the public register.

Some exceptions exist (see [Applying for ownership of non-token gifts, or an official gift or item](#)).

Offers made in a personal capacity

It is normal to receive offers of gifts, benefits and hospitality in your personal life that are unconnected to your work.

You can accept these offers, provided you believe on reasonable grounds that the offers are made in a personal capacity.

If you are unsure whether an offer is being made to you in a personal capacity or because of your role with our organisation, apply the [integrity test](#), consider the [GIFT](#) questions and follow this policy as you would in your professional capacity.

Token offers

If you receive a token offer (value less than \$50):

- You can only accept the offer if it passes the 'integrity test'
- Remember, thanks is enough. Do you need to accept?
- You do not need to declare the offer.
- You do not need a legitimate business reason to accept.
- You do not need approval from your general manager to accept.
- You are the owner of the gift, benefit or hospitality.

Non-token offers

If you receive a non-token offer (value \$50 or more):

- You must declare the offer even if you refuse it.
- Remember, thanks is enough. Even if you have a legitimate business reason, do you need to accept?
- You can accept the offer if it passes the 'integrity test' (Integrity test - offers you must refuse).
- As part of the integrity test, you must have a legitimate business reason to accept.
- You must have prior approval in writing from your manager or delegate to accept.
- If you accept the offer you do so on behalf of our organisation. It is not usually yours to keep. Some exceptions exist, but you will need to apply to see if you qualify in the circumstances. For more information see 'applying for ownership of a non-token gift' below.
- The offer and outcome are recorded in the internal register. Certain information may also be published in the online public register.

Non-token offer from a Victorian government department or a Victorian water corporation

In the course of your work as an employee of our organisation, you might be offered a non-token gift, benefit or hospitality by a Victorian public sector organisation or a Victorian water corporation¹.

¹ A Victorian Government department, water corporation, administrative office, or the VPSC.

If this occurs:

- You can accept the offer if it complies with the [integrity test](#).
- You do not need to declare the offer.

However, if the offer does not meet the integrity test, it must be refused and declared.

[Non-token offer from a public entity or other public sector organisation](#)

In the course of your work as an employee of our organisation, you might be offered a non-token gift, benefit or hospitality by another Victorian public sector organisation².

For example, you might be offered free tickets to an event where our organisation:

- Has helped to organise the event.
- Otherwise actively supports the event or the organisation.

If this occurs:

- You can accept the offer if it complies with the [integrity test](#).
- Regardless of whether you accept the non-token offer, you must declare it.

[Non-token offers from an interstate or Commonwealth public sector organisation](#)

Offers from public sector organisations that are part of a different state or part of the Commonwealth public sector will be treated the same as any other organisation that is not a Victorian public sector organisation.

[Non-token offers from industry bodies](#)

Offers from industry bodies³ are treated the same as any other organisation that is not a Victorian public sector organisation.

Note, memberships of industry bodies that detail access to training or conferences as part of that membership, are not considered a gift or benefit as they are part of the membership fee available to all members.

Any additional not contained within that membership fee must be treated inline with this policy.

[Non-token offers of uncertain origin](#)

If you receive an offer via a work colleague and you believe they may be offering on behalf of a third party with the possible intention of influencing, you must refuse the offer and declare it.

The offer must also be reported to the Managing Director or the Chief Financial Officer as it may need to be referred on to an integrity body or the police.

² All other Victorian public sector organisations.

³ Industry bodies such as but not limited to VicWater, IWN, WSAA, OzWater, AORA.

Offers to our organisation

Sometimes offers are made to our organisation itself. For example, offers of equipment. In deciding whether to accept such an offer, we will take into account:

- whether the offer passes the [integrity test](#)
- in particular, we will carefully scrutinise:
 - the people or organisation making the offer
 - the nature and circumstances of the offer
 - the level of public benefit if the offer is accepted.

We will reject any offer that is not consistent with community expectations.

Reward and recognition offers

Sometimes, an offer is made to provide our organisation with a benefit like discounts, free tickets or equipment for employees.

We may decide to accept the offer for reward and recognition purposes after taking into account:

- the above factors, and
- any other relevant requirements of this policy.

Donations or gifts given on our organisation's behalf

Sometimes an individual or business that has a relationship with us may seek to donate or gift to a third party, like a charity, in our name or on our behalf. Often this happens without seeking prior approval from us or giving us any opportunity to accept or refuse the gift or donation.

There are reputational risks associated with any donation or gift made on our behalf, even where this is well meaning.

For example, it could be seen as preferencing one charitable organisation over another and can impact the perception of and trust in the Victorian Government as a whole.

There are other risks associated with allowing a commercial partner to donate or gift in this manner, including the impact that this may have on future procurement or work activities.

We expect that everyone who works with us is made aware of our expectations around donations made in our name.

While there is no opportunity to refuse the donation or gift once made, the individual or business should be informed that no gift or donation should be made on our organisation's behalf in future without a formal offer and approval.

Where a gift or donation has been made without prior approval, that gift or donation should be listed on the gifts, benefits and hospitality register, noting that there was no opportunity to accept or refuse.

Declining offers where unable to decline at the time of offer

Gifts

In the case of gifts:

1. Declare the offer as normal, detailing that you were unable to decline the offer in the moment and why, but have not accepted it.
2. Provide the gift to the Governance team.
3. The Governance team will either dispose of the gift or request you to do so, with an explanation and/or rejection to be sent to the offeror where appropriate.

Benefits and Hospitality

In the case of benefits and hospitality, it is very unusual for a situation to arise where you cannot decline an offer.

The most obvious, but still extremely unlikely, scenario is that refusing would offend the offeror in a way that would make you feel unsafe.

In such cases:

1. As soon as possible declare that you accepted the offer and why.
2. The Governance team will follow up what action is required to ensure employees are not placed in such situations in the future.

Recording legitimate business reasons within declarations for our register

Individuals should consider the following examples of acceptable and unacceptable levels of detail to be included in our register when recording the business reason:

Unacceptable
'Networking'
'Maintaining stakeholder relationships'
Acceptable
'I am responsible for evaluating and reporting outcomes of Gippsland Water's sponsorship of Event A. Individual attended Event A in an official capacity and reported back to Gippsland Water on the event.'
'Individual presented to a visiting international delegation. The delegation presented the individual with a cultural item worth an estimated \$200. Declining the gift would have caused offence. The gift was accepted, written approval was subsequently obtained for the gift, which became Gippsland Water's property.'
'I was offered to attend professional development by one of our stakeholders, who supplies legal services to my organisation and more broadly to other organisations in the public sector. The session would count towards my Continuing Professional

Development obligations as a lawyer. The event was free to everyone, and my organisation paid for travel costs.'

Applying for ownership of non-token gifts, or an official gift or item

In most cases, non-token gifts, official gifts or official items belong to Gippsland Water. If the gift was given to you in specific recognition of your work or contribution, you may retain it if:

- It passes the [integrity test](#).
- It is unlikely to bring you or Gippsland Water into disrepute.
- It would be consistent with community expectations.
- The General Manager or Managing Director has provided written approval.

4. Exceptions to declaration rule

Generic offers that are refused

In the course of your public duties, you may receive generic offers. These may include:

- emails targeting staff with offers to attend a seminar or webinar at a discount rate
- marketing emails or other offers.

You do not need to declare a generic offer if you refuse it. If you want to accept the offer, you will need to ensure it meets the integrity check and then declare it.

Targeted emails

Often, generic offers may appear personalised by being addressed to you directly, or through the use of generative language tools that can quickly and believably personalise the body of emails whilst still sending them to a large number of people.

If you receive an email and you are unsure whether it is a generic offer, talk to your manager to determine if you need to declare it.

Some useful questions to ask when unsure are:

- Do I have a relationship with the person who sent the email?
- Do I have a relationship with the organisation who sent the email?
- Is the offer related to my work or the work of my area of the organisation?

If the answer to all of the above is 'no' then it is likely a generic offer.

Multiple-staff declaration

We may on occasion, issue a non-token declaration on behalf of all or some of our employees.

If this happens, we will let the relevant employees know, as it means they don't need to make an individual declaration of a non-token offer.

This can be a multi-employee refusal or multi-employee acceptance, depending on the offer.

These declarations will be issued by the General Manager People & Customer.

Employees are still responsible for declaring any actual, potential or perceived conflicts of interest that they might have in relation to the offer.

All queries about completing multi-staff declarations can be sent to the Governance team via email at governance@gippswater.com.au.

Example

Sometimes, if a number of our employees receive a non-token offer to attend a learning opportunity, we may issue a multi-employee declaration.

If we accept the offer using a multi-employee declaration, we will let eligible employees know that they will be covered by this declaration if they attend.

Employees who decide to attend will still need to let the event organiser know as we will only approve attendance for eligible employees, not confirm it with the organisers.

Employees still have an obligation to raise and manage any conflicts of interest that they believe the offer may create for them.

Appendix 3: Providing gifts, benefits and hospitality to others

1. HOST Test

H	Hospitality	<p>To whom is the gift or hospitality being provided?</p> <p>Will recipients be external business associates, our employees, or both?</p>
O	Objectives	<p>What is the business reason for providing the hospitality?</p> <p>Will it further the conduct of official business?</p> <p>Will it promote and support government policy objectives and priorities?</p> <p>Will it contribute to employee wellbeing and workplace satisfaction?</p>
S	Spend	<p>Will the cost be proportionate to the benefits obtained?</p> <p>What type of hospitality will be provided?</p> <p>Will the hospitality be modest or expensive?</p> <p>If alcohol is to be provided, why? Would it be a courtesy or an indulgence?</p> <p>Is an external venue necessary or can our organisation host the event?</p> <p>Is the catering or hospitality proportionate to the number of attendees?</p> <p>Does the size of the event and number of attendees align with the intended outcomes?</p> <p>If a gift is to be given, is it symbolic rather than financial in value?</p>
T	Trust	<p>Will public trust be enhanced or diminished?</p> <p>Will the gift, benefit or hospitality be proportionate to public expectations or seen as excessive?</p> <p>Is there a conflict of interest?</p> <p>Could you publicly explain the rationale for providing the gift or hospitality?</p> <p>Will the event be conducted in a manner which upholds the reputation of the public sector?</p> <p>Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?</p>

Remember, these are meant to be useful prompts only. The obligations on you are set out in the Integrity Test.

Reminder, this policy does not apply to employee entitlements covered under the Travel Policy, Enterprise Agreement or Reward and Recognition Framework.

2. Providing gifts or benefits to employees

Refer to Gippsland Water's *Reward and Recognition Framework*.

Note, personal gifts for life events such as the birth of a child or milestone birthdays, are not funded with public funds.

3. Providing gifts or benefits to others

A limit of \$185 is set for the maximum expenditure on gifts to others, where the expenditure has not been explicitly budgeted for.

This limit applies to a single, unbudgeted gift. It does not apply to each person or as a yearly total.

4. Providing hospitality to employees

Catering for recognition or personal celebrations

Refer to Gippsland Water's *Reward and Recognition Framework*.

Note, personal celebrations such as birthdays or staff farewells are not funded with public funds.

Catering for overtime

Refer to Gippsland Water's *Enterprise Agreement*.

Catering for all other internal events and meetings

Modest catering for internal events and meetings is based on the additional following considerations:

- the extent to which the event will contribute to organisational objectives by, for example, reinforcing particular values or motivating staff, or
- the need to balance the positive benefits of public recognition with community expectations in relation to modest expenditure by public officials.

All hospitality related purchases made via credit card or petty cash, must be accompanied by the *Supporting information for Hospitality Purchases* form.

The form is provided to the cardholder with the credit card statement and is part of the petty cash claim form.

As a guideline, modest catering may be provided when meetings exceed these times:

- 2 hours - for breakfast or morning/afternoon tea
- 3 hours - for lunch
- 5 hours - for lunch and either morning or afternoon tea
- 7 hours - for lunch, morning tea and afternoon tea

Whilst the meeting times are a guide, there may be an instance where this is not possible.

Example

A General Manager is conducting a full department workshop to review our People Matters survey results and develop an appropriate meaningful action plan, with mandatory attendance by all departmental staff.

It is a half day event (8.30am – 12.30pm), and so our organisation has organised catering to provide morning tea and a BBQ lunch for attendees.

While it is under the five-hour guideline, the catering meets the requirements as it is a legitimate business reason, it does not raise a conflict of interest, it is proportionate in costs and consistent with community expectations.

Example

Our organisation is running a workshop for all staff, with mandatory attendance.

It is an all-day event and our organisation has organised catering to provide morning tea, lunch, and afternoon tea for all attendees.

This is a legitimate business reason for our organisation to provide hospitality.

It does not raise a conflict of interest, it is proportionate in costs, and it is consistent with community expectations.

Example

A workgroup holds a monthly two-hour team meeting from 12 noon – 2pm offsite in a café in town.

While the team meeting is a legitimate business reason, the timing and location are not. The benefit to Gippsland Water is not proportionate in costs and is not consistent with community expectations.

Example

A workgroup holds a bi-monthly two hour team meeting from 7am – 9am each month with a BBQ breakfast of bacon and egg rolls cooked by the leaders, supplied. All workgroup staff are expected to attend.

There is a legitimate business reason for our organisation to provide hospitality. It does not raise a conflict of interest, it is proportionate in costs, not too frequent, and is consistent with community expectations.

Apart from the location and cost of this example being different to the previous example above, another point of difference is it brings dispersed staff from various locations together. This is an efficient way for building and maintaining a consistent culture, which creates a legitimate business reason.

5. Providing hospitality to others

Hospitality may be provided to external guests subject to the following criteria:

- there is a real benefit to Gippsland Water,
- the expenditure is modest and proportionate to the benefit,
- it is not excessive,
- it is not too frequent, and
- it is consistent with community expectations.