



Gifts, Benefits and Hospitality Policy

1. SCOPE

- 1.1. This policy states the position of the Great Ocean Road Coast and Parks Authority (the Authority) on:
 - a) responding to offers of gifts, benefits and hospitality; and
 - b) providing gifts, benefits and hospitality.
- 1.2. This policy is intended to support individuals and the Authority to avoid conflicts of interest and maintain high levels of integrity and public trust.
- 1.3. The Authority has issued this policy to support behaviour consistent with the Code of Conduct for Victorian Public Sector Employees, and/or the Code of Conduct for Directors of Victorian Public Entities (the Code).

2. APPLICATION

- 2.1. All Board members are required to comply with this policy, excluding those provisions which are expressly stated to apply solely to Staff members.
- 2.2. All executives, employees, contractors, consultants and any individuals or groups undertaking activity for or on behalf of the Authority (Staff) are required to comply with this policy, excluding those provisions which are expressly stated to apply solely to Board members.

3. POLICY PRINCIPLES

- 3.1. This policy has been developed in accordance with requirements outlined in the minimum accountabilities for the management of gifts, benefits and hospitality issued by the Victorian Public Sector Commission.
- 3.2. The Authority is committed to and will uphold the following principles in applying this policy:
 - a) **Impartiality:** individuals have a duty to place the public interest above their private interests when carrying out their official functions. They will not accept gifts, benefits or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment. Individuals do not accept offers from those about whom they are likely to make business decisions.
 - b) **Accountability:** individuals are accountable for:
 - declaring all non-token offers of gifts, benefits and hospitality;
 - declining non-token offers of gifts, benefits and hospitality, or where an exception applies under this policy, seeking approval to accept the offer; and
 - the responsible provision of gifts, benefits and hospitality.

- 3.3. Individuals with direct reports are accountable for overseeing management of their direct reports' acceptance or refusal of non-token gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality policies and processes.
- Integrity:** individuals strive to earn and sustain public trust through providing or responding to offers of gifts, benefits and hospitality in a manner that is consistent with community expectations. Individuals will refuse any offer that may lead to an actual, perceived or potential conflict of interest.
 - Risk-based approach:** the Authority, through its policies, processes and audit committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. Individuals with direct reports will ensure they are aware of the risks inherent in their team's work and functions and monitor the risks to which their direct reports are exposed.

4. MANAGEMENT OF OFFERS OF GIFTS, BENEFITS AND HOSPITALITY

- 4.1. This section sets out the process for accepting, declining and recording offers of gifts, benefits and hospitality. Any exceptions to this process must have the prior written approval of the relevant organisational line manager.

Conflict of interest and reputational risks

- 4.2. When deciding whether to accept an offer, individuals should first consider if the offer could be perceived as influencing them in performing their duties or lead to reputational damage. The more valuable the offer, the more likely that a conflict of interest or reputational risk exists.

Figure 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, regulate industries or determine government policies? 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? Is it a courtesy or a token of appreciation or valuable non-token offer? Does its timing coincide with a decision I am about to make or my endorsement of a product or service?</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? Has the person or organisation made several offers over the last 12 months? Would accepting it create an obligation to return a favour?</p>

T

Trust

Would accepting the gift, benefit or hospitality diminish public trust?

How would the public view acceptance of this gift, benefit or hospitality? What would my colleagues, family, friends or associates think?

Requirement for refusing offers

4.3. Individuals should consider the GIFT test at Figure 1 and the requirements below to help decide whether to refuse an offer. Individuals are to refuse offers:

- a) likely to influence them, or be perceived to influence them, in the course of their duties or that raise an actual, potential or perceived conflict of interest;
- b) could bring them, the Authority or the public sector into disrepute;
- c) made by a person or organisation about which they will likely make or influence a decision (this also applies to processes involving grants, sponsorship, regulation, enforcement or licensing), particularly offers:
 - made by a current or prospective supplier; or
 - made during a procurement or tender process by a person or organisation involved in the process;
- d) likely to be a bribe or inducement to make a decision or act in a particular way;
- e) that extend to their relatives or friends;
- f) of money, or used in a similar way to money, or something easily converted to money;
- g) where, in relation to hospitality and events, the Authority will already be sufficiently represented to meet its business needs;
- h) where acceptance could be perceived as endorsement of a product or service, or acceptance would unfairly advantage the sponsor in future procurement decisions;
- i) made by a person or organisation with a primary purpose to lobby Ministers, Members of Parliament or public sector organisations; or
- j) made in secret.

4.4. If an individual considers they have been offered a bribe or inducement, the offer must be reported to the Chief Executive Officer or their delegate (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission (IBAC)).

Token offers

4.5. A token offer is an offer of a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the individual. It may include promotional items such as pens and

note pads, and modest hospitality that would be considered a basic courtesy, such as light refreshments during a meeting.

- 4.6. The minimum accountabilities state that token offers cannot be worth more than \$50.
- 4.7. Individuals may generally accept token offers without approval or declaring the offer on the Authority's register, as long as the offer does not create a conflict of interest or lead to reputational damage.

Non-token offers

- 4.8. Individuals can only accept non-token offers if they have a legitimate business benefit. All accepted non-token offers must be approved in writing by the individual's manager or organisational delegate, recorded in the gifts, benefits and hospitality register and be consistent with the following requirements:
 - a) it does not raise an actual, potential, or perceived conflict of interest or have the potential to bring the individual, the Authority or the public sector into disrepute; and
 - b) there is a legitimate business reason for acceptance. It is offered in the course of the individual's official duties, relates to the individual's responsibilities and has a benefit to the Authority, public sector or the State.
- 4.9. Individuals may be offered a gift or hospitality where there is no opportunity to seek written approval from their manager prior to accepting. For example, they may be offered a wrapped gift that they later identify as being a non-token gift. In these cases, the individual must seek approval from their manager within five business days.
- 4.10. Where the gift would likely bring you or the Authority into disrepute, the Authority should return the gift. If it represents a conflict of interest for you, the Authority should either return the gift or transfer ownership to the Authority to mitigate this risk.
- 4.11. The Authority allows conference organisers to pay the costs for a staff member or Board member to present at a conference in their area of expertise including flights, accommodation, meals, and conference admission.

Recording non-token offers of gifts, benefits and hospitality

- 4.12. All non-token offers, whether accepted or declined, must be recorded in the gifts, benefits and hospitality register. The business reason for accepting the non-token offer must be recorded in the register with sufficient detail to link the acceptance to the individual's work functions and benefit to the Authority, public sector, or State.
- 4.13. Individuals should consider the following examples of acceptable and unacceptable levels of detail to be included in the register when recording the business reason:
 - a) **Unacceptable**
 - "Networking"
 - "Maintaining stakeholder relationships"

b) **Acceptable**

- “Individual is responsible for evaluating and reporting on the outcomes of the Authority’s sponsorship of Event A. Individual attended Event A in an official capacity and reported back to the Authority 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 on behalf of the Authority.”

Access to the register is restricted to relevant persons within the Authority.

4.14. The Finance, Audit and Risk Management Committee will receive a report at least annually on the administration and quality control of the gifts, benefits and hospitality policy, processes, and register as it relates to Staff and Board members. The report will include analysis of gifts, benefits, and hospitality risks (including multiple offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

4.15. The public register will contain a subset of the information detailed in the internal register.

Ownership of gifts offered to individuals

4.16. Non-token gifts with a legitimate business benefit that have been accepted by an individual for their work or contribution may be retained by the individual where the gift is not likely to bring them or the Authority into disrepute, and where their manager or organisational delegate has provided written approval. Staff members and Board members must transfer to the Authority official gifts or any gift of cultural significance or significant value.

Repeat offers

4.17. Receiving multiple offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence you. Individuals should refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage.

Ceremonial gifts

4.18. Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are the property of the Authority, irrespective of value, and should be accepted by individuals on behalf of the Authority. The receipt of ceremonial gifts should be recorded on the Authority’s register, but this information does not need to be published online.

Hospitality provided by Victorian public sector organisations

4.19. Victorian public sector organisations may provide hospitality to stakeholders, as part of their functions. When offered hospitality by a Victorian public sector organisation, individuals should consider the requirements of the minimum accountabilities.

4.20. Accepted hospitality offered by a Victorian public sector organisation as part of official business does not need to be declared or reported, where the reason for the individual’s attendance is consistent with the Authority’s functions and objectives and with the individual’s role.

Official business events

- 4.21. An official business event is when an event hosted by external organisation that it is in the public interest for a Staff member and/or Board member to attend. These invitations are different to gifts, benefits and hospitality offers and include seminars, conferences and working lunches.
- 4.22. Official business events need to have a tangible connection to a Staff member's or Board member's role and be directly related to the Authority's work.
- 4.23. Most official business events fall under five categories:
- a) **funded service delivery** – opportunities to observe the delivery of programs funded by state government grants;
 - b) **stakeholder engagement** – opportunities to develop networks with people interested in the Authority's activities;
 - c) **sector knowledge** – opportunities to develop a deeper knowledge of the industry and to improve government programs;
 - d) **business leveraging** – opportunities to network with partners interested in investment and collaboration; and
 - e) **professional knowledge** – opportunities to maintain knowledge relating to a qualification (e.g. CPD points), build expertise in a technical field or become acquainted with industry changes.
- 4.24. In addition to those five categories, there are situations where it is in the public interest for the public service to be represented in some capacity. Those include:
- a) **state functions** – attending an event or function hosted by the Government or the Governor;
 - b) **accompanying the Minister** – supporting a government spokesperson (including Ministers and Parliamentary Secretaries) in the execution of their duties;
 - c) **government events** – attending a function organised and hosted by another government agency or public sector entity; and
 - d) **industry stakeholders** – attending an event hosted by industry or community stakeholders where attendance provides a legitimate business benefit.
- 4.25. Staff and Board Members are required to declare their attendance as official business events.
- 4.26. Staff and Board Members can attend an official business event when:
- a) the invitation was extended by the event host rather than a third party;
 - b) the event is directly related to their official duties at the Authority;
 - c) it is for a business purpose consistent with the Authority's functions and objectives;
 - d) it is in the public interest and the best interests of the Authority to be represented at the event;

- e) the activities and level of hospitality at the event is consistent with community expectations;
- f) there is no conflict of interest (real, potential, or perceived) for the Staff member or Board member to attend;
- g) attending the event will not bring the Staff member, Board member, the Board, the Authority, or the public service into disrepute; or
- h) the host does not have an interest in any business decision the Staff member or Board member is likely to make or influence as part of their official duties.

4.27. Before an official business event invitation is accepted, consider:

- a) whether the Staff member or Board member is the most appropriate person to attend;
- b) the number of people from the Authority attending;
- c) what the Staff member's or Board member's purpose to attend is – to present, develop work skills or purely out of interest; and
- d) if the event is a gift offer rather than official business event attendance.

4.28. Events that provide a personal benefit or are limited to providing hospitality and serve no business purpose can be regarded as an official business event only if non-attendance would bring the Authority into disrepute.

4.29. To report a gift, the Staff member or Board member must disclose the offer to the responsible person (either by email or in person) as soon as practicable.

4.30. The Authority maintains a **register of official business events**, and the Staff member or Board member must also:

- a) sign and lodge an **official business events attendance form** within fourteen (14) working days; and
- b) ensure the declaration is added to the **register of official business events**.

5. MANAGEMENT OF THE PROVISION OF GIFTS, BENEFITS AND HOSPITALITY

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

Figure 2. HOST test

H	Hospitality	<p>To whom is the gift or hospitality being provided? Will recipients be external business partners, or individuals of the host organisation?</p>
O	Objectives	<p>For what purpose will hospitality be provided? Is the hospitality being provided to further the conduct of official business? Will it promote and support government policy objectives and priorities? Will it contribute to staff wellbeing and workplace satisfaction?</p>
S	Spend	<p>Will public funds be spent? What type of hospitality will be provided? Will it be modest or expensive, and will alcohol be provided as a courtesy or an indulgence? Will the costs incurred be proportionate to the benefits obtained?</p>
T	Trust	<p>Will public trust be enhanced or diminished? Could you publicly explain the rationale for providing the gift or hospitality? Will the event be conducted in a manner which upholds the reputation of the public sector? Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?</p>

Requirements for providing gifts, benefits and hospitality

- 5.2. Gifts, benefits and hospitality may be provided when welcoming guests, to facilitate the development of business relationships, further public sector business outcomes and to celebrate achievements.
- 5.3. When deciding whether to provide gifts, benefits or hospitality or the type of gift, benefit or hospitality to provide, individuals must ensure:
- a) any gift, benefit or hospitality is provided for a business reason that furthers the conduct of official business or other legitimate organisational goals, or promotes and supports government policy objectives and priorities;
 - b) that any costs are proportionate to the benefits obtained for the State, and would be considered reasonable in terms of community expectations (the 'HOST' test at Figure 2 is a good reminder of what to think about in making this assessment); and
 - c) it does not raise an actual, potential or perceived conflict of interest.

Containing costs

- 5.4. Individuals should contain costs involved with providing gifts, benefits and hospitality wherever possible, and should comply with the financial probity and efficient use of resources guidance outlined in the Code. The following questions may be useful to assist individuals to decide on the type of gift, benefit or hospitality to provide:

- a) Will the cost of providing the gift, benefit or hospitality be proportionate to the potential benefits?
- b) Is an external venue necessary or does the Authority have facilities to host the event?
- c) Is the proposed catering or hospitality proportionate to the number of attendees?
- d) Does the size of the event and number of attendees align with intended outcomes?
- e) Is the gift symbolic, rather than financial, in value?
- f) Will providing the gift, benefit or hospitality be viewed by the public as excessive?

6. THE AUTHORITY POLICY AND PRACTICE EXAMPLES:

Reward and recognition programs

- 6.1. Modest gifts may be provided to Staff in exceptional circumstances as part of the Recognising Our Staff program.
- 6.2. Financial gifts to Staff and Board members such as vouchers or gift cards are prohibited.

Maximum expenditure on unbudgeted gifts

- 6.3. The Authority has set a nominal limit of \$150 for the maximum expenditure on gifts to others, where the expenditure has not been explicitly budgeted for. This nominal limit is a total for a discrete, unbudgeted gift. It is not per person or an annual total.
- 6.4. For Staff members in exceptional circumstances, the Chief Executive Officer may approve a high limit for expenditure on gifts to others, where the expenditure has not been explicitly budgeted for.
- 6.5. For Board members in exceptional circumstances, the Board may approve a high limit for expenditure on gifts to others, where the expenditure has not been explicitly budgeted for.

Flowers

- 6.6. Flowers can be purchased from public funds in the event of the death of a Staff or Board member or close family member. Should work colleagues choose to recognise life events such as the birth of a child, flowers and gifts are funded through a collection.

Providing catering and alcohol for external events

- 6.7. Catering is provided at functions for external guests subject to the following criteria:
 - a) there is a real benefit to the Authority;
 - b) the expenditure is modest and proportionate to the benefit;
 - c) it is not excessive;
 - d) it is not too frequent; and
 - e) it is consistent with community expectations.

- 6.8. Alcohol may be purchased with public funds to serve at functions for external guests based on the following:
- a) provision of alcohol would be relatively uncommon and be associated with a meal;
 - b) any event where alcohol is served should be held at a time that minimises the risk of Staff members or Board members returning to work impaired by alcohol (e.g. if standard office hours are worked, the event should be held in the late afternoon or early evening);
 - c) events with alcohol service do not exceed two hours in duration;
 - d) no more than two standard drinks per person are provided; and
 - e) the provision of alcohol should be incidental to the overall level of hospitality provided.
- 6.9. If the event includes the provision of alcohol, it should be held at an external licensed venue that follows Responsible Service of Alcohol requirements.
- a) In exceptional circumstances for special events, i.e., opening of a new facility or to mark a significant milestone, an event which includes the provision of alcohol can be held on Authority premises with the approval of:
 - i. For Staff, the Chief Executive Officer; and
 - ii. For Board members, the Board.
 - b) In such circumstances, a management plan for the event, which is in line with Victorian Responsible Service of Alcohol requirements, must be provided to:
 - i. For Staff, the Chief Executive Officer and relevant Director before approval can be provided by the Chief Executive Officer; and
 - ii. For Board members, the Chair before approval can be provided by the Board.

Providing alcohol at internal events

- 6.10. Beverages, including modest amount of alcohol, soft drink etc. may be purchased for internal events based on the following:
- a) the provision would be relatively uncommon and be associated with food,
 - b) any event where alcohol is served should be held at a time that minimises the risk of Staff members or Board members returning to work impaired by alcohol (e.g., if standard office hours are worked, the event should be held in the late afternoon or early evening).
- 6.11. If the event includes the provision of alcohol, it should be held at an external licensed venue that follows Responsible Service of Alcohol requirements.
- a) In exceptional circumstances for special events, i.e., opening of a new facility or to mark a significant milestone, an event which includes the provision of alcohol can be held on Authority premises with the approval of:

- i. For Staff, the Chief Executive Officer; and
 - ii. For Board members, the Board.
- b) In such circumstances, a management plan for the event, which is in line with Victorian Responsible Service of Alcohol requirements, must be provided to:
- i. For Staff, the Chief Executive Officer and relevant Director before approval can be provided by the Chief Executive Officer; and
 - ii. For Board members, the Chair before approval can be provided by the Board.
- c) Please note, a Park Manager's residence (provided by the Authority) falls under these requirements if the event is a work function, for example an event for employees of the Caravan Park. A Park Manager holding a private event at their residence, i.e., with family and/or friends, does not fall under this policy.

6.12. For internal events in which alcohol is consumed, transport options will be available and advertised.

6.13. All hospitality is purchased in line with the Procurement Policy.

Providing catering at internal events

6.14. The Authority provides modest catering for events such as annual recognition events or marking the completion of a major project based on the following considerations:

- a) the extent to which the event will contribute to organisational objectives by, for example, reinforcing particular values or motivating staff;
- b) whether there have been multiple recent events that would result in perceptions of excess; or
- c) the need to balance the positive benefits of public recognition with community expectations in relation to modest expenditure by public officials.

6.15. Celebrations of events such as birthdays, marriages or the birth of a child are not catered with public funds.

6.16. The Authority practice is that meetings are scheduled to avoid conflict with meal times. Where that is not possible, a break is encouraged to enable participants to seek their own refreshments. If an event or meeting extends over meal times, modest hospitality can be provided.

6.17. As a guideline, provide refreshments when meetings exceed these times:

- a) 2 hours - for morning or afternoon tea
- b) 3 hours - for lunch
- c) 5 hours - for lunch and either morning or afternoon tea
- d) 7 hours - for lunch, morning tea and afternoon tea

7. DEFINITIONS

Business associate	An individual or body that the public sector organisation has, or plans to establish, some form of business relationship with, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.
Benefits	<p>Benefits include preferential treatment, privileged access, favours or other advantage offered to an individual. They may include invitations to sporting, cultural or social events, access to discounts and loyalty programs and promises of a new job.</p> <p>The value of benefits may be difficult to define in dollars, but as they are valued by the individual, they may be used to influence the individual's behaviour.</p>
Ceremonial gifts	<p>Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are usually provided when conducting business with official delegates or representatives from another organisation, community or foreign government.</p> <p>Ceremonial gifts are the property of the public sector organisation, irrespective of value, and should be accepted by individuals on behalf of the public sector organisation. The receipt of ceremonial gifts should be recorded on the register but does not need to be published online.</p>
Conflict of interest	<p>Conflicts may be:</p> <p>Actual: There is a real conflict between a Board member or Staff member's public duties and private interests.</p> <p>Potential: A Board member or Staff member has private interests that could conflict with their public duties. This refers to circumstances where it is foreseeable that a conflict may arise in future and steps should be taken now to mitigate that future risk.</p> <p>Perceived: The public or a third party could reasonably form the view that a Board member or Staff member's private interests could improperly influence their decisions or actions, now or in the future.</p>
Gifts	Gifts are free or discounted items or services and any item or service that would generally be seen by the public as a gift. These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. small bunch of flowers), consumables (e.g. chocolates) and services (e.g. painting and repairs). Fundraising by public sector organisations that is consistent with relevant legislation and any government policy is not prohibited under the minimum accountabilities.
Hospitality	Hospitality is the friendly reception and entertainment of guests. Hospitality may range from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation.
Legitimate business benefit	A gift, benefit or hospitality may have a legitimate business benefit if it furthers the conduct of official business or other legitimate goals of the public sector organisation, the public sector or the State.
Public official	Public official has the same meaning as section 4 of the <i>Public Administration Act 2004</i> and includes, public sector employees, statutory office holders and directors of public entities.
Public register	A public register is a record, preferably digital, of a subset of the information contained in a register, for publication as required by the minimum

	accountabilities. Guidance regarding the information that should be published is provided in the Victorian Public Sector Commission Policy Guide .
Register	A register is a record, preferably digital, of all declarable gifts, benefits and hospitality. Guidance regarding the information that should be recorded is provided in the Victorian Public Sector Commission Policy Guide .
Staff	Includes executives, employees, contractors, consultants and any individuals or groups undertaking activity for or on behalf of the Authority.
Token offer	A token offer is a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). The minimum accountabilities state that token offers cannot be worth more than \$50.
Non-token offer	A non-token offer is a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value. All offers worth more than \$50 are non-token offers and must be recorded on a gift, benefit and hospitality register.

8. RELATED POLICY, LEGISLATION AND OTHER DOCUMENTS

- Minimum accountabilities for the management of gifts, benefits and hospitality (see Instructions supporting the Standing Directions of the Minister for Finance)
- Board's Conflict of Interest Policy
- Workforce Conflict of Interest Policy
- *Public Administration Act 2004*
- Code of Conduct for Victorian Public Sector Employees
- Code of Conduct for Victorian Public Sector Employees of Special Bodes
- Code of Conduct for Directors of Victorian Public Entities
- Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Guide
- Workforce Procurement Policy

Breaches

- 8.1. Disciplinary action consistent with the relevant industrial instrument and legislation, including dismissal, may be taken where an individual fails to adhere to this policy. This includes where an individual fails to avoid wherever possible or identify, declare and manage a conflict of interest related to gifts, benefits and hospitality in accordance with the Board's Conflict of Interest Policy or Workforce Conflict of Interest Policy (as applicable).
- 8.2. Actions inconsistent with this policy may constitute misconduct under the *Public Administration Act 2004*, which includes:

- a) breaches of the binding Code, such as sections of the Code covering conflict of interest, public trust and gifts and benefits; and
 - b) individuals making improper use of their position.
- 8.3. For further information on managing breaches of this policy, please contact the Chief Executive Officer.
- 8.4. The Authority will communicate this policy on the offering and provision of gifts, benefits and hospitality to contractors, consultants and other business associates. Those identified as acting inconsistently with this policy may be subject to contract re-negotiation, including termination.

Speak up

- 8.5. Individuals who consider that gifts, benefits and hospitality or conflict of interest within the Authority may not have been declared or is not being appropriately managed should speak up and notify the Chair (in relation to Board members or the Chief Executive Officer) or Chief Executive Officer (in relation to Staff members). Individuals who believe they have observed corrupt conduct in their colleagues may also make a protected disclosure directly to IBAC.
- 8.6. The Authority will take decisive action, including possible disciplinary action, against individuals who discriminate against or victimise those who speak up in good faith.

Contacts for further information

- 8.7. 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 accepting a gift, benefit or hospitality, or the application of this policy, should ask their manager, the Governance Coordinator or the Governance and Risk Manager for advice.

Approval and Review	Details
Endorser	Finance, Audit & Risk Management Committee
Approver	Board
Administrator	CEO (or their delegate)
Next Review Date	09/04/25

Approval and Amendment History	Details
Original Approval Date	07/12/2021
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Notes	

APPENDIX A: MANAGEMENT PLAN FOR EVENTS HELD IN AUTHORITY FACILITIES PROFORMA

As outlined in items 6.9 and 6.14 of this policy, in exceptional circumstances for special events, i.e., opening of a new facility or to mark a significant milestone, an event which includes the provision of alcohol can be held on an Authority premises with the approval of the Chief Executive Officer or the Board.

As part of obtaining permission to hold an internal event held on Authority premises which includes the provision of alcohol, the Chief Executive Officer or Board (as applicable) must be provided with a Management Plan to ensure any such event is held in line with Victorian Responsible Service of Alcohol requirements.

For Staff, this Management Plan must also be provided to the relevant Director before approval can be provided by the Chief Executive Officer.

For Board members, this Management Plan must also be provided to the Chair before approval can be provided by the Board.

To assist Staff members and Board members, the below table can be used when developing a Management Plan for Chief Executive Officer or Board consideration.

Management Plan for events held on Authority premises
Date and time of event
Location
Staff/Board member in charge
Second Staff/Board member in charge
Why is the event being held?
Will members of the public be invited?
Will the event be visible to members of the public?
Are transport options available if required?
What measures are being put in place to align with RSA requirements?
What other information should the Chief Executive Officer/Board be aware of?

SCHEDULE A – MINIMUM ACCOUNTABILITIES

Public officials offered gifts, benefits and hospitality:

1. Do not, for themselves or others, seek or solicit gifts, benefits and hospitality.
2. Refuse all offers of gifts, benefits and hospitality that:
 - are money, items used in a similar way to money, or items easily converted to money;
 - give rise to an actual, potential or perceived conflict of interest;
 - may adversely affect their standing as a public official or which may bring their public sector employer or the public sector into disrepute; or
 - are non-token offers without a legitimate business benefit.
3. Declare all non-token offers (valued at \$50 or more) of gifts, benefits and hospitality (whether accepted or declined) on the Authority's register and seek written approval from their manager or organisational delegate to accept any non-token offer.
4. Refuse bribes or inducements and report inducements and bribery attempts to the head of the public sector organisation or their delegate (who should report any criminal or corrupt conduct to Victoria Police or IBAC).

Public officials providing gifts, benefits and hospitality:

5. Ensure that any gift, benefit and hospitality 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.
6. Ensure that any costs are proportionate to the benefits obtained for the State and would be considered reasonable in terms of community expectations.
7. Ensure that when hospitality is provided, individuals demonstrate professionalism in their conduct, and uphold their obligation to extend a duty of care to other participants.

Heads of public sector organisations:

8. Establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality that comprehensively address these minimum accountabilities.
9. Establish and maintain a register for gifts, benefits and hospitality offered to public officials that, at a minimum, records sufficient information to effectively monitor, assess and report on these minimum accountabilities.
10. Communicate and make clear within the organisation that a breach of the gifts, benefits and hospitality policies or processes may constitute a breach of binding codes of conduct and may constitute criminal or corrupt conduct and may result in disciplinary action.
11. Establish and communicate a clear policy position to business associates on the offering of gifts, benefits and hospitality to Board members or Staff members, including possible consequences for a business

associate acting contrary to the organisation's policy position. This must take into consideration any whole of Victorian Government supplier codes of conduct.

12. Report at least annually to the Authority's Finance, Audit and Risk Committee on the administration and quality control of its gifts, benefits and hospitality policy, processes and register. This report must include 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.
13. Publish the organisation's gifts, benefits and hospitality policy and register on the organisation's public website (applies only to organisations with an established website). The published register should cover the current and the previous financial year.

ATTACHMENT A – GIFTS, BENEFITS AND HOSPITALITY DECLARATION FORM

Instructions

To be completed by the recipient of the reportable gift, benefit or hospitality offer within 14 days of the offer being made and sent to the Governance Coordinator:

Email: courtney.donelly@greatoceanroadauthority.vic.gov.au

Important note – fields shaded in:

- light grey will be published on the Authority’s public register on the Authority website.
- dark grey will only be published on the public register if you accept the gift, benefit or hospitality.

You to complete	
Your name	[your name]
Your position	[your position]
Your unit or division (e.g. Climate Change) (if applicable)	[your unit or division]
Details of the gift, benefit or hospitality	
Date offered	[date offered]
Description of the gift, benefit or hospitality	[description of the gift, benefit or hospitality]
Estimated or actual value	[estimated or actual value]
Name of the person making the offer	[name of the person making the offer]
Position or title of the person making the offer	[position or title of the person making the offer]
Name of the organisation making the offer	[name of the organisation making the offer]
Type of organisation (e.g. conference organiser, government agency, consulting firm)	[type of organisation]
Why is the offer being made?	[reason for the offer being made]
Is the person or organisation making the offer a business associate of the Authority? If yes , describe the relationship between them and the organisation. If no , describe the relationship between you and the person or organisation making the offer (e.g. friendship).	Yes or No
	[relationship between the Authority and offeror]
	[relationship between you and the offeror]
Would accepting the offer create an actual, potential or perceived conflict of interest ? If yes , then the offer must be declined.	Yes or No
Would accepting the offer bring you, the Authority or the public sector into disrepute? If yes , then the offer must be declined.	Yes or No

<p>Is there a legitimate business benefit to the Authority or public sector for accepting the offer?</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • Was it offered during your official duties? • Does it relate to your official responsibilities? • Does accepting bring any benefit to the Authority, public sector or State? 	<p>Yes or No</p> <p>[details of the legitimate business benefit]</p>
<p>If no, then the offer must be declined. If yes, then the business benefit must be detailed.</p>	
<p>Is the offer an official or ceremonial gift provided when conducting business with official delegates or representatives from another organisation, the community or another government?</p>	<p>Yes or No</p> <p>[details of the official or ceremonial purpose]</p>
<p>If yes, please provide details.</p>	
<p>Did I accept or decline the offer?</p>	<p>Offer accepted or Offer declined</p>
<p>I declare that the details above are accurate and complete.</p>	<p>Signature:</p>
	<p>Date:</p>
<p>Organisational delegate to complete</p>	
<p>Your name</p>	<p>[reviewer's name]</p>
<p>Your position or title</p>	<p>[reviewer's position]</p>
<p>Your unit or division (<i>e.g. Climate Change</i>) (if applicable)</p>	<p>[reviewer's unit or division]</p>
<p>Your relationship to the declarant (<i>e.g. line manager</i>)</p>	<p>[reviewer's relationship to declarant]</p>
<p>Complete if the declarant declined the offer</p>	
<p>I have reviewed this declaration form and submitted it for inclusion on our Gifts, Benefits & Hospitality Register.</p>	<p>Signature:</p>
	<p>Date:</p>
<p>Complete if the declarant accepted the offer</p>	
<p>What decision was made about the ownership and disposal of the gift? <i>(e.g. was it kept by the declarant, transferred to the Authority, returned, or donated to charity)</i></p>	<p>[details on how the gift was disposed of]</p>
<p>I confirm that, to my knowledge, accepting this offer:</p> <ul style="list-style-type: none"> • does not raise an actual, potential or perceived conflict of interest for the individual or myself; and • will not bring the individual, myself, the Authority or the public sector into disrepute; and • will provide a clear and legitimate business benefit to the Authority, the public sector or the State. 	<p>Signature:</p>
	<p>Date:</p>

**Send completed form as a scanned PDF to the Governance Coordinator:
Email: courtney.donelly@greatoceanroadauthority.vic.gov.au**

ATTACHMENT B – OFFICIAL BUSINESS EVENTS ATTENDANCE FORM

Instructions

To be completed by the invitee within 14 days of the offer being made and sent to the Governance Coordinator:

Email: courtney.donelly@greatoceanroadauthority.vic.gov.au

You to complete	
Your name	[your name]
Your position	[your position]
Your unit or division (<i>e.g. Climate Change</i>) (if applicable)	[your unit or division]
Details of the official business event	
Invitation date	[date invited]
Name of the event	[name of the event]
Brief description of the event	[description of event]
Type of event (<i>e.g. government, industry, Ministerial</i>)	[type of event]
Date and time for the event	[date and time for event]
Location for the event	[location of event]
Estimated or actual value of a ticket to the event	[estimated or actual value]
Name of the person extending the invitation	[name of the person extending the invitation]
Position or title of the person extending the invitation	[position or title of the person extending the invitation]
Name of the organisation extending the invitation	[name of the organisation making the offer]
Type of organisation (<i>e.g. conference organiser, government agency, consulting firm</i>)	[type of organisation]
Is the person or organisation extending the invitation from the organisation hosting or organising the event? If no, you must decline the invitation.	Yes or No
Why is the invitation being extended to you?	[reason for the invitation being extended]
Is attending this event directly related to your official duties as a public servant? If yes, detail how your attendance is relevant to your role. If no, you must decline the invitation.	Yes or No
	[how is this relevant to your work]
What business purpose does attending the event serve (<i>e.g. stakeholder engagement, business leveraging or observing funded service delivery</i>)?	[what is the business purpose]

Does the host have a business interest in any decisions you are likely to make as part of your official duties? If yes, you must decline the invitation.	Yes or No
Would accepting the invitation create an actual, potential or perceived <u>conflict of interest</u> ? If yes, you must decline the invitation.	Yes or No
Would accepting the invitation bring you, the Authority or the public sector into disrepute? If yes, you must decline the invitation.	Yes or No
Is level of hospitality offered reasonable, proportionate and likely to meet community expectations? If no, you must decline the invitation.	Yes or No
Did I accept or decline the offer?	Offer accepted or Offer declined
I declare that the details above are accurate and complete.	Signature:
	Date:

**Send completed form as a scanned PDF to the Governance Coordinator:
Email: courtney.donnelly@greatoceanroadauthority.vic.gov.au**