

# Gifts, Benefits and Hospitality Policy

## Section 1 - Purpose / Objectives

(1) Public trust depends on honest dealings. Employees and Council members (including external members of Committees of Council) of Victoria University must not accept gifts, benefits or hospitality from people seeking to influence their decisions unfairly, or where this perception might reasonably arise for an external observer of the situation.

(2) This Policy makes explicit the University's requirements in regards to the management of:

- a. Gifts, benefits or hospitality offered to University staff, Council members, consultants, contractors or volunteers; and
- b. The appropriate provision of gifts, benefits and hospitality to others by the University and its officers.

(3) The objective of this Policy is to put in place a consistent, transparent process for considering issues of gift provision, so that both real and perceived undue influence are avoided.

## Section 2 - Scope / Application

(4) This policy applies to the University as a whole, including its staff, volunteers, Council members, contractors and consultants.

(5) All VU staff, Council members, volunteers, contractors and consultants.

## Section 3 - Definitions

(6) The following definitions apply to this policy:

- a. Gifts are free or heavily discounted items, intangible benefits or hospitality exceeding common courtesy that are offered to employees in association with their work. They may be enduring such as a work of art or consumables such as a box of chocolates. They range in value from nominal to significant and may be given for different reasons;
- b. Benefits are the preferential treatment, privileged access, favours or other advantage offered to an employee. They include invitations to sporting, cultural or social events, access to discounts and loyalty programs, and promises of a new job. While their value may sometimes be difficult to quantify in dollars, they may be highly valued by the intended recipient and therefore used to influence their behaviour;
- c. Hospitality is the friendly reception and treatment of guests. It is hospitable to offer light refreshments in the course of a business meeting or as part of a conference program. Hospitality can range from offers of light refreshment at a business meeting to restaurant meals and sponsored travel and accommodation;
- d. Reportable gifts are those that must be recorded on a Receipt of Gift or Benefit or Hospitality Form and/or a gifts register. At a minimum, reportable gifts include accepted gifts, benefits and hospitality that exceed a nominal value. The gifts may have been offered to an employee directly or extended to them as a guest of their

- partner or other close relation;
- e. Value is the estimated or actual value of a gift in Australian dollars. It is also the cumulative value of gifts offered by the same individual or organisation within a 12-month period. Significant gifts may warrant independent valuation; and
- f. Nominal value refers to the value of a gift offer. It is used to determine whether an offer, if accepted, is a reportable gift. A threshold of \$500 has been set at VU to determine nominal value.

## Section 4 - Policy Statement

(7) The [Gifts, Benefits and Hospitality Framework promulgated by the Victorian State Services Authority](#) points out that the community expects high standards of integrity and impartiality from employees, contractors, consultants, volunteers and directors of public organisations. They are expected to:

- a. earn and sustain public trust;
- b. be honest, open and transparent in their dealings;
- c. make decisions and provide advice without bias;
- d. avoid any real or apparent conflicts of interest;
- e. use their powers responsibly; and
- f. report improper conduct.

(8) The University recognises that acceptance by University staff members and Council members of gifts, benefits and hospitality is a normal part of doing business in the tertiary education sector, but that it must safeguard impartiality and integrity by:

- a. deciding which gifts can be accepted and which must be declined; and
- b. having a transparent process for declaring, recording and handling gifts.

(9) Minimum requirements regarding the acceptance and provision of Gifts, Benefits and Hospitality are provided below. These principles form the basis for making decisions.

### **Accepting gifts, benefits and hospitality**

(10) University staff, Council members (including external members of Council Committees), volunteers, contractors and consultants should:

- a. Use judgment in accepting nominal value gifts or benefits (ie below \$500) in compliance with the restrictions detailed below;
- b. Never solicit gifts, benefits or hospitality, excepting modest requests for hospitality related to personal comfort (eg. a request for water, tea or coffee in the context of a meeting);
- c. Refuse all offers of gifts, benefits or hospitality that could reasonably be perceived as undermining the integrity or impartiality of the University or the individual;
- d. Refuse all offers of money, regardless of the amount, as well as items easily converted into money such as shares;
- e. Refuse bribes and report bribery attempts to the Vice Chancellor or delegate;
- f. Refuse all offers of gifts and benefits, and offers of more than modest hospitality related to personal comfort, made by people or organisations about whom the individual, or the University, is likely to make decisions in the near future. Decisions can include, but are not limited to, matters relating to:
  - i. Awarding of tenders;

- ii. Procurement;
- iii. Enforcement or Disciplinary action;
- iv. Admission;
- v. Enrolment;
- vi. Academic Progress;
- vii. Recruitment / employment; and
- viii. Non-financial agreements and MOUs.

(11) Consider, in the context of deciding whether a gift, benefit or hospitality can be accepted, the recent history of gift-giving of the donor individual or organisation. Even very small gifts and benefits can accrue to exceed the nominal value if there are several made within a 12-month period.

(12) Gifts in excess of the nominal value can only be accepted if none of the principles 2 to 7 inclusive apply. If such a gift is accepted it must be declared and recorded in the University's gifts register.

(13) If unsure about how to respond to an offer of a gift, benefit or hospitality in excess of the nominal value (currently set at \$500), seek advice from a manager.

### **Offering gifts, benefits and hospitality**

(14) When considering whether to offer an external person or organisation a gift, benefit or hospitality, or contemplating the provision of internal hospitality for staff, Council members, volunteers, contractors and consultants, decision-makers should:

- a. Ensure that any gift, benefit or hospitality is provided for business purposes and furthers VU's objectives and priorities;
- b. Ensure that any gift, benefit or hospitality offered by VU or any representative of the University to an international delegate or body is not capable of being construed as a bribe, and complies with the OECD Convention on Combating Bribery of Foreign Public Officials, the UN Convention against Corruption and any relevant national laws in the country of origin of the delegate;
- c. Ensure that any costs are proportionate to the benefits obtained by the University and would be considered reasonable in terms of community expectations; and
- d. 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.

(15) The Procedures relating to this Policy outline the circumstances for accepting or declining gifts, benefits or hospitality, as well as the circumstances in which VU can provide these to others. The Procedures also detail the actions which should accompany such decisions.

## **Section 5 - Procedures**

(16) The following procedures are used to support this policy:

- a. [Gifts, Benefits and Hospitality Procedure](#)

## **Section 6 - Guidelines**

(17) Nil



## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	2nd September 2014
<b>Review Date</b>	31st December 2018
<b>Approval Authority</b>	University Council
<b>Approval Date</b>	2nd September 2014
<b>Expiry Date</b>	15th August 2018
<b>Accountable Officer</b>	Lucy Franzmann Chief Financial Officer
<b>Responsible Officer</b>	Lucy Franzmann Chief Financial Officer
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