Gifts, Benefits and Hospitality Procedure

Section 1 - Purpose / Objectives

(1) Victoria University is committed to ensuring that all its staff, Council members, volunteers, consultants and contractors conduct themselves with regard to gifts, benefits and hospitality in a way that avoids both actual and perceived conflicts of interest.

(2) These procedures support the University's Gifts, Benefits and Hospitality Policy by providing checklists, tests and processes to be used in determining if gifts, benefits and hospitality can be accepted or offered in particular circumstances.

Section 2 - Scope / Application

(3) This procedure applies across the University.

Section 3 - Definitions

(4) Nil

Section 4 - Policy Statement

(5) Nil

Section 5 - Procedures

Part A - Roles and Responsibilities

Roles	Responsibility
University Council	Approves Policy and Procedures; Acts in accordance with the limitations expressed; and Reports all Reportable Gifts to the Manager, Audit and Risk on the specified Receipt of Gift or Benefit or Hospitality Form.
Compliance Audit and Risk Committee of Council	Receives the annual report on the operation of the Policy, and the statistics associated with receipt of gifts, benefits and hospitality across the University; and Recommends any policy-level changes to the Council.
Director, Portfolio of the Vice Chancellor	Provides advice and oversight on the implementation of the Policy and Procedure and specific issues arising under it.
Manager, Risk Management and Internal Audit	Maintains the University's Gifts Register; Provides expert advice on the application of the policy and procedures; and Reports annually on Gifts, Benefits and Hospitality to the Compliance, Audit and Risk Committee.

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Roles	Responsibility
Managers and Supervisors	Reinforce policy with staff; Advise staff on appropriate action with respect to any offer of a gift, benefit or hospitality; Ensure that all Reportable Gifts are reported to the Manager, Audit and Risk in a timely fashion; and Monitor the accrual of small gifts from the one source which may amount to a Reportable value over the course of 12 months.
Staff, Volunteers, Contractors and Consultants	Are familiar with policy and procedures; Act in accordance with the limitations expressed; and Report all Reportable Gifts to the Manager, Audit and Risk on the specified Receipt of Gift or Benefit or Hospitality Form.

Part B - General

(6) When considering whether gifts, benefits or hospitality can be accepted or offered, the guiding principles should always be:

a. whether the act of accepting or offering the gift constitutes a real or perceived conflict of interest; and
b. whether the act of accepting or offering the gift advances the University's purposes in any way.

Accepting Gifts, Benefits and Hospitality

(7) The following decision table provides a guide for the acceptance or declining of gifts, benefits or hospitality. In the table below, "gift" is to be read as the receipt of a gift, benefit or hospitality.

Criterion	If YES	If NO
Is the gift one of money or readily exchanged for money?	Refuse the offer and report to your supervisor via a Receipt of Gift or Benefit or Hospitality Form.	Could consider acceptance of gift.
Is it offered to encourage you to give favourable treatment in your capacity as an employee of VU?	Refuse the offer and report to your supervisor via a Receipt of Gift or Benefit or Hospitality Form.	Could consider acceptance of gift.
Could the gift be seen by other people to influence your behaviour as a University employee?	Refuse the offer and report to your supervisor via a Receipt of Gift or Benefit or Hospitality Form.	Could consider acceptance of gift.
Will you or the University be making important decisions regarding the gift giver (or their organisation) in the near future?	Refuse the offer and report to your supervisor via aReceipt of Gift or Benefit or Hospitality Form.	Could consider acceptance of gift.
Is the gift expensive (estimated value >$500)?	Discuss possible acceptance of gift with Supervisor or Director — Legal, Governance & Risk and report decision via a Receipt of Gift or Benefit or Hospitality Form.	Could consider acceptance of gift. Inexpensive gifts are generally not Reportable.
Have you or another person received other gifts from this person or organisation recently?	Consider the gifts as part of a series and discuss possible acceptance of gift with Supervisor or Director Legal, Governance & Risk; report decision via a Receipt of Gift or Benefit or Hospitality Form.	Could consider acceptance of gift.
If the offered benefit is of a service, access to an event or privilege, could it be reasonably seen to have a value to the individual in excess of any cash value? (ie tickets to a sold-out event)	Refuse the offer and report to your supervisor via aReceipt of Gift or Benefit or Hospitality Form.	Could consider acceptance of gift.

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Criterion	If YES	If NO
If the offered benefit is hospitality, would it be considered to be excessive by everyday standards? (The Reportable value of $500 is only a guide here, as hospitality under this threshold may be considered extravagant)	Refuse the offer and report to your supervisor via a Receipt of Gift or Benefit or Hospitality Form.	Staff member may accept the hospitality. Examples may include: Hot and cold beverages offered during the course of a business meeting (but generally not alcohol); Working lunches provided during lengthy sessions which are not excessive or costly.

(8) After considering the decision-points above (and undertaking discussion with a Manager / Supervisor or Director Legal, Governance & Risk where necessary), a decision may be made:

a. to decline the gift;
b. for the individual to accept the gift for personal retention / use; or
c. to accept the gift for retention / use by the University.

(9) If the decision is made to accept the gift, benefit or hospitality, complete a Receipt of Gift or Benefit or Hospitality Form in line with the decision table above, or if the value of the gift is estimated to be greater than nominal value ($500). All completed Receipt of Gift or Benefit or Hospitality Forms should be forwarded to the Manager, Risk Management and Internal Audit for overview and retention.

(10) Where tangible gifts are accepted and allocated for retention by the University rather than by an individual, the Manager, Risk Management and Internal Audit will record such assets on a Register of Gifts, kept for this purpose.

(11) If the University does not have an appropriate use for the gift or benefit, it may be disposed of in accordance with these principles:

a. disposal of gifts to individuals is not allowed, but should rather occur in line with the Disposal of Assets Policy;
b. disposal of gifts must be in the public interest and pay due respect to the wishes and expectations of the donor, where known; and
c. disposal by donation to a charity hospital, school, community or non-profit organisation or similar may be considered.

(12) The Manager, Risk Management and Internal Audit will provide an annual update to the Compliance Audit and Risk Committee of Council at its first meeting each year, reporting on the operation of the Policy, and the statistics associated with receipt of gifts, benefits and hospitality across the University.

Offering Gifts, Benefits or Hospitality

(13) In determining whether a gift, benefit or hospitality should be offered by the University or its staff, Council, volunteers, contractors or consultants, the HOST Test, developed by the State Services Authority, should be used. After considering the decision-points below (and undertaking discussion with a Manager / Supervisor where necessary), a decision may be made:

a. to not offer the gift, hospitality or benefit;
b. to offer a more modest version of the intended gift, hospitality or benefit; and
c. to offer the originally intended gift, hospitality or benefit.

Providing gifts, benefits and hospitality to staff:

(14) Celebrations of special events (eg end of year lunches, farewell or welcome morning teas, and successful

completion of projects events) are a normal and productive way of recognising staff input and building a collegiate atmosphere. The general principles outlined in the HOST Test apply to decisions about hospitality provided to staff. Decisions to fund hospitality for staff should, in particular, always consider the reasonableness and proportionality of the expenditure, and the likely impact on public perception of the University should the expenditure be disclosed.

(15) As a general rule, VU will not pay for farewell or other special occasions gifts to staff (e.g. birthdays, marriages, birth of children etc.), such gifts should be funded via voluntary collections from staff themselves. An exception from this rule can only be approved from a member of the Senior Leadership Team (SLT) or a SLT direct report, and approval must be obtained in writing which details for the reasons for the exception being sought and granted.

(16) As a general rule, VU will pay for an appropriate token of respect for a staff member in the case of a death in their family.

(17) As a general rule, where payment of hospitality expenditure is to be charged to a VU credit card or to be paid personally for subsequent staff reimbursement, then payment is to be made by the most senior staff member present. An exception to the general rule applies to the Vice-Chancellor, the Chancellor and Council Members who are exempted from the requirement to pay for hospitality. The purpose of the general rule is to ensure the hospitality expenditure is reviewed and approved by a more senior member of staff with the requisite financial delegation, other than the staff member providing the hospitality.

Provision of Alcohol

(18) The purchase and consumption of alcohol needs to be appropriate and integral to the business operations of the University and to the purpose of the event at which the alcohol is being consumed.

(19) Functions at which it is appropriate for alcohol to be consumed include official University business functions, for example as award ceremonies, launches and university celebratory events.

(20) Alcohol should not normally be consumed at meetings and functions that are attended solely by University staff. However this requirement may be waived at the discretion of a member of the Senior Leadership Team (SLT), or a SLT direct report, when it can be demonstrated that the function is in the University's best interests.

(21) In all cases the consumption of alcohol should not be excessive so as to bring the reputation of individuals or the University into disrepute.

(22) The service of alcohol should also be in accordance with the University's drug and alcohol policies and Appropriate Workplace Behaviour Policy. Employees must not be impaired by alcohol whilst in the workplace or whilst representing the organisation. Any event where alcohol is served should be held at a time which minimises the risk of employees returning to work impaired by alcohol.

The HOST Test

Hospitality: To whom is the gift or hospitality being provided?	Will recipients be external partners, or internal members of the University? If the hospitality is being offered to employees, Council members, consultants, contractors or volunteers, is it in the context of a work requirement or business need? Does the proposed hospitality support recognition of staff and their work in an appropriate way? Is the hospitality being considered reasonable and proportionate to the benefit the University expects to obtain? Has consideration been given to scheduling events so as to minimise the need for full / meal hospitality for staff?
Objectives: For what purpose will the gift, benefit or hospitality be provided?	Is the hospitality being provided to further the conduct of official business? Will it promote and support the University's objectives and priorities? Will it contribute to staff wellbeing and workplace satisfaction? Is there a cultural expectation or courtesy requirement for provision of a gift (ie in reciprocation)? Does the selected gift appropriately represent VU?
Spend: Will University funds be spent?	What type of gift or hospitality will be provided? Will it be modest or expensive, and will alcohol be provided? Will the costs incurred be proportionate to and less than the benefits obtained?

Trust: 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 University? Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?

Section 6 - Guidelines

(23) Nil

Status and Details

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Accountable Officer	Anne Siegers Chief Risk Officer anne.siegers@vu.edu.au
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