


Title	Gifts, Benefits and Hospitality			
Department	Corporate	Section	Organisation	
Approved by	CEO	Document Type	Policy & Procedure	

1.0 Introduction

This Gift, Benefits and Hospitality Policy states South Gippsland Hospital's (SGH) position on:

- responding to offers of gifts, benefits and hospitality;
- providing gifts, benefits and hospitality; and
- treatment of an Exemption Token Gift (ETG).

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

SGH has issued this policy to support behaviour consistent with the *Code of conduct for Victorian Public Sector Employees* (the Code). All employees are required under clause 1.2 of the Code to comply with this policy.

2.0 Application

This policy applies to all workplace participants. For the purpose of this policy, this includes: executives, board members, SGH employees, contractors, consultants, volunteers and any individuals or groups undertaking activity for or on behalf of SGH.

3.0 Policy principles

This policy has been developed in accordance with requirements outlined in the *Minimum Accountabilities for Managing Gifts, Benefits and Hospitality* issued by the Victorian Public Sector Commission.

SGH is committed to and will uphold the following principles in applying this policy:

Public interest

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 perception of, or actual, bias or preferential treatment. Individuals should not accept offers from those about whom they are likely to make business decisions.

Accountability

Individuals are accountable for:


- declaring all token gifts (has a value less than \$50) with the exception of a modest box of chocolates (which are not part of a hamper) or a small bunch of flowers which are known as **Exemption Token Gift (ETG)** and are offered as a one-off gift, non-token (has a value of \$50 or greater) offers of gifts, benefits and hospitality. The declaration of all offers of gifts, benefits and hospitality and ETG's which are cumulative from the same source in a 12-month period must be made irrespective of whether the offer is accepted or not;
- 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.

Risk-based approach

SGH, through its policies, processes and the Audit and Risk Management (ARM) 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.

Responsibilities

SGH Board	The SGH Board will provide oversight and guidance on all matters relating to the SGH Policy.
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Audit and Risk Management Committee (ARM Committee)	<p>The ARM Committee is responsible for:</p> <ul style="list-style-type: none"> monitoring and assessing the SGH Policy framework at SGH including its application and effectiveness; reviewing SGH's Gifts Register recordings (as a minimum, annually); making appropriate recommendations to strengthen the SGH Policy framework where gaps are identified. 			
Chief Executive Officer (CEO)	<p>The CEO is the Authorised Officer responsible for:</p> <ul style="list-style-type: none"> the management of the Gifts, Benefits and Hospitality Register and where appropriate, reporting breaches to the Independent Broad-based Anticorruption Commission (IBAC) under IBAC's mandatory notification legislation; final approval of applications for offers of gifts, benefits and hospitality which are not ETG's made to SGH and as the organisation delegate, deciding the appropriate outcome and ensuring the offer is recorded on the SGH Register <p>The CEO is responsible for:</p> <ul style="list-style-type: none"> the review and maintenance of the SGH Policy; providing advice to the Board and SGH staff on the application of the policy; reporting any relevant issues relating to the SGH Policy to the SGH Board and ARM Committee; integration of the SGH policy with SGH's <ul style="list-style-type: none"> - Fraud and Corruption Policy - Conflict of Interest Policy - Procurement Policy - Probity Guidelines 			
Directors / Department Heads	Directors and Department Heads are subject to this policy and must familiarise themselves with the Policy and make their staff aware of it.			
SGH Staff including full time, part time, sessional or casual and SGH Volunteers	Compliance with requirements of this policy including the completion of SGH application where offers of gifts, benefits and hospitality have been made to them irrespective of whether the offer has been accepted.			

4.0 Minimum accountabilities

The Victorian Public Sector Commission has set binding minimum accountabilities for staff and heads of public sector organisations relating to the appropriate management of gifts, benefit and hospitality.

These can be found at **Schedule A**.

5.0 Definitions


Business associate

an external individual or entity which the organisation has, or plans to establish, some form of business relationship, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.

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.

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.

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Conflicts of interest

Actual conflict of interest: There is a real conflict between an employee's public duties and private interests.

Potential conflict of interest: an employee 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.

Perceived conflict of interest: the public or a third party could form the view that an employee's private interests could improperly influence their decisions or actions, now or in the future.

Gifts

are free or discounted items and any item that would generally be seen by the public as a gift, provided to an employee or on behalf of the employer. These include items of high value (e.g., artwork, jewellery, or expensive pens), low value (e.g., small bunch of flowers) and consumables (e.g., chocolates). Note a modest box of chocolates (which is not part of a hamper) or a small bunch of flowers are known as Exemption Token Gift (ETG). Fundraising by public sector organisations that is consistent with relevant legislation and any government policy is not prohibited under the minimum accountabilities.

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

gifts, benefits and hospitality accepted or provided for a business purpose, in that it furthers the conduct of official business or other legitimate goals of the organisation, public sector or State.

Public official

has the same meaning as under section 4 of the *Public Administration Act 2004*. This includes: public sector employees; statutory office holders; and directors of public entities.

Register


is an electronic record of all declarable gifts, benefits and hospitality. It records the date an offer was made and by whom, the nature of the offer, its estimated value, the raising of any actual, potential or perceived conflicts of interest or reputational risks and how the offer was managed. For accepted offers, it details the business reason for acceptance and the officer approving the acceptance.

Token offer

is an offer of a gift, benefit or hospitality that is offered as a courtesy or is of inconsequential or trivial value to both the person making the offer and the individual, whilst the primary determinant of a token offer is that it would not be reasonably perceived within or outside the organisation as influencing an individual or raising an actual, potential or perceived conflict of interest, it cannot be worth more than \$50 (including cumulative offers from the same source over a 12 month period) and must be recorded on a gift, benefit and hospitality register even if the token is declined, with the exception of an ETG.

Non-token offer

is an offer of 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 even if the non-token gift is declined.

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6.0 Management of offers of gifts, benefits and hospitality

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 CEO.

Staff to staff gifts

The giving and receiving of gifts between SGH are considered a matter between staff and is not impacted by this policy unless there is a conflict of interest created in the offer of gifts, benefits or hospitality from one staff member to another.

Token offers

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 which would be considered a basic courtesy, such as light refreshments offered during a meeting.

While the primary determinant of a token offer is that it would not be reasonably perceived within or outside the organisation as influencing an individual raising an actual, potential or perceived conflict of interest, it cannot be worth more than \$50. If token offers are made often by the same person or organisation, the cumulative value of the offers, or the perception that they may influence the recipient, may result in the offers becoming non-token.

Individuals cannot accept token offers of gifts, benefits and hospitality without approval from the CEO. Promotional items such as pens, notepads, keyrings etc. and token hospitality, such as sandwiches over a lunchtime meeting can be accepted and do not need approval of the CEO or be declared on the register. An ETG can be accepted without CEO approval. All other token gifts with a value of less than \$50 must have CEO approval and be declared on the electronic gifts register.

Individuals are to refuse all offers:


- made by a current or prospective supplier unless they are promotional items or token hospitality as described above;
- made during a procurement or tender process by a person or organisation involved in the process; or
- rewards, travel, meals, expenses, accommodation, entertainment, tickets, vouchers, discounts, donations, souvenirs, mementos and symbolic items;
- sponsored meetings (e.g., where food is supplied paid for by a sponsor);
- invitations to corporate sponsored events (e.g., races, sports, events, concerts);
- other hospitality and events.

At SGH **“token gifts”** are regarded as acceptable (with CEO approval) and may be retained by the recipient, provided the gift or benefit meets each of the following criteria:

1. the gift has an approximate value of less than AUD\$50.
2. the gift must be modest (e.g., single bottles of reasonably priced alcohol, or a box of chocolates, or flowers, or some other gift of insignificant commercial value, including souvenirs, mementos or symbolic items).
3. the gift must have been offered in circumstances that might be considered deserving or appropriate by an outside observer (e.g., in recognition of giving a presentation or hosting a visitor).
4. the gift must have been offered in circumstances where there was a degree of openness (e.g., at a public occasion or end of year function).

Any gift or benefit under AUD\$50 that does not clearly meet **all** the above criteria requires the approval of the CEO before the staff member is entitled to keep the gift or benefit, regardless of its value. This includes:

- a voucher of any value from a supplier
- a Christmas gift of any value from a supplier

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Where an offer of a gift, benefit or hospitality over AUD\$50 is received, the staff member must complete the Gifts, Benefits and Hospitality request for approval form available on Prompt to seek approval from the CEO unless the gift offered is an ETG. If the CEO's approval is not given, the gift or benefit must be returned or declined.

The receipt of a token gift must be a single, one-off event for that staff member. Repeated or multiple gifts received from, or offered by, a particular supplier or potential supplier, whether token or non-token, must be reported to the CEO.

It is acceptable for a staff member to share a token gift (e.g., chocolates) amongst work colleagues at work, provided that the circumstances of the offer meet all the above criteria. If the gift was given to the individual on behalf of a team, then it would be inappropriate for that individual to keep the gift personally. Note that all employees must comply with SGH's policy on *Code of Conduct* in respect of consuming alcohol at work. Staff could consider making the gift available to an auxiliary to be part of a raffle.

If an individual staff member receives a small token of appreciation with modest value from a grateful **patient, client or resident** of SGH, even if it is under the value of AUD\$50, and other than an ETG, CEO approval is still required. It should be noted that taking monetary gifts from patients is deemed to be unacceptable.

Requirement for refusing non-token offers

Individuals should consider the GIFT test at **Table 1** and the requirements below to help respond to a non-token offer.

Individuals are to refuse non-token offers:

- for all gifts with a value greater than \$50;
- likely to influence them, or be perceived to influence them, in the course of their duties or raise an actual, potential or perceived conflict of interest;
- by a person or organisation about which they will likely make a decision (also applies to processes involving grants, sponsorship, regulation, enforcement or licensing);
- likely to be a bribe or inducement to make a decision or act in a particular way;
- that extend to their relatives or friends;
- with no legitimate business benefit;
- of money, or used in a similar way to money, or something easily converted to money;
- where, in relation to hospitality and events, the organisation will already be sufficiently represented to meet its business needs;
- where acceptance could be perceived as endorsement of a product or service, or acceptance would unfairly advantage the sponsor in future procurement decisions;
- made by a person or organisation with a primary purpose to lobby Ministers, Members of Parliament or public sector agencies; and
- made in secret.

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


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Table 1. GIFT test

G	Giver	<p>Who is providing the gift, benefit or hospitality and what is their relationship to me? Does my role require me to select suppliers, 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? 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 endorse a product or service?</p>
F	Favour	<p>Are they seeking a favour in return for the gift, benefit or hospitality? 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	<p>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?</p>

Requirements for accepting non-token offers

There will be some exceptions where there is a legitimate business reason for accepting a non-token offer. All accepted non-token offers **must** be approved in writing by the CEO, recorded in the gifts, benefits and hospitality register and be consistent with the following requirements:

- it does not raise an actual, potential or perceived conflict of interest or have the potential to bring the individual, SGH or the public sector into disrepute (the 'GIFT' test at **Table 1** is a good reminder of what to think about in making this assessment); and
- 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 SGH, public sector or the State.

Individuals may be offered a gift or hospitality where there is no opportunity to seek written approval or to decline the offer 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 the CEO within five business days.


Recording non-token offers of gifts, benefits and hospitality

All token except for ETG's and non-token offers, whether accepted or declined, must be recorded in the SGH's Gifts, Benefits and Hospitality register. The business reason for accepting the non-token offer must be recorded in the register and provide sufficient detail to link the acceptance to the individual's work functions and benefit to SGH, public sector or State.

Individuals should consider the following examples of acceptable and unacceptable rationale when recording the business reason for seeking approval to accept an offer:

Unacceptable: "Networking"
"Maintaining stakeholder relationships"

Acceptable: "Individual is responsible for evaluating and reporting outcomes of SGH's sponsorship of Event A. Individual attended Event A in an official capacity and reported back to SGH on the event."

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“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 SGH’s property.”

All gifts except for ETG’s accepted or declined are to be declared to the CEO and are to be recorded on the Gifts, Benefits and Hospitality register SGH’s Finance 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 register. The report will include analysis of SGH’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.

Sponsorships

It is not unusual for public sector agencies to look to outside sponsorship for financial support in specific areas, such as conference attendance and education sessions. Contrary views may exist about the appropriateness of particular sponsors in relation to some aspects of public health service activity.

The AUD\$50 threshold does **not** apply to offers of sponsorship. If SGH or an individual staff member intends to accept any offer of sponsorship or payment of expenses, of any value, this requires the written approval of the CEO before the staff member is entitled to accept the benefit and attend the meeting, conference or event.

The staff member should complete the Gifts, Benefits and Hospitality request for approval form available on PROMPT in advance of the event. The CEO will determine whether the offer of sponsorship or payment of expenses may be accepted.

Examples of situations that require the approval of the CEO include (but are not limited to):


- a pharmaceutical company offers to pay the airfares of a dietician to attend a professional interstate conference to learn about dietary supplements,
- a pharmaceutical company offers to pay the overnight accommodation expenses of a full-time senior doctor who has been asked to attend a regional location as a guest speaker,
- an oncology or diabetes research staff member is expected to attend an overseas protocol or investigator meeting funded by the drug trial sponsor,
- a medical equipment supply company offers to fund a traveling fellowship to enable doctors from overseas to work at SGH for periods of 6 months,
- a drug trial sponsor offers to pay travel and accommodation for a doctor and his wife to attend a professional conference overseas to present the doctor’s research findings,
- a current or potential supplier sponsors an education lunch for junior medical staff to be held at SGH.

A staff member does **not** need to seek approval under this policy to:

- accept a modest lunch or other refreshments provided to participants at a conference (where airfares, accommodation and other travel expenses have been met by SGH),
- participate in a networking lunch or dinner at a conference if it is part of the conference fee,
- accept modest promotional items or samples from suppliers or potential suppliers,
- accept an ETG.

No offer of sponsorship or payment of expenses can be accepted if it is provided in a manner or upon conditions that might potentially interfere with or limit:

- the independence of a health care professional’s treatment or advice, or his or her prescribing or dispensing practices;
- the independence of a manager in making procurement and other operational decisions in the interests of SGH;
- SGH’s ability to carry out all its functions fully and impartially.

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APPROVAL


When the Gifts, Benefits and Hospitality request for approval form is completed by the staff member and submitted to the Manager, Procurement and Contracts for pre-approval and endorsement for CEO approval it will be determined whether the gift, hospitality, sponsorship or other gratuitous benefit may be retained or accepted, after giving consideration to the following factors:

- (a) the value and nature of the gift, hospitality, sponsorship or other benefit;
- (b) whether the gift, hospitality, sponsorship or benefit has been offered by virtue of that staff member's role;
- (c) the degree of openness surrounding the gift, hospitality, sponsorship or benefit;
- (d) whether the gift or benefit is to be given to a staff member in a public forum in appreciation for that staff member's work, assistance or involvement (or on behalf of their team);
- (e) whether the companies that supply medications to SGH's patients, including situations where medications are not supplied directly to SGH but where the prescribing and dispensing practices of individual health care professionals employed by SGH will impact on which company supplies medications for a patient in the community (e.g., discharge medications);
- (f) whether refusal of the gift, hospitality or benefit would cause embarrassment or offence;
- (g) whether the supplier currently supplies goods or services to SGH, and if so, the nature and approximate value of the total supply of those goods and services per annum;
- (h) whether SGH is currently undertaking or will soon undertake a tender or other selection process, or is engaged in current negotiations, that might affect that supplier or potential supplier;
- (i) whether there is any possibility that the staff member involved might be, or might appear to be, compromised in any procurement or business process or otherwise in relation to the staff member's role;
- (j) whether the gift, hospitality, sponsorship or benefit implies any obligation or expectation that favours could be granted.

Acceptance of the gift, hospitality, sponsorship or benefit must be unlikely to be perceived by an impartial observer to create a conflict of interest or influence the performance of the staff member's duties or SGH's functions. Any circumstances must be able to successfully withstand public and professional scrutiny and conform to professional and community standards of ethics, good taste and appropriateness.

Any offer of sponsorship or any payment of expenses for SGH or its staff should:

- (a) be in writing, on the letterhead of the sponsoring company, addressed to SGH, setting out full details of the offer;
- (b) be simple, modest and secondary to the educational content of the meeting, conference or other event;
- (c) be relevant to health care services;
- (d) be provided in an environment that enhances the quality of health care, education and learning;
- (e) not present a real or apparent conflict between the objectives, mission and values of SGH, and those of the proposed sponsor;
- (f) not be conditional upon any obligation to purchase a particular product or prescribe a particular drug;
- (g) not involve endorsement of the sponsor or any of the sponsor's products;
- (h) make it clear whether it is being offered in connection with a sponsored clinical drug trial;

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- (i) preferably be considered against criteria predetermined by SGH that have been published or circulated in advance, so as to give other potential sponsors a similar opportunity;
- (j) not subsidise or pay for the costs of family members or companions of attendees at educational meetings and conferences.

In some circumstances it may be appropriate for the CEO to approve a sponsorship with conditions. No offer of sponsorship or payment of expenses can be accepted if it is provided in a manner or upon conditions that might potentially interfere with or limit:

- the independence of a health care professional's treatment or advice, or his or her prescribing or dispensing practices;
- the independence of a manager in making procurement and other operational decisions in the interests of SGH;
- SGH's ability to carry out all its functions fully and impartially.

Depending on the circumstances, the public interest may be best served by SGH calling for expressions of interest in respect of securing sponsorship, or by using other mechanisms to make other potential or competing sponsors aware of the need.

While SGH as an organisation is legitimately entitled to seek expressions of interest for sponsorship, individual employees must not **seek or solicit sponsorship** from anyone where there could be a perception that they might stand to personally benefit. For example, it would be inappropriate for a staff member to write a letter to a pharmaceutical or other supply company to request funding to assist them personally to attend a conference or pay for other accommodation. A manager can write such a letter in respect of their staff. This avoids the appearance of soliciting benefits for oneself, which is not permissible especially in the public sector.

In some circumstances it may be appropriate to record the terms and conditions of an approved sponsorship arrangement in a written agreement. This will be determined by the CEO. The CEO is required to consider a request for approval under this Policy within a reasonable timeframe, so as not to compromise the event, hospitality or sponsorship that is proposed.

Ownership of gifts offered to individuals

Non-token gifts accepted by an individual for their work or contribution may be retained by the individual where the CEO has provided written approval. Employees must transfer to SGH official gifts or any gift of cultural significance or significant monetary value (over \$50).

7.0 Management of the provision of gifts, benefits and hospitality

Requirements for providing gifts, benefits and hospitality

Gifts, benefits and hospitality may be provided by SGH to welcome guests, facilitate the development of business relationships, further public sector business outcomes and to celebrate achievements.

When deciding whether to provide gifts, benefits or hospitality or the type of gift, benefit or hospitality to provide, individuals must ensure:

- any gift, benefit or hospitality is provided for a business reason in that it furthers the conduct of official business or other legitimate organisational goals, or promotes and supports government policy objectives and priorities;
- 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 **Table 2** is a good reminder of what to think about in making this assessment); and it does not raise an actual, potential or perceived conflict of interest.


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Table 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>

Containing costs

Individuals should contain costs involved in the provision of gifts, benefits and hospitality wherever possible. The following questions may be useful to assist individuals to decide the type of gift, benefit or hospitality to provide:


- Will the cost of providing the gift, benefit or hospitality be proportionate to the potential benefits?
- Is an external venue necessary or does the organisation have facilities to host the event?
- Is the proposed catering or hospitality proportionate to the number of attendees?
- Does the size of the event and number of attendees align with intended outcomes?
- Will providing the gift, benefit or hospitality be viewed by the public as excessive?

8.0 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*)
- the SGH's Conflict of Interest Policy
- *Public Administration Act 2004*
- Code of conduct for Victorian public sector employees 2015
- Code of conduct for Directors of Victorian public entities 2016
- Victorian Public Sector Commission's *Gifts, benefits and hospitality policy framework*

Other SGH Policies and Guidance documentation

- Code of Conduct Policy
- Probity Guidelines
- Procurement Policy
- Conflict of Interest Policy
- Procurement Strategy
- Clinical Practices – Introduction of New Technology &/or Clinical Practice (TCP)

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- Disposal of Assets – Clinical & Non-Clinical
- Instrument of Delegation
- Risk Management Policy
- Fraud & Corruption Policy
- Gifts, Benefits and Hospitality Request for Approval form

9.0 Authorised Officer and organisational delegate

This policy is issued under the authority of the Authorised Officer (the CEO) and is subject to annual review.

The organisational delegate is the CEO.

10.0 Breaches

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 SGH's Conflict of interest policy.

Actions inconsistent with this policy may constitute misconduct under the *Public Administration Act 2004*, which includes:

- breaches of the binding *Code of conduct for Victorian public sector employees*, such as sections of the Code covering conflict of interest (section 3.7), public trust (section 3.9) and gifts and benefits (section 4.2); and
- individuals making improper use of their position.

For further information on managing breaches of this policy, please contact the CFO or Manager, Procurement and Contracts.

The Department will communicate its 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.

11.0 Speak up

Individuals who consider that probity relating to gifts, benefits and hospitality is not being observed or believe instances of conflict of interest within SGH may not have been declared or is not being appropriately managed should speak up and notify their manager or the CEO.

SGH will take decisive action, including possible disciplinary action, against individuals who discriminate against or victimise those who Speak Up in good faith.


12.0 Contacts for further information

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 who should seek advice from the CEO.

13.0 Policy history

Name changed from Gifts and Gratuities Policy to Gifts, Benefits and Hospitality Policy Aug 2018
Schedule A.

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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 token except for ETG's and non-token offers of gifts, benefits and hospitality (whether accepted or declined) on their organisation's register, and seek written approval from the CEO to accept any token or 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 the Independent Broad-based Anti-Corruption Commission).


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 employees, 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 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.

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Title	Gifts, Benefits and Hospitality Policy			
Department	Corporate	Section	Organisation	
Approved by	CEO	Document Type	Policy & Procedure	

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. Establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality that comprehensively address these minimum accountabilities.

	Name/Position	Department/Committee
Policy Owner	Paul Greenhalgh, CEO	Audit and Risk Management Committee (ARMC)
Lead Reviewer	Paul Greenhalgh, CEO	Executive
Contributor/s		
Gender Impact Assessment Required	No	
Previous Approvals	17/09/2019 V1 31/08/2022 V2	ARMC ARMC
Approved Date	27 August 2025 ARMC & Board 25 September 2025	