



ST VIC INTERNAL POLICY

Gifts, Benefits and Hospitality

Version 0.1

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1. Context

1.1 ST Vic's role and strategic objectives

Safe Transport Victoria (ST Vic) is part of Victoria's integrated transport portfolio, led by Department of Transport and Planning (DTP).

As a centre for transport safety, ST Vic manages the accreditation and safety regulation for commercial passenger vehicles, buses and maritime vessels. Through the exercise of our powers and the performance of our functions we contribute to an integrated transport system in Victoria, led by DTP and its responsible Ministers.

1.2 Purpose

This policy details requirements for ST Vic employees to adhere to regarding offers of gifts, benefits and hospitality (GBH).

This policy:

- is intended to support ST Vic employees in avoiding conflicts of interest and maintaining high levels of integrity and public trust,
- supports 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, and
- has been developed in accordance with requirements recommended by the Victorian Public Sector Commission.

1.3 Objectives and Principles

The community expects high standards of integrity, impartiality and responsible use of public resources from VPS employees.

VPS employees are expected to:

- earn and sustain public trust
- be honest, open and transparent in their dealings
- make decisions and provide advice without bias
- avoid any real or apparent conflicts of interest
- use their powers responsibly
- report improper conduct
- seek to achieve the best use of resources
- submit themselves to appropriate scrutiny.

Public trust depends on honest dealings. Employees must not accept GB&H from people seeking to influence their decisions. When providing hospitality, employees need to ensure that it reflects prudent use of public resources and does not compromise the real or perceived integrity of recipients. There should also be a clear 'line of sight' between the hospitality provided, its benefits to the organisation and the government, and ultimately to the community.

In accordance with current reporting arrangements for Gifts, Benefits and Hospitality, the Chief Executive (CE) of ST Vic provides quarterly and annual reports to DTP on gifts, benefits and hospitality.

2. Scope

This policy applies to all ST Vic employees.

3. Glossary

Table 1 Glossary of terms

Term	Meaning
Audit and Risk Committee	A committee with responsibilities that include assuring the adequacy of ST Vic's risk management framework, operational performance of business areas, and integrity of ST Vic's financial statements.
Benefits	Preferential treatment, privileged access, favours or other advantage offered to an individual. They include invitations to sporting, cultural or social events, access to discounts and loyalty programs, and promises of future employment. 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.
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 ST Vic, irrespective of value, and should be accepted by individuals on behalf of ST Vic. The receipt of ceremonial gifts should be recorded on the GB&H register but does not need to be published online.</p>
Gifts	Free or heavily 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. a 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.
Gifts, Benefits and Hospitality Declaration	The declaration of reportable gifts, benefits and hospitality that are included in the GB&H Declaration. Information on the form is transferred to a GB&H Register.
Gifts, Benefits and Hospitality Register	A register of reportable GB&H. It records the date a GB&H was offered, information about the donor and recipient, the nature of the GB&H, its estimated value and how it was handled. The register is reviewed by ST Vic Executive Leadership Team and Audit and Risk Committee.
Hospitality	The reception and entertainment of guests, ranging from offers of light refreshment at a business meeting to restaurant meals and sponsored travel and accommodation.
Non-token offers	Gifts, benefits or hospitality valued at \$50 or more.

Term	Meaning
On-hire contractors	Individuals employed by an external recruitment agency who have been engaged to work at ST Vic.
ST Vic Employees	For the purpose of this policy, defined as casual, fixed term and on-going employees, and members of the Audit and Risk Committee. For the purposes of this policy, an employee also means contractors engaged by ST Vic who undertake work that is of a similar nature to the work undertaken by public sector employees at a premise or location generally regarded as a public sector workplace or use or have access to public sector resources or information that are not normally accessible or available to the public.
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.

4. Receiving gifts, benefits and hospitality

Employees should:

- not, for themselves or others, seek or solicit gifts, benefits and hospitality.
- refuse all offers of gifts, benefits or 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 ST Vic or the public sector into disrepute or
 - are non-token offers (valued at \$50 or more) without a legitimate business benefit.
- declare all offers of GB&H (whether accepted or declined), and seek written approval from their manager or organisational delegate to accept any non-token offer
- refuse bribes or inducements and report inducements and bribery attempts to the CE of ST Vic or their delegate

If employees are unsure about how to respond to an offer of GB&H, advice should be sought from their manager or the Office of the General Counsel.

5. Providing gifts, benefits and hospitality

Employees must:

- ensure that any offer they make of a GB&H is provided for a business purpose in that it furthers the conduct of official business, or promotes and supports government policy objectives and priorities
- ensure that any costs are proportionate to the benefits obtained for ST Vic, and would be considered reasonable in terms of community expectations
- 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.

6. Breaches of gifts, benefits and hospitality policy

Any breach of the GB&H policy or processes may constitute a breach of the public service code of conduct, may constitute criminal or corrupt conduct, and may result in disciplinary action.

7. Responsibilities

7.1 Employee responsibilities

- Consider offers and provision of GB&H in consultation with their manager.
- Declare all offers and provision of GB&H by completing a GB&H Declaration.
- Politely refuse, where appropriate, all offers of GB&H.

7.2 Manager responsibilities

- Ensure all team members are aware of the GB&H policy.
- Manage offers of GB&H with team members in accordance with this policy.

7.3 Office of the General Counsel responsibilities

- Provide advice to employees on managing offers and provision of GB&H.
- Ensure copies of completed declaration/s and related documentation are kept on the GB&H register.
- Publish ST Vic's GB&H policy and the current and previous financial year's register on ST Vic's public website and report to Department of Transport as required.
- Six monthly Gifts, Benefits and Hospitality Register reporting to ST Vic Executive Leadership Team.

8. Grievances

ST Vic employees may lodge a Review of Actions request about any management decision or action taken under this policy.

An employee may wish to seek advice from People and Culture prior to lodging a request.

9. Related policies

- ST Vic Conflict of Interest Policy
- ST Vic Review of Actions Policy

10. Resources

- Victorian Public Sector Commission Gifts, Benefits and Hospitality Policy Resource Suite
- Conflict of Interest Guidance for Organisations released by the Victorian Public Sector Commission
- *Code of Conduct for Victorian Public Service Employees*
- Public Administration Act 2004 (Vic).

11. Document ownership and control

Table 2 Document control

Responsible team/Division:	Legal and Governance
Executive Sponsor:	General Counsel
Approval Body:	Executive Leadership Team
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