

Gifts, Benefits and Hospitality Procedure	
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This document is relevant to all WH sites, including Bacchus Marsh, Melton and Caroline Springs	

Contents

1. Overview.....	2
2. Applicability.....	2
3. Responsibility.....	2
4. Authority	2
5. Associated Documentation	2
6. Definitions	2
7. Procedure Detail	2
8. Document History	4
9. References	4
10. Sponsor	4
11. Authorisation Authority.....	4
Appendix 1 Minimum Accountabilities	5

1. Overview

The Victorian Public Sector Commission has set binding minimum accountabilities for the appropriate management of Gifts, Benefits and Hospitality. The Minimum Accountabilities are set out in [Appendix 1](#) to this procedure.

This procedure directs Staff on the mandatory requirements and process for the declaration of Gifts, Benefits and Hospitality.

2. Applicability

Staff must not seek Gifts, Benefits and Hospitality for themselves or others.

Staff must refuse all offers of Gifts, Benefits and Hospitality that:

- are money, items used like money, or items that could convert to money
- cause an actual, potential or perceived conflict of interest for a staff member
- may affect the standing of a staff member
- may bring WH or the public sector into disrepute
- are non-token offers without a real business benefit.

Staff must also:

- refuse all bribes or inducements
- report inducements and bribery attempts.

The procedure outlines the practical steps required to be taken by Staff who:

- (a) receive non-token offers of Gifts, Benefits and Hospitality as a representative of Western Health; and
- (b) are authorised to make offers of Gifts, Benefits and Hospitality on behalf of Western Health.

There are no exclusions to the application of this procedure.

3. Responsibility

The Executive Director General Counsel is responsible for this procedure, promoting awareness of this procedure, making supporting documents such as the *Gifts, Benefits and Hospitality Declaration form* available to Staff and maintaining the Register of Gifts, Benefits and Hospitality.

Staff are individually and personally responsible for their compliance with this procedure and are expected to be proactive and timely in making specific declarations, as well as to complete general annual declarations (for example, as part of completing performance development plan review self-assessment).

4. Authority

The Executive Director General Counsel has authority to approve departures from the processes outlined in this procedure but is not authorised to waive any requirements of the Minimum Accountabilities.

5. Associated Documentation

This procedure supports the following policy:

[Integrity in Public Administration Policy](#)

6. Definitions

Terms used in this Procedure are defined in the [Integrity in Public Administration Policy](#).

7. Procedure Detail

Token offers

Token offers are of little monetary or material value to a staff member and the person making the offer.

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In terms of monetary value, token offers are worth less than fifty dollars (\$50).

Staff can accept token offers of Gifts, Benefits and Hospitality if they don't create a conflict of interest or reputational damage. Examples of token Gifts and Hospitality are:

- promotional items, such as pens
- modest hospitality, such as light refreshments.

Non-token offers

Non-token offers include anything worth fifty dollars (\$50) or more.

Examples of non-token offers of Gifts, Benefits and Hospitality include:

- tickets to events not related to a staff member's duties (an example might be conference attendance, accommodation and flights where the staff member is not a presenter on behalf of Western Health, or cultural or sporting events)
- hospitality associated with the launch or promotion of new products or services
- clothing and merchandise from corporate suppliers
- end-of-year hampers of food and wine or deliveries of food to a particular staff member or group of staff members
- vouchers for food or beverages having an equivalent value of \$50 or more from patients or suppliers.

Staff can only accept a non-token offer if the offer benefits WH, the public sector or the Victorian government achieve its goals.

Offering Gifts, Benefits and Hospitality

Staff can offer Gifts, Benefits and Hospitality:

- when welcoming guests on behalf of WH
- to help develop business relationships for the benefit of WH
- to achieve WH's goals
- to celebrate WH's achievements,

provided at all times that the giving (and the cost) of the Gift, Benefit or and Hospitality is within the delegated authority of the relevant staff member under WH's [Delegations of Authority Framework](#).

Gifts, Benefits or Hospitality must:

- be offered for a business reason
- have proportionate costs to the benefits Victorians will gain
- not give rise to an actual, potential or perceived conflict of interest.

There is no requirement to declare the offering of Gifts, Benefits or Hospitality on behalf of WH.

Approval to accept non-token offers

For all non-token offers of Gifts, Benefits and Hospitality, a staff member must:

- declare and record any made, accepted or declined non-token offers on WH's register
- if a staff member wishes to accept or make a non-token offer, before doing so the staff member must request and obtain written approval from their manager
- the form must be completed and submitted regardless of whether an offer made to a staff member is accepted or declined.

How to declare and record Gifts, Benefits and Hospitality

If the staff member wishes to accept the non-token offer, written approval of the staff member's manager is required and should be retained by the staff member.

The Gifts, Benefits and Hospitality Declaration Form is available on the Legal Services intranet page [Legal Services \(sharepoint.com\)](#) under Integrity Framework [Integrity Framework \(sharepoint.com\)](#).

Once completed and signed, the form is to be emailed to integrity@wh.org.au.

The completed form will be considered by a member of Legal Services and entered into the Register of Gifts, Benefits and Hospitality maintained by Legal Services.

Queries in relation to submitted forms may be made by Legal Services to the staff member or manager to clarify or verify any information provided on the form.

Following the end of the financial year, Legal Services will arrange the reporting and publication of the Register of Gifts, Benefits and Hospitality in accordance with the Minimum Accountabilities.

8. Document History

Number of previous revisions: 2

Previous version dates: January 2024; June 2024 (minor amendment to update the Minimum Accountabilities in Appendix 1)

Superseded P-RS1 Gifts, Benefits and Hospitality

9. References

Delegations of Authority Framework

Victorian Public Sector Commission Minimum Accountabilities [Minimum accountabilities - VPSC](#)

10. Sponsor

General Counsel

11. Authorisation Authority

Executive Director Strategy, Partnerships and Corporate Governance

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Appendix 1 Minimum Accountabilities

Extract from Minimum Accountabilities effective 1 July 2024 and published by the Victorian Public Sector Commission [HERE](#)

Part B - Receiving offers of gifts, benefits and hospitality

A public sector organisation and its employees (“You”) must comply with the minimum accountabilities when responding to all offers of gifts, benefits or hospitality (token or non-token), including offers from other public sector organisations.

Minimum accountability 1 – Do not solicit offers

You must not solicit (seek) any gift, benefit or hospitality, for yourself or others, if the offer could reasonably be seen as connected to your employment.

Minimum accountability 2 – Offers you must refuse

You must always refuse a gift, benefit or hospitality (token or not token) if any of the following apply:

1. Money or similar: You must refuse the offer if it is money, used in a similar way to money, or easily converted to money.
2. Conflict of interest You must refuse the offer if it gives rise to a conflict of interest (actual, potential or perceived). This means you must refuse the offer if it could influence, or reasonably be seen to influence, how you perform your public duties.
3. Public trust

You must refuse the offer if it could compromise the public’s trust that you will perform your public duties in an impartial manner or the public’s trust in the impartiality of your organisation or the public sector.

4. Community expectations

You must refuse the offer if it is not consistent with community expectations.

5. Bribes

You must refuse the offer if it could reasonably be seen as a bribe or other inducement. Report the offer to the head of your 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).

6. Legitimate business reason – non token offers

Even if the offer complies with all the other requirements above, you must refuse a nontoken offer unless there is a legitimate business reason to accept it. The offer must further the conduct of official business or other legitimate goals of your organisation, the public sector or the State.

Minimum accountability 3 – Declare all non-token offers

If you receive a non-token offer (valued at \$50 or more), you must:

- declare the offer in writing, even if you refuse it
- always refuse the offer unless it complies with minimum accountability 2 and you have approval as set out in your organisation’s policy.

The offer and outcome will be recorded on the organisation’s official internal register and in the public register.

Part C – Providing gifts, benefits and hospitality

These minimum accountabilities relate to providing gifts, benefits and hospitality on behalf of your organisation. They apply when making any offer of a gift, benefit or hospitality, including an offer to another Victorian public sector organisation.

Minimum accountability 4 – business purpose

You must ensure that any gift, benefit and hospitality (token or non-token) you provide on behalf of your organisation 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.

Prompt Doc No:	WEST0219776 v3.1				
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Minimum accountability 5 – cost and community expectations

You must ensure that the cost of providing a gift, benefit or hospitality is:

- proportionate to the benefits obtained for the State
- would be considered reasonable in terms of community expectations.

Minimum accountability 6 – conflicts of interest

You must ensure that you do not provide a gift, benefit or hospitality unless:

- no conflict of interest exists (actual, potential or perceived), or
- you declare a conflict and your organisation develops a management plan that explicitly allows you to provide it.

Minimum accountability 7 – behaviour

You must ensure that when hospitality is provided, participants:

- demonstrate professionalism in their conduct
- uphold their obligation to extend a duty of care to other participants.

If you are a participant who is accepting hospitality, you must also comply with these standards.

Part D – additional obligations for heads of public sector organisations

As the head of a public sector organisation, in addition to the other minimum accountabilities, you must also comply with the following requirements.

Minimum accountability 8 – culture and good practice

You must model good practice and foster a culture of integrity.

Minimum accountability 9 – policies and processes

You must establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality.

Your organisation's policy must comprehensively address the minimum accountabilities.

You must ensure that the requirements in your organisation's gifts, benefits and hospitality policy are at least as strong as those in the minimum accountabilities.

The VPSC recommends that your organisation:

- adopt the gifts benefits and hospitality model policy and model forms published by the VPSC
- where appropriate, adapt them to take into account your organisation's functions and any requirements in its establishing documentation.

When an employee speaks up in good faith, you must ensure that your organisation's policy and procedures require the organisation to:

- actively support and protect employees who speak up in good faith about a possible breach of the policy
- take decisive action, including possible disciplinary action, against anyone who discriminates against or victimises an employee who speaks up in good faith
- respond in a constructive manner to the information provided.

Minimum accountability 10 – communicating to employees

You must ensure that your organisation's policy and related processes are communicated effectively to employees.

This includes communicating that a breach of the policy may constitute a breach of a binding code of conduct and, where appropriate, may result in disciplinary action. In some circumstances, a breach may constitute criminal or corrupt conduct.

Minimum accountability 11 – communicating to business associates

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You must ensure that a clear policy position is established and communicated to business associates on the offering of gifts, benefits and hospitality to employees, including the possible repercussions for a business associate acting contrary to the organisation's policy position.

The information provided to (potential) suppliers should include:

- what constitutes a gift, benefit or hospitality
- the organisation's policy
- that the organisation discourages the making of offers
- any whole of Victorian Government supplier codes of conduct.

Minimum accountability 12 – reports to audit committee

You must report at least annually to the organisation's audit committee on the administration and quality control of its gifts, benefits and hospitality policy, processes and internal register.

This report must include a copy of the internal register, 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.

Minimum accountability 13 – internal register

You must ensure that an official internal register of non-token gifts, benefits and hospitality offered to employees is established and maintained.

At a minimum, the register must record sufficient information to:

- effectively monitor, assess and report on the minimum accountabilities
- meet the information requirements for the public register.

Minimum accountability 14 – publishing organisation's policy and the public register

You must ensure that the following documents are available to the public:

- your organisation's gifts, benefit and hospitality policy
- the public register of reportable gift offers received.

If your organisation has an external website the policy and public register must be published on it. If no public website exists, other reasonable arrangements must be made to ensure the information is available to the public.

The public register should cover the previous financial year and be published within four months of each new financial year.

The public register must at a minimum contain the following reportable information:

- all non-token offers, whether they were accepted or not
- the date each non-token offer was made
- the position of the recipient
- the position and organisation of the person making each offer
- where possible, whether the offeror is a business associate of the organisation
- a description of each offer and its value
- whether the offer was accepted or declined
- if accepted, the business reason for doing so.