



Help for non-English speakers - If you need help to understand the information in this policy, please contact Administration at Ph. 8766 4000

PURPOSE

The purpose of a Gifts, Benefits, and Hospitality Policy at Barton Primary School is to provide guidance and clarity on how staff members should handle offers of gifts, benefits, and hospitality that may be made to them in the course of their work. The policy should ensure that all staff members understand the school's expectations regarding ethical behaviour, and that they are able to make informed decisions about whether to accept or decline such offers.

The policy should outline the types of gifts, benefits, and hospitality that are acceptable and those that are not. It should also set out the procedures that staff members should follow when considering an offer of this kind, including any requirements for seeking approval from a supervisor or manager.

The policy should also address the importance of transparency and accountability in relation to gifts, benefits, and hospitality. This includes requirements for staff members to record and report any offers that they receive, and for the school to maintain appropriate records of all gifts, benefits, and hospitality that are provided or received.

POLICY

This policy sets out the obligations of school staff (including school council members and their employees/contractors) when making or receiving offers of gifts, benefits or hospitality, based on the department-wide [Gifts, Benefits and Hospitality Policy](#).

The overarching objective of this policy is to encourage behaviours that will earn and sustain high standards and levels of community and government trust. In particular, this policy seeks to equip schools to:

- distinguish modest tokens of appreciation or hospitality from inducements, conflicts of interest or Non-Token offers without a legitimate business benefit and manage the modest tokens of appreciation appropriately
- identify appropriate boundaries for the provision of gifts, benefits and hospitality in a way that is considered reasonable in terms of community expectations.

This policy contributes to the department's management of conflicts of interest and maintenance of high standards of integrity and public trust.

SUMMARY

- All offers from suppliers, potential suppliers or organisations about whom you make business decisions must be refused.
- Personnel comply with the Minimum Accountabilities in the department's Gifts Benefits and Hospitality Policy and how to record an offer of gift, benefit or hospitality in the Registry System.
- Personnel must not accept Non-Token offers that do not have a legitimate business benefit.
- 'Thanks is Enough' is the desired standard when responding to offers of gifts, benefits and hospitality.
- Any offers of gifts, benefits and hospitality which represent an actual, potential or perceived conflict of interest must be declined.

- All offers of gifts, benefits or hospitality valued at \$50 or more must be declared regardless of whether the offer is accepted or declined and must be recorded in the online [Gifts, Benefits and Hospitality Registry System](#) (staff login required) within 5 days of receiving the offer. The exceptions are Gifts of Appreciation provided by students/parents/carers to members of the Teaching Service to express appreciation of the person's contribution to the education of students. If the estimated value of the gift is more than \$100 it must be declared, regardless of whether it was accepted or declined.
- Authorised Delegates must approve acceptance decisions within the Gifts, Benefits and Hospitality Registry System. This is non-delegable.
- Personnel must not seek or solicit gifts, benefits or hospitality for themselves or others and must refuse offers that may adversely affect their standing as a public official.
- A gifts, benefits and hospitality register report is published annually on the department's website.
- Refer to the [Resources tab](#) for a number of helpful documents including the [Gifts, Benefits and Hospitality: Quick Guide](#) (staff login required).

DETAILS

The department-wide Gifts, Benefits and Hospitality Policy (GBH Policy) contributes to the department's management of conflicts of interest and the maintenance of high standards of integrity and public trust. The intent is to establish clear rules and guidance for Personnel in responding to and providing gifts, benefits and hospitality.

REQUIREMENT TO REFUSE OFFERS OF GIFTS, BENEFITS AND HOSPITALITY

Personnel must consider the GIFT test and the requirements below to help decide whether to refuse an offer.

GIFT TEST

The GIFT (Giver, Influence, Favour, Trust) test can help you decide whether to accept a gift, benefit or hospitality through a list of questions which, if answered positively, indicate that issues may arise and particular care should be exercised when considering the offer. At a high level these questions ask:

- Who is providing the gift, benefit or hospitality and what is their relationship to me?
- Are they seeking to gain an advantage or influence my decisions or actions?
- Are they seeking a favour in return for the gift, benefit or hospitality?
- Would accepting the gift, benefit or hospitality diminish public trust?

Further information including the full list of questions is available at [GIFT test](#) (staff login required).

OTHER REQUIREMENTS

PERSONNEL ARE TO REFUSE OFFERS:

- likely to influence them, or be perceived to influence them, in the course of their duties or that raise an actual, potential or perceived conflict of interest
- could bring them, their school, the department or the public sector into disrepute
- made by a person or organisation about which they will likely make or influence a decision (this also applies to processes involving grants, sponsorship, regulation, enforcement or licensing), particularly offers:
 - made by a current or prospective supplier
 - made during a procurement or tender process by a person or organisation involved in the process
- likely to be a bribe or inducement to make a decision or act in a particular way
- that extend to their relatives or friends
- 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 organisations
- made in secret.

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

THANKS IS ENOUGH

When Personnel receive an offer from current or prospective suppliers of goods or services, the standard and desirable response is to politely decline and say 'Thanks is Enough'.

MINIMUM ACCOUNTABILITIES

Outlined below are the Minimum Accountabilities required of Personnel who are offered gifts, benefits or hospitality, of Authorised Delegates and of School Councils. Additional Minimum Accountabilities apply to the provision of gifts, benefits or hospitality and to the Secretary that are outlined on page 5 of the full GBH Policy.

Personnel offered gifts, benefits and hospitality (Recipients) must:

1. not seek or solicit gifts, benefits and hospitality for themselves or others
2. refuse offers of gifts, benefits and hospitality that:
 - are Non-Token offers without a legitimate business benefit
 - give rise to an actual, potential or perceived Conflict of Interest
 - extend to their relatives or friends
 - are from a person or organisation about whom Personnel are likely to make business decisions
 - are money, items used in a similar way to money, or items easily converted to money, including Vouchers other than Non-Cash Vouchers offered as Gifts of Appreciation, as defined in the GBH Policy (and below).
 - may adversely affect their standing as a Public Official or which may bring their public sector employer or the public sector into disrepute
 - the organisation's primary purpose is to lobby Ministers, Members of Parliament or agencies
3. refuse bribes or inducements and report bribery and inducements attempts to the Secretary or their delegate
4. declare all accepted Ceremonial Gifts and all Non-Token offers — whether accepted or declined — in the Registry System within 5 days of the offer date, and seek approval from their Authorised Delegate to accept any Non-Token offer, where possible prior to acceptance
5. transfer to the department or school any accepted Non-Token gifts valued at \$500 or more and any Ceremonial Gifts, excluding Gifts of Appreciation to members of the Teaching Service offered by multiple sources (for example a group of parents or students).

AUTHORISED DELEGATES MUST:

6. assess all declared Non-Token offers proposed to be accepted in the Registry System, and make an approval decision within 10 Days of the Declaration and where possible prior to acceptance
7. where appropriate, approve a Recipient's retention of a Non-Token gift including a Gift of Appreciation of any value when offered by multiple sources but excluding a Ceremonial Gift or any other Non-Token gifts valued at \$500 or more
8. oversee and monitor the acceptance or refusal of Non-Token offers and compliance with the Policy, and provide appropriate counselling or take appropriate employment action where Personnel have not complied with the Policy
9. report any criminal or corrupt conduct to the Secretary or their delegate.

SCHOOL COUNCILS MUST:

10. fulfil the responsibilities of Authorised Delegates for School Council-related Non-Token offers
11. ensure compliance with the GBH Policy by monitoring and overseeing offers and provision of gifts, benefits and hospitality within schools and at least annually reviewing the school Register.

PERSONNEL PROVIDING GIFTS, BENEFITS AND HOSPITALITY MUST:

12. 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
13. ensure that any costs are proportionate to the benefits obtained for the Victorian Government, and would be considered reasonable in terms of community expectations
14. 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.

WHEN TO DECLARE OFFERS

All Non-Token gifts, benefits or hospitality offers (whether accepted or declined) and any accepted Ceremonial Gifts must be declared in the department's online Registry System.

The department publishes the consolidated de-identified data annually on its website, as mandated by the Victorian Public Sector Commission. Public reporting on school Non-Token offers will be administered and managed centrally in the department, on behalf of schools, removing a substantial administrative burden. Schools are identified only by region, not by name. The names of individual donors, including students and parents, are not disclosed.

GIFTS OF APPRECIATION

Gifts of Appreciation may be provided by an individual or group of students, parents or carers. It is the total value of the offer rather than the individual contribution by each donor that determines if the offer is Non-Token.

Gifts or benefits offered to a member of the Teaching Service by other members of the community (for example, community groups, businesses) are not Gifts of Appreciation and are subject to the standard Token offer threshold of \$50.

Gifts received by a member of the Teaching Service that are valued above \$100 are Non-Token gifts. Personnel must declare and seek approval to retain Non-Token gifts in the Registry system. These gifts have a unique legitimate business benefit: 'conveying appreciation to members of the Teaching Service'.

Non-Cash Vouchers as defined in this Policy and offered as Gifts of Appreciation may be accepted.

Where the total estimated value of a Gift of Appreciation is equal to or exceeds \$500, the Authorised Delegate has discretion to allow the Recipient to retain it only when it has been offered by multiple students, parents and/or carers. Otherwise, the Gift of Appreciation must be either declined or transferred to the ownership of the school or the department.

CONFLICTS OF INTEREST

Managing conflicts of interest appropriately is fundamental to ensuring high levels of integrity in the department and schools.

Considering any actual, potential or perceived Conflict of Interest is central to determining how to respond to an offer of a gift, benefit or hospitality.

Any offer of gifts, benefits and hospitality which represents an actual, potential or perceived Conflict of Interest must be refused.

A Conflict of Interest arises in circumstances where a staff member's private interests can influence or be seen to influence a public duty. It can affect employees at all levels of seniority and in every area of work in the department. Conflicts of interest are an inevitable fact of organisational life, and can arise without anyone being at fault. However, where an actual, potential or perceived Conflict of Interest exists, it creates serious risks for the individual, the department or school, and must be identified and managed appropriately.

Guidance on the management of Conflict of Interest can be found in the department's Conflict of Interest Policy.

DEFINITIONS

AUTHORISED DELEGATE

Nominated Personnel assigned the responsibility to consider and approve proposed acceptance decisions within Declarations of gift, benefit and hospitality offers. Authorised Delegates' responsibilities are non-delegable.

For offers made to Members of the Teaching Service, administrative staff, school contractors and assistant principals the Authorised Delegate is the school principal.

For offers made to a school principal, the Authorised Delegate is the Regional Director.

For offers made to a school council member, the Authorised Delegate is the school council, with offer Recipient in absentia.

BENEFITS

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 not have definitive monetary value, but as they are valued by the individual, they may be used to influence the individual's behaviour.

CEREMONIAL GIFTS

An official gift from one organisation to another organisation. Ceremonial gifts are provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are usually provided when conducting official business with delegates from another organisation or representatives of foreign governments.

Ceremonial gifts are the property of the organisation, irrespective of value, and are to be accepted by Personnel on behalf of and Transferred to the department or school, as required by the Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Framework. The receipt of ceremonial gifts should be declared in the Register, irrespective of value, but do not need to be published.

CONFLICT 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.

DONATIONS

Gifts given from or received by the department or schools, typically for charitable purposes and/or to benefit a cause. They impose no obligations on the receiving organisation and offer little or no rights or benefits to the provider. In accordance with Guidance 4.2.2, Minister for Finance Standing Directions 2016, donations are not considered gifts, benefits or hospitality and their administration does not fall under this Policy.

FUNDRAISING

The seeking of financial support for a cause, or other enterprise particularly in Victorian government schools does not fall under this Policy.

GIFTS

Gifts are free or discounted items and any other item 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. small bunch of flowers) and consumables (e.g. chocolates). Gifts may also include those provided by organisations to a visiting departmental or school delegation from another jurisdiction.

GIFT OF APPRECIATION (TEACHING SERVICE ONLY)

Gift of Appreciation is an offer from or on behalf of a parent, carer or student(s) made to a member(s) of the Teaching Service, intended to express appreciation of the person's contribution to the education of a student or students. Where the estimated value is \$100 or less, the Gift of Appreciation is considered Token and does not need to be declared. A Gift of Appreciation with estimated or actual value exceeding \$100 is considered Non-Token and must be declared.

HOSPITALITY

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. It also includes the reasonable provision of accommodation for Personnel.

LEGITIMATE BUSINESS BENEFIT

A legitimate business benefit furthers the conduct of official business or educational or other legitimate organisational goals, or promotes and supports government policy objectives and priorities.

NON-TOKEN OFFER

Non-Token offer is an offer of a gift, benefit or hospitality with an estimated or actual value that is \$50 or more, other than for a Gift of Appreciation (Teaching Service only).

PERSONNEL

Personnel refers to people covered by the GBH Policy and includes all departmental employees (including Teaching Service), School Councillors and School Council employees, and contractors.

REGISTRY SYSTEM

Registry System is the department's online Gifts, Benefits and Hospitality Registry System.

TOKEN OFFER

Token offer is an offer of a gift, benefit or hospitality that is made as a courtesy or is of inconsequential or trivial value to both the person making the offer and the recipient. 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. A Token offer is an offer of a gift, benefit or hospitality with an estimated or actual value that is less than \$50, other than for a Gift of Appreciation (Teaching Service only).

VOUCHERS

Vouchers (including retail debit cards and gift cards) are a payment facility offered by businesses to consumers.

- Cash Vouchers are any vouchers that can be 'universally' used in the same way as cash can. A financial institution issued debit card, e.g. a bank \$50 debit card, is a 'cash' voucher. The acceptance of Cash Vouchers is prohibited under this Policy.
- Non-Cash Vouchers are vouchers that must be used at specific retailers and cannot be converted to cash. Non-Cash Vouchers are prohibited under this Policy except when they are offered as Gift of Appreciation to the members of the Teaching Service.

RELATED POLICIES AND GUIDELINES

- Alcohol and Other Drugs — Students
- Code of Conduct for Directors of Victorian Public Entities
- Code of Conduct for Victorian Government Suppliers
- Code of Conduct for Victorian Public Sector Employees
- Complaints, Misconduct and Unsatisfactory Performance
- Conflict of Interest
- Finance Manual — Financial Management for Schools
- Fraud and Corruption Control
- Gifts, Benefits and Hospitality Policy (for whole of department)
- Hospitality Approval Guidelines (staff login required)
- Sponsorship
- Thanks is Enough (staff login required)
- Travel
- Victorian Public Sector Commission Gifts, Benefits and Hospitality Policy Guide

RELEVANT LEGISLATION

- Guidance 4. 2.2, Minister for Finance Standing Directions 2018
- Liquor Control Reform Act 1998 (Vic)
- Occupational Health and Safety Act 2004 (Vic)

COMMUNICATION

This policy will be communicated to our school community in the following ways:

- Available publicly on our school's website (or insert other online parent/carer/student communication method)
- Included in staff induction processes and staff training
- Included in staff handbook/manual
- Included in transition and enrolment packs
- Discussed at parent information nights/sessions
- Reminders in our school newsletter
- Discussed at student forums

POLICY REVIEW AND APPROVAL

Policy last reviewed	29/06/2023
Approved by	Principal
Next scheduled review date	29/06/2023