1 Purpose

When we perform our public duties, it's vital that our decision-making is impartial. This helps maintain the public's trust in South Gippsland Water (SGW) and prevent corruption. Sometimes, when offering or receiving gifts, benefits and hospitality, individuals encounter difficult situations where they are not sure if they are doing the right thing. This policy states how South Gippsland Water and its employees:

- Respond to offers of gifts, benefits and hospitality;
- Provide gifts, benefits and hospitality.

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

SGW has issued this policy to support behaviour consistent with the Code of Conduct for Victorian Public Sector Employees of Special Bodies and the Code of Conduct for Directors of Victorian Public Entities (the Code). All employees are required under clause 1.2 of the Code to comply with this policy.

2 Scope

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

3 Definitions and Acronyms

Business associate: An individual or body that SGW has, or plans to establish, some form of business relationship with, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.

Benefits: 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.
Bribe: A sum of money or other inducement offered or given to act in one's favour.

Ceremonial or Official gifts and items: gifts and official items (items with cultural, ceremonial, religious, historic, or other significance). Sometimes accepted or given on behalf of an organisation as part of business with official delegates or representatives of a community group, organisation or government.

Ceremonial or Official gifts are the property of SGW, irrespective of value, and should be accepted by individuals on behalf of SGW. Ceremonial or Official gifts and items are declared and recorded regardless of their value and regardless of whether they were accepted or refused.

Close Family Member, in relation to Section 4.17 Flowers:

A close family member is an employee's:

- Spouse;
- De Facto Partner;
- Child (including an adopted child, a step-child, custodial child or an ex nuptial child)

- Parent;
- Grandparent;
- Grandchild;
- Sibling.

Conflict of interest: A conflict of interest exists if you have a private interest that could influence, or reasonably be seen to influence, how you perform your public duties. The conflict can be actual, potential or perceived. If a conflict of interest exists, SGW's conflict of interest policy will also apply.

Fundraising: Raising money in a way that does not breach the minimum accountabilities because it occurs under a fundraising policy that is consistent with relevant law, government policy and codes of conduct issued by the VPSC.

Gifts: Items or services that are free, discounted, or 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), consumables (e.g. chocolates) and services (e.g. painting and repairs). The monetary value of a gift is the estimated monetary value of the item if it were not being provided either free or discounted. Gift cards and vouchers must be treated the same as money under the minimum requirements.

Hospitality: 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: Furthers the conduct of official business or other legitimate goals of South Gippsland Water, , the public sector or the State.

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

Public register: The official record of information made public from South Gippsland Water's internal register. It is published online as per the Victorian Public Sector Commission Policy Guide.

Internal Register: The official record of all declarable gifts, benefits and hospitality made to SGW employees or the organisation, whether accepted or declined. The full title is 'Register of gifts, benefits and hospitality – declarable offers'

Token offer: The offer is worth less than $50.

Non-token offer: The offer is worth $50 or more.

4 Policy

This policy has been developed in accordance with requirements outlined in the minimum accountabilities for the management of gifts, benefits and hospitality issued by the Victorian Public Sector Commission.

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

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

Accountability – individuals are accountable for:

- Declaring all non-token offers of gifts, benefits and hospitality;
- Declining non-token offers of gifts, benefits and hospitality, or where an exception applies under this policy, seeking approval to accept the offer;
- The responsible provision of gifts, benefits and hospitality.

Individuals with direct reports are accountable for overseeing management of their direct reports' acceptance or refusal of non-token gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality policies and processes.

Integrity: individuals strive to earn and sustain public trust through providing or responding to offers of gifts, benefits and hospitality in a manner that is consistent with community expectations. Individuals will refuse any offer that may lead to an actual, perceived or potential conflict of interest.

Risk-based approach: the SGW through its policies, processes and audit 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.

4.1 Minimum accountabilities

Under the Instructions supporting the Standing Directions of the Minister for Finance 2018, the Victorian Public Sector Commission has set binding minimum accountabilities for the appropriate management of gifts, benefits and hospitality. These can be found at Schedule A.

5 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 relevant organisational delegate, the Corporate Secretary.

5.1 Conflict of interest and reputational risks

When deciding whether to accept an offer, individuals should first consider if the offer could be perceived as influencing them in performing their duties or lead to reputational damage. The more valuable the offer, the more likely that a conflict of interest or reputational risk exists.

Figure 1. GIFT test
This table is a useful tool when considering how to respond to a gift offer.

G	Giver	**Who is offering the gift, benefit or hospitality and what is their relationship to me?** Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?
I	Influence	**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 my endorsement of a product or service?
F	Favour	**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?
T	Trust	**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?

5.2 Declining offers

Individuals should consider the GIFT test at Figure 1 and the requirements below to help decide whether to refuse an offer. Individuals 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, SGW, 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 Managing Director or Corporate Secretary (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission).

5.3 Token offers – what you must do

If you receive a token offer (value less than $50):

- You can only accept the offer if it passes the GIFT test.
- Remember, thanks is enough. Do you need to accept?
- You do not need to declare the offer.
- You do not need a legitimate business reason to accept.
- You do not need approval from your manager to accept.
- You are the owner of the gift, benefit or hospitality.

Individuals may generally accept token offers without approval or declaring the offer on the register, as long as the offer does not create a conflict of interest or lead to reputational damage.

SGW does not require token gifts to be declared on registers.

5.4 Non-token offers – what you must do

If you receive a non-token offer (value $50 or more):

- You must declare the offer even if you refuse it.
- Remember, thanks is enough. Even if you have a legitimate business reason, do you need to accept?
- You can accept the offer if it passes the GIFT test.
- As part of the GIFT test, you must have a legitimate business reason to accept.
- You must have prior approval in writing from your manager or delegate to accept.
- If you accept the offer, you do so on behalf of SGW. It is not usually yours to keep. Some exemptions exist, but you will need to apply to see if you qualify in the circumstances. For more information see ‘applying for ownership of a non-token gift’ below.
- The offer and outcome are recorded in the internal register. Certain information may also be published in the online public register.

Individuals may be offered a gift or hospitality where there is no opportunity to seek written approval from their manager 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 their manager within five business days.

Where the gift would likely bring you or the organisation into disrepute, the organisation should return the gift. If it represents a conflict of interest for you, the organisation should either return the gift or transfer ownership to the organisation to mitigate this risk.

SGW allows conference organisers to pay the costs for a staff member to present at a conference in their area of expertise including flights, accommodation, meals and conference admission where these have been organised by a public sector organisation or industry body. Acceptance requires approval from the Managing Director and must be reported and disclosed.

5.5 Recording non-token offers of gifts, benefits and hospitality

All non-token offers, whether accepted or declined, must be recorded in SGW's gifts, benefits and hospitality register. The business reason for accepting the non-token offer must be recorded in the register with sufficient detail to link the acceptance to the individual's work functions and benefit to the SGW, the public sector or State.

Individuals should consider the following examples of acceptable and unacceptable levels of detail to be included in the SGW's register when recording the business reason:

Unacceptable

- "Networking";
- "Maintaining stakeholder relationships".

Acceptable

- "Individual is responsible for evaluating and reporting on the outcomes of SGW's sponsorship of Event A. Individual attended Event A in an official capacity and reported back to SGW on the event";
- "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 on behalf of SGW."

Access to the register is restricted to relevant persons within SGW.

SGW's Audit and Risk Management 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 SGW'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.

The public register will contain a subset of the information detailed in SGW's internal register.

SGW does not require staff to record token offers or sustenance (light food and drink with business meetings, such as juice and sandwiches).

5.6 Ownership of gifts offered to individuals

Non-token gifts with a legitimate business benefit that have been accepted by an individual for their work or contribution may be retained by the individual where the gift is not likely to bring them or SGW into disrepute, and where their manager or organisational delegate has provided written approval. Employees must transfer to SGW official gifts or any gift of cultural significance or significant value.

SGW encourages gifts such as food hampers to be auctioned to staff with the proceeds donated to charity.

5.7 Repeat offers

Receiving multiple offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence you. Individuals should refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage.

5.8 Ceremonial gifts

Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are the property of the organisation, irrespective of value, and should be accepted by individuals on behalf of SGW. The receipt of ceremonial gifts should be recorded on the register but this information does not need to be published online.

5.9 Hospitality provided by Victorian public sector organisations

Victorian public sector organisations may provide hospitality to stakeholders, as part of their functions. When offered hospitality by a Victorian public sector organisation, individuals should consider the requirements of the minimum accountabilities.

Hospitality offered by a Victorian public sector organisation as part of official business should be declared and recorded in SGW's Gifts, Benefits, and Hospitality register.

5.10 Official Business Events

An official business event is when an event hosted by external organisation that it is in the public interest for an employee to attend. These invitations are different to gifts, benefits and hospitality offers and include seminars, conferences and working lunches.

Official business events need to have a tangible connection to an employee's role and be directly related to the agency's work.

Most official business events fall under five categories:

- *Funded service delivery* – opportunities to observe the delivery of programs funded by state government grants;
- *Stakeholder engagement* – opportunities to develop networks with people interested in the organisation's activities;
- *Sector knowledge* – opportunities to develop a deeper knowledge of the industry and to improve government programs;
- *Business leveraging* – opportunities to network with partners interested in investment and collaboration;
- *Professional knowledge* – opportunities to maintain knowledge relating to a qualification (*e.g. CPD points*), build expertise in a technical field or become acquainted with industry changes.

In addition to those five categories, there are situations where it is in the public interest for the public service to be represented in some capacity. Those include:

- *State functions* – attending an event or function hosted by the Government or the Governor;

- *Accompanying the Minister* – supporting a government spokesperson (including Ministers and Parliamentary Secretaries) in the execution of their duties;
- *Government events* – attending a function organised and hosted by another government agency or public sector entity;
- *Industry stakeholders* – attending an event hosted by industry or community stakeholders where attendance provides a legitimate business benefit.

Employees are required to declare their attendance as official business events.

Employees can attend an official business event when:

- The invitation was extended by the event host rather than a third party;
- The event is directly related to their official duties at the agency;
- It is for a business purpose consistent with the agency's functions and objectives;
- It is in the public interest and the best interests of the agency to be represented at the event;
- The activities and level of hospitality at the event is consistent with community expectations;
- There is no conflict of interest (real, potential or perceived) for the employee to attend;
- Attending the event will not bring the employee, the agency, the department or the public service into disrepute;
- The host does not have an interest in any business decision the employee is likely to make or influence as part of their official duties.

Before an official business event invitation is accepted, consider:

- Whether the employee is the most appropriate person to attend;
- The number of people from the agency attending;
- What the employee's purpose to attend is – to present, develop work skills or purely out of interest;
- If the event is a gift offer rather than official business event attendance.

Events that provide a personal benefit or are limited to providing hospitality and serve no business purpose can be regarded as an official business event only if non-attendance would bring the agency into disrepute.

To report an offer of a gift, benefit or hospitality, the employee must disclose the offer by completing the Gifts, Benefits and Hospitality Form as soon as practicable.

6 Management of the provision of gifts, benefits and hospitality

This section sets out the requirements for providing gifts, benefits and hospitality.

Figure 2. HOST test

H	Hospitality	**To whom is the gift or hospitality being provided?** Will recipients be external business partners, or individuals of the host organisation?
O	Objectives	**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?
S	Spend	**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?
T	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 public sector? Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?

6.1 Requirements for providing gifts, benefits and hospitality

Gifts, benefits and hospitality may be provided when welcoming guests, to 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 that 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 Figure 2 is a good reminder of what to think about in making this assessment);
- It does not raise an actual, potential or perceived conflict of interest.

6.2 Containing costs

Individuals should contain costs involved with providing gifts, benefits and hospitality wherever possible, and should comply with the financial probity and efficient use of resources guidance outlined in the Code of Conduct for Victorian Public Sector Employees and the Code of Conduct for Directors of Public Entities. The following questions may be useful to assist individuals to decide on 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?
- Is the gift symbolic, rather than financial, in value?
- Will providing the gift, benefit or hospitality be viewed by the public as excessive?

6.3 Reward and recognition programs

Modest gifts may be provided to employees in exceptional circumstances as part of SGW's reward and recognition programs. Financial gifts to employees such as vouchers or gift cards are prohibited.

6.4 Maximum expenditure on unbudgeted gifts

SGW has set a nominal limit of $150 for the maximum expenditure on gifts to others, where the expenditure has not been explicitly budgeted for. This nominal limit is a total for a discrete, unbudgeted gift. It is not per person or an annual total.

6.5 Flowers

Flowers can be purchased from SGW funds in the event of the death of an employee or close family member. Should work colleagues choose to recognise life events such as the birth of a child flowers and gifts are funded through staff collections.

6.6 Providing catering and alcohol for external events

Catering is provided at functions for external guests subject to the following criteria:

- There is a real benefit to the department;
- The expenditure is modest and proportionate to the benefit;
- It is not excessive;
- It is not too frequent;
- It is consistent with community expectations.

Alcohol may be purchased with public funds to serve at functions for external guests based on the following:

- Provision of alcohol would be relatively uncommon and be associated with a meal;
- Any event where alcohol is served should be held at a time that minimises the risk of employees returning to work impaired by alcohol (e.g. if standard office hours are worked, the event should be held in the late afternoon or early evening);

- Events with alcohol service do not exceed two hours in duration;
- No more than two standard drinks per person are provided;
- The provision of alcohol should be incidental to the overall level of hospitality provided.

6.7 Providing alcohol at internal events

Providing catering at internal events.

SGW does not permit the purchase of alcohol with public funds for internal events. Having non-employees, guests or stakeholders at an event does not necessarily mean it is not an internal event.

SGW practice for recognition events is that the business unit funds a modest meal and soft drinks. Staff purchase alcohol if they choose. At all internal events, staff are to adhere to the Drug and Alcohol Procedure, Health Safety and Wellbeing Policy and the Code of Conduct

Providing catering at internal events

SGW provides modest catering for employees for events such as annual recognition events or marking the completion of a major project based on the following considerations:

- The extent to which the event will contribute to organisational objectives by, for example, reinforcing particular values or motivating staff;
- Whether there have been multiple recent events that would result in perceptions of excess;
- The need to balance the positive benefits of public recognition with community expectations in relation to modest expenditure by public officials.

Celebrations of events such as birthdays, marriages or the birth of a child are not catered with public funds.

SGW practice is that meetings are scheduled to avoid conflict with meal times. Where that is not possible, a break is encouraged to enable participants to seek their own refreshments. If an event or meeting extends over meal times, modest hospitality can be provided.

As a guideline, provide refreshments when meetings exceed these times:

- 2 hours - for morning or afternoon tea;
- 3 hours - for lunch;
- 5 hours - for lunch and either morning or afternoon tea;
- 7 hours - for lunch, morning tea and afternoon tea.

7 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 SGW'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 and the Code of Conduct for Directors of Public Entities, such as sections of the Code covering conflict of interest, public trust and gifts and benefits;
- Individuals making improper use of their position.

For further information on managing breaches of this policy, please contact the Managing Director or Corporate Secretary.

SGW 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.

8 Speak Up

Individuals who consider that gifts, benefits and hospitality or conflict of interest within SGW may not have been declared or is not being appropriately managed should speak up and notify their manager or responsible person Individuals who believe they have observed corrupt conduct in their colleagues may also make a protected disclosure directly to the Independent Based-based Anti-corruption Commission (IBAC) or the Victorian Ombudsman.

SGW will take decisive action, including possible disciplinary action, against individuals who discriminate against or victimise those who speak up in good faith.

9 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 accepting a gift, benefit or hospitality, or the application of this policy, should ask their manager or the organisational delegate for advice.

10 Responsibilities

This policy is issued under the authority of the Managing Director.

Board members are responsible for setting the framework and policy that ensures that they and SGW act in accordance with their respective obligations and with good public-sector governance practice.

The Audit and Risk Committee is responsible for monitoring the framework for the ethical handling of gifts, benefits and hospitality. They will review the gifts register on a not less than annual basis and report on issues of concern and actions to be undertaken to the board.

The Chair, the Managing Director (MD) and employees with direct reports are responsible for being aware of and monitoring the risks inherent in their team's work and functions. They model good practice and promote awareness of this policy and related processes. Each serves as the responsible person for their work group.

The Managing Director is responsible for making declarations to IBAC as per their responsibilities in *PCO-007 Public Interest Disclosure Policy*. They are also responsible for notifying the Board of any breaches to the Gifts, Benefits and Hospitality - Board and Employee Policy and ensuring that policies and procedures are compiled with.

People Managers and team leaders are responsible for the approval of Gift Benefit and Hospitality declarations.

The Corporate Secretary will act as the organisational delegate. They are responsible for providing guidance on this policy, receiving gift declaration forms from managers and team leaders, and for updating the gift register.

All Employees (including in-house contractors and consultants) are responsible for ensuring that they act at all times in accordance with the principles described above, and the procedures outlined in *SCO-001e Gifts, Benefits and Hospitality Procedure*. All employees are also responsible for reporting conduct that does not meet these principles and procedures.

11 References

Minimum accountabilities for the management of gifts, benefits and hospitality (see Instructions supporting the Standing Directions of the Minister for Finance)
Australian Public Service Commission: Conflict of Interest Policy
Public Administration Act 2004
Code of Conduct for Victorian Public Sector Employees
Code of Conduct for Victorian Public Sector Employees of Special Bodies
Code of Conduct for Directors of Victorian Public Entities
Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Guide
SCO-001e Gifts, Benefits and Hospitality Procedure
FCO-001e Gifts, Benefits and Hospitality Form
PCO-007 Public Interests Disclosures Policy

This document is to be reviewed in ***November 2026*** or earlier as required.
This document must not be released to external parties without approval by the Managing Director.

DOCUMENT APPROVAL		
Board Approval:	Meeting No.: 340	Date: 28/11/2024
Audit and Risk Committee:	Meeting No.: 144	Date: 20/11/2024
Managing Director Signature:		

Schedule A – Minimum accountabilities

- ### 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 non-token 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.

If a joint offer is made by multiple people the total value of the offer is used to determine its worth, not the value of each individual contribution.

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.

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

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.