

4. Gifts, benefits and hospitality

4.1 Overview

This section provides the responsibilities and procedures for:

- responding to offers of gifts, benefits and hospitality
- providing gifts, benefits and hospitality.

Employees in specialist work units, such as those involved in procurement or tendering processes must comply with the specific legislation and Government policies that relate to their roles and functions.

4.2 Definitions

- Legitimate business benefit – activity that furthers the conduct of official business or other legitimate goals of the organisation, public sector or State.
- Official business – activity that is consistent with Victoria Police’s functions, strategic direction and objectives, and relates to an employee’s role and responsibilities. This includes the expectation that senior staff build and maintain relationships that foster good will and cohesion between Victoria Police and government departments, external business partners and the community.
- Non-token offer – a gift, benefit or hospitality with the value of \$50 and above.
- Token offer – a gift, benefit or hospitality under the value of \$50.

4.3 What are gifts, benefits and hospitality?

A gift, benefit or hospitality includes items that have monetary value, advantage or a privilege, offered by anyone other than the State Government as the employer, or the Commonwealth Government. Examples of a gift/benefit include, but are not limited to:

- a gift of money or items used in a similar way to money (for example; vouchers and gift cards), or items easily converted to money
- a gift of a physical object (excluding symbolic mementos)
- a purchasing incentive, such as a gift, service, promotional reward, discount or loyalty rewards, a frequent buyer card redemption, which is received in relation to the purchase of a particular good or service for Victoria Police
- indirect or concealed gifts, including loans of money or property, acquisition of property at less than full value
- education and training paid for in full or part by a third party
- entertainment
- accommodation, travel (including sponsored travel), and meals.

4.4 *Assessing whether to accept a gift, benefit or hospitality*

Employees must not solicit gifts, benefits or hospitality for themselves or any other individual and must refuse any gift, benefit or hospitality that:

- is money, items used in a similar way to money, or items easily converted to money
- may give rise to an actual, potential or perceived conflict of interest
- may adversely affect their standing as a public official or which may bring Victoria Police or the public sector into disrepute
- is a bribe or inducement (employees must report inducements and bribery attempts to their work unit manager)
- are non-token offers without a legitimate business benefit
- is a token offer that has been made on several occasions by the same person or organisation over a short period of time.

The GIFT test should be referred to when deciding whether to accept or decline a gift, benefit or hospitality. Employees should apply the GIFT test and when in doubt ask their Work Unit Manager.

G	Giver	Who is providing the gift, benefit, or hospitality? <ul style="list-style-type: none"> • 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 influence my decisions or actions? <ul style="list-style-type: none"> • Has the gift, benefit or hospitality been offered to me publicly or privately? • Is it a courtesy, a memento of appreciation or highly valuable? • Does its timing coincide with a decision I am about to make?
F	Favour	Are they seeking a favour in return for the gift, benefit or hospitality? <ul style="list-style-type: none"> • Has the gift, benefit or hospitality been offered honestly? • Has the person or organisation made several offers over the last 24 months? • Would accepting the gift, benefit or hospitality create an obligation to return the favour?
T	Trust	Would accepting the gift, benefit or hospitality diminish public trust? <ul style="list-style-type: none"> • How would I feel if the gift, benefit or hospitality became public knowledge? • What would my colleagues, family, friends or associates think? • What would an objective member of the community think?

Where it has been established a person/s (the provider) would genuinely be offended by a refusal of a gift, benefit or hospitality, in the interests of maintaining relations, gratuities can be accepted. In these cases, contact the Risk Unit, Professional Standards Command to gain advice around the management of these types of gifts, benefits or hospitality. All accepted gratuities must be declared on the Gifts, Benefits and Hospitality Declaration [Form 1387] (see section 4.6 for further instruction).

4.5 *What is not considered to be a gift, benefit or hospitality?*

A gift, benefit or hospitality does not include gifts from work colleagues (except where conflict of interest exists or may be perceived to exist), agency/State functions and Commonwealth funded travel. Other examples include, but are not limited to:

- symbolic mementos, of little monetary value from work related conferences, seminars etc. (such as a card, calendar or diary)
- any food or beverage not taken as part of a main meal
- a loan or financial accommodation offered by a third party at commercial rates
- a discount available to the public
- a randomly drawn prize, such as a door prize, open to the public
- something for which the employee has paid fair value for
- discounts to police members in uniform where a private organisation has a policy to offer them (employees in plain clothes or off duty must decline these discounts if offered, nor are they permitted to show their police identification to get a discount)
- discounts negotiated by the relevant union
- free economy travel for police members and Protective Services Officers (PSOs) on all public transport services in Victoria
- offers for employees to view or attend a product release or training/development seminar made in the ordinary course of business.

These circumstances do not need to be declared. Employees should consult their Work Unit Manager for advice.

4.6 *Recording requirements for gifts, benefits and hospitality*

All non-token and token offers of gifts, benefits or hospitality whether accepted or declined must be declared by completing a Gifts, Benefits and Hospitality Declaration [Form 1387].

4.7 *Providing gifts, benefits and hospitality*

- Victoria Police may host and cater internal events for employees or functions for external visitors and special guests of the organisation (see Chapter 7, Victoria Police Accounting Manual). If Victoria Police hosts an event where alcohol will be served, see **VPMG Alcohol and other drugs in the workplace**.
- Employees' providing a gift, benefit or hospitality are not required to complete Form 1387.
- The HOST test is a reminder of what to consider when deciding whether to provide a gift, benefit or hospitality.

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? <ul style="list-style-type: none"> • 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? <ul style="list-style-type: none"> • 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? <ul style="list-style-type: none"> • 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?

4.8 *Giving gifts to external guests*

Victoria Police may provide a gift to make guests feel welcome and provide a reminder of the visit. The gift should be symbolic, rather than financial, in value. Wherever possible, financial delegates are encouraged to arrange the purchase from a selection of gifts and souvenirs available at the Victoria Police Museum.

4.9 *Giving gifts to employees*

To recognise an employee or team achievement or milestone, Victoria Police may wish to give a gift of token value. Wherever possible, financial delegates are encouraged to arrange the purchase from a selection of gifts and souvenirs available at the Victoria Police Museum.

Celebrations of personal events, such as birthdays or the birth of children should not be funded with public money. However, in the event of an employee's death, public money may be used to purchase a symbolic token, such as a card and/or flowers may be sent to their family and significant others. This may also assist colleagues with their bereavement and is consistent with organisational values and behaviours. Refer to **VPM Police funerals and fundraising for killed or injured officers** for guidance on fundraising for police members or PSOs killed or seriously injured in the course of their work.