

Gifts, Benefits and Hospitality

PHILOSOPHY

The giving and receiving of gifts and hospitality are commonplace in everyday life. Gifts may be offered to say thanks for good service, a special achievement, or to celebrate an important event. Hospitality may be provided to welcome guests, facilitate relationships or to celebrate achievements. The community expects high standards of integrity and impartiality from Victorian public sector employees and school councillors. These individuals must not accept or make offers of gifts, benefits or hospitality that influence, or give the impression to influence, any decision unfairly. Whenever Department employees, school council employees or school councillors accept or offer gifts and hospitality they must always act fairly and objectively and maintain public trust by being honest, open and transparent.

PURPOSE

The purpose of this policy is to guide all individuals as to what they need to do when considering whether to accept or offer, gifts, benefits and hospitality. It is underpinned by the integrity and impartiality values and principles specified in the *Public Administration Act 2004*, the *Code of Conduct for Victorian Public Sector Employees* and the *School Council Code of Conduct*.

IMPLEMENTATION

This policy applies to all Departmental employees, all School Council employees and all School Councillors.

- Our school may give gifts to recognise the contributions of volunteers, to staff members who are unwell, to retiring staff members, etc. School Council will approve all such purchases.
- Gifts given by the school are generally of little monetary value and usually consist of bouquets of flowers, small school mementoes, or other inexpensive items of sentimental value.
- The school may collect donations from the community to purchase a gift for a retiring staff member of considerable service.
- In accordance with the Department of Education and Training Gift Policy, gifts given in celebrations of events such as birthdays, marriage or the birth of children should not be funded using public monies.
- A gift register (Appendix 1) is used to keep records of accepted gifts, benefits and hospitality of more than nominal value (\$100) and that these records are monitored by the Principal and annually reviewed by School Council.
- The acceptance of gifts or donations by the school will be considered on a case-by-case basis as to the appropriateness of each offer.
- Gifts or donations are not to be linked to expectations of favourable service by the school, are not to be gratuitous in nature, and are not to be linked to products, services or associations that would bring the schools good name into disrepute.
- Staff, School Council employees and School Councillors are
 - not solicit gifts, benefits or hospitality;
 - to refuse all offers of gifts, benefits or hospitality that could be reasonably perceived as undermining the integrity and impartiality of their organisation or themselves;

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- to refuse all offers of gifts, benefits or hospitality from people or organisations about which they are likely to make decisions, i.e. tender processes, procurement, licensing or regulation;
 - to refuse all offers of money or items easily converted to money, such as shares;
 - to refuse bribes and report bribery attempts to their manager/principal;
 - to seek advice from their manager/principal or other appropriate delegate if unsure about how to respond to an offer of a gift, benefit or hospitality of more than nominal value (\$100).
- The GIFT test is a good reminder of what to think about when deciding whether to accept or decline a gift, benefit or hospitality. Take the GIFT test and when in doubt ask your manager or school principal.

G	Giver	Who is providing the gift, benefit or hospitality and what is their relationship to me? Does my role require me to select contractors, award grants or determine policies? Could the person or organisation benefit from a decision I make?
I	Influence	Are they seeking to influence my decisions or actions? Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy, a token 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? 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 I feel if the gift, benefit or hospitality became public knowledge? What would my colleagues, family, friends or associates think?

- Any Fringe Benefits Tax implications of any gift or donation must be fully explored and reported to the Australian Taxation Office. Gifts of \$300 or more in value are subject to FBT. All entertainment gifts will be subject to FBT regardless of their value.
- All gifts and donations with a cumulative value greater than \$100 will be recorded on the Gift Declaration Register and will be reported to School Council. A Gift Declaration Form (Appendix 2) must be completed by the recipient of the reportable gift within 14 days of the offer.
- Gifts worth \$500 or more must be surrendered to the state or school under all circumstances.
- This Policy should be read in conjunction with the DET Gifts, Hospitality and Benefits Policy and Guidelines.

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Appendix 2

Gift, Benefit and Hospitality Declaration Form

To be completed by the recipient of the reportable gift within 14 days of the offer.

Date offered:

Offered to:

Title/Role:

Division/Unit/School:

Offered by:

Title/Role:

Organisation:

Reason offered:

Description of gift:

Location of gift:

Estimated value:

- 'Nominal value' (\$100) and above needs to be declared
 - 'Nominal value' (\$100) and up to \$500 requires Deputy Secretary approval
 - Above \$500 requires Deputy Secretary approval and transferred to the Department

First time offer Previous offer(s) within last 12 months by this individual

Cumulative value of gifts offered by this individual within the last 12 months:

Does this declaration relate to a TRA? If yes, please provide TRA number:

Decision regarding gift:

Declined Retained Transferred to Department ownership

Transferred to school ownership

Signature of recipient: Date: / /

Approved by recipient's authorised delegate:

Name: Position: Date: / /

Signature:

On completion - Please send to School Principal

Gift register updated:

Name: Position: Date: / /

Signature:

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