

## 9. Gifts, benefits and hospitality

### 9.1 Overview

Gifts, benefits and hospitality includes items that have monetary value, advantage or a privilege, offered to an employee by anyone other than the Victorian Government as the employer, or the Commonwealth Government. This section describes the responsibilities for accepting, refusing and recording offers of 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, including the Victoria Police Procurement Policy and Process.

### 9.2 Recording requirements for gifts, benefits and hospitality

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

The role of the LPSC is a governance role and to provide advice. In the event they determine that a gift has been accepted contrary to this policy, they must provide the feedback to the division and direct the gift be returned or treated as abandoned property and disposed according to relevant policy. The LPSC will notify the EPSO and PSC that the risk has been identified and advice provided for future reference.

PSC will audit every submission to ensure compliance with the policy and will seek additional advice from the reporting area where deficiencies exist.

PSC also uses data provided on the gifts, benefits and hospitality register to prepare annual reports for the Audit and Risk Committee and whole of Government reporting.

### 9.3 Assessing whether to accept a gift, benefit or hospitality

Employees must not solicit gifts, benefits or hospitality for themselves or any other individual. Employees may accept offers of gifts, benefits or hospitality that are not prohibited.

Any gift, benefit or hospitality that may be considered an actual, potential or perceived conflict of interest is prohibited. In addition, the following are prohibited gifts, benefits and hospitality:

- money, items used in a similar way to money, or items easily converted to money i.e. gift cards, vouchers, cash back or discount offers
- any thing that may adversely affect an employee's standing as a public official or which may bring Victoria Police or the public sector into disrepute
- a bribe or inducement (employees must report inducements and bribery attempts to their work unit manager)
- an offer made to an employee that has a value of \$50 or more (non-token offer) and does not present a legitimate business benefit (an exception to this would be a non-token offer made to a work unit/place that does not have an identified conflict of interest; for example a Rotary Club gifts a coffee machine to their local police station to thank them for their work in the community)
- an offer that has been valued at under \$50 (token) but has been made repeatedly so that over a 12 month period the cumulative value would exceed \$50

- any gift, benefit or hospitality offered by a registered human source (see **VPM Human sources** for further information).

#### 9.4 *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) that does not exceed a cumulative value of \$50 or more over a 12 month period from the same person/company
- 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 or raffle which is open to the public and entered in a private capacity something for which the employee has paid fair value
- discounts to police members in uniform where a private organisation has a policy to offer them (off duty employees are not permitted to request or accept these discounts)
- discounts negotiated by the relevant union
- free economy travel for police 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 unless a conflict of interest is identified, or the offer is otherwise prohibited. Employees should consult their work unit manager for advice.

#### 9.5 *Providing gifts, benefits, and hospitality on behalf of Victoria Police*

Victoria Police may provide gifts, benefits and hospitality to external guests and employees to express appreciation and/or recognise a milestone or achievement. Any gifts, benefits or hospitality provided must be:

- for a business purpose in that it furthers the conduct of official business or promotes and supports Victoria Police policy objectives and priorities
- proportionate in cost to the benefit obtained by Victoria Police
- considered reasonable in terms of community expectations. A range of gifts and souvenirs are available for purchase from the Victoria Police Museum.

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). Where Victoria Police hosts an event where alcohol will be served, see **VPM Alcohol and other drugs**.

Employees' providing a gift, benefit or hospitality are not required to complete Form 1387.