Gifts, Benefits and Hospitality

Contents

RESPONDING TO GIFTS, BENEFITS AND HOSPITALITY

Public officials do not seek offers of gifts, benefits and hospitality.

Have you been offered a gift, benefit or hospitality?

Offers include:

- items or services (e.g. chocolates, bottle of wine, door prize, free training course)
- benefits (e.g. promise of new job, discounted services)
- hospitality (e.g. food, drink, travel, accommodation, attending sporting or cultural events)

YES

Is it prohibited?

- Is it **money** or similar to money (e.g. gift vouchers) or easily converted to money (e.g. shares)?
- Would accepting the offer create a **conflict of interest** (e.g. perceived as influencing your decision to award a contract, set policy, or regulate a service)?
- Would accepting the offer bring your integrity, or that of your organisation, into **disrepute**?

YES

Is it a token offer?

(i.e. of inconsequential or trivial value)

YES

Refuse the offer

If cannot immediately refuse, either return the offer or transfer ownership to your organisation

NO

Refuse and declare the offer*

If cannot immediately refuse, either return the offer or transfer ownership to your organisation

NO

Is it a token offer?

(i.e. of inconsequential or trivial value)

NO

Does it have a business benefit?

NO → Refuse and declare the offer*

YES

May accept & then declare the offer**

YES

Have you received multiple offers from the same source?

NO

May accept the offer

YES

May refuse the offer#

* Generic, bulk event invitations that are declined (e.g. spam email offers) do not need to be declared.

** Hospitality from Victorian public sector organisations does not need to be declared.

\# More than one token offer may be accepted. However, care should be taken to ensure that multiple offers are not used as a device to avoid offers being recorded on the register.

https://vpsc.vic.gov.au/gifts-benefits-hospitality/

VPSC Victorian Public Sector Commission

1. Our commitment

When we perform our public duties, it's vital that our decision-making is impartial. This helps to maintain the public's trust in Ambulance Victoria (AV) and prevent corruption.

Sometimes, when offering or receiving gifts, benefits and hospitality, employees encounter difficult situations where they're not sure if they're doing the right thing.

This policy sets out how our organisation and its employees:

- respond to offers of gifts, benefits and hospitality.
- provide gifts, benefits and hospitality.

2. Principles

a) Moving to 'thanks is enough'

We encourage you to help us develop a culture of 'thanks is enough'.

Our aim is to move to a culture in which offers are not accepted even if they are permitted under this policy.

We'll be taking steps to help external stakeholders understand our policy and this aim – for example, that we discourage gift offers, especially repeat offers.

b) We promote public trust

When you're doing work for our organisation, no matter what that work is, you must act with integrity and impartiality consistent with the Code of conduct for Victorian public sector employees. This includes placing the public interest above your private interests.

This does not just help your workplace. It protects you if you are accused of wrongdoing and helps you to navigate difficult situations.

3. Minimum accountabilities

The Victorian Public Sector Commission (VPSC) issues minimum accountabilities for the management of gifts, benefits and hospitality. These are binding on our organisation under the Instructions supporting the Standing Directions of the Minister for Finance 2018.

A gift, benefit or hospitality must not be accepted or given by a public sector organisation or its employees if the offer does not comply with the minimum accountabilities.

This policy is based on the minimum accountabilities, detailed below.

4. Regulatory and policy hierarchy

The following legislations, standards, and policy governance documents are material to this policy.

Legislation
• Public Administration Act 2004 • Financial Management Act 1994
Regulations, Standards and Government Policy Guidelines

• Standing Directions of the Minister for Finance 2018 • Code of Conduct for Victorian Public Sector Employees • Gifts, Benefits and Hospitality Model Policy issued by Victorian Public Sector Commission (VPSC) • Victorian Public Service Travel Policy
Policy
• FRA/FCS/007 Fraud Control Framework • PRO/OPS/283 Ethics Principles • POL/FCS/028 Conflict of Interest • POL/PAC/043 AV Code of Conduct • POL/FCS/080 Sponsorships and Donations • POL/FCS/076 Business Expense • FRA/BRD/001 Delegations and Authorities Framework
Procedure
• PRO/FCS/068 Conflict of InterestPRO/FCS/090 Business Travel •
Supporting document and tools
• FOR/CEO/003 Gifts, Benefits and Hospitality Declaration • Register of gifts, benefits and hospitality – declarable offers (internal register) • Public Gifts Register

All documents are subject to change. In the event of any inconsistency, legislation and/or regulations take precedence.

5. Scope

This policy applies to all workplace participants, including Board Directors, Board Committees, Executives, employees, temporary contractors engaged through employment agencies, consultants, casuals, and volunteers. These will be collectively referred to as ‘AV people’ from here on.

5.1 Fundraising

Fundraising undertaken by our organisation, or on behalf of our organisation with its prior consent, does not breach the minimum accountabilities provided it complies with our fundraising policy POL/FCS/080 Sponsorships and Donations.

Our fundraising policy is consistent with relevant law, government policy and the codes of conduct issued by the VPSC.

Fundraising in Victoria is variously regulated by Consumer Affairs Victoria and the Victorian Gambling and Casino Control Commission.

Individual fundraising undertaken by our employees in a private capacity does not breach the minimum accountabilities as long as it is clearly undertaken in a private capacity. This kind of fundraising might include:

- raising awareness for or contributing to an online fundraiser.
- selling chocolates at the workplace.

- participation in fundraisers by third parties, such as sausage sizzles.

No organisational funding may be used to carry out or contribute to any individual fundraisers.

Other obligations may be relevant in respect of fundraising, such as conflicts of interest.

Employees need to abide by these code of conduct obligations at all times.

5.2 Board Directors

This policy recognises that the Board Directors at AV may hold external portfolio appointments or are engaged in other non-AV related interests.

If in the course of those appointments or interests, gifts, benefits and hospitality are offered to a Board Director that would give rise to a potential, actual or perceived conflict of interest (which may directly impact the Board Director's role at AV, or AV as an organisation) or reputational risk, this is to be referred to the Board Chair for guidance or pre-approval, or to General Counsel in the event of the conflict of interest arising for the Board Chair.

6. Roles and responsibilities

Professional and ethical standards	• Accept accountability for professional decisions. • Prioritise public value and exercise restraint, integrity, and accountability in financial management. • Avoid any actual, potential, or perceived conflicts of interest. • Report and escalate misconduct concerns.
Audit and Risk Committee	• Review the Gifts Register and Policy annually.
Chief Executive Officer	• Ensure that AV develops policies and procedures that apply the minimum accountabilities set out in the VPSC's *Gifts, Benefits and Hospitality Policy Framework*. • Fulfill their obligations under the minimum accountabilities issued by the VPSC for managing gifts, benefits and hospitality in the Victorian public sector. • Encourage AV people to develop a culture of 'thanks is enough'. • Model good practice and foster a culture of integrity.
Executive Director Enterprise Services	• Establish, implement and review AV policies and processes for the effective management of gifts, benefits and hospitality that comprehensively address minimum accountabilities. • Establish and oversee the 'Register of gifts, benefits and hospitality – declarable offers' that, at a minimum, records sufficient information to effectively monitor, assess and report on these minimum accountabilities. • Communicate and make clear within AV that a breach of the gifts, benefits and hospitality policies or processes may constitute a breach of binding codes of conduct and may constitute criminal or corrupt conduct and may result in disciplinary action. • Establish and communicate a clear policy position to business associates on the offering of gifts, benefits and hospitality to staff, including possible consequences for a business associate acting contrary to the organisation's policy position. This must take into consideration any whole of Victorian Government supplier codes of conduct. • Report at least annually to the Audit and Risk Committee on the administration and quality control of its gifts, benefits and hospitality policy, processes and register. This report must include analysis of AV'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. • Publish AV's gifts, benefits and hospitality policy and register on AV's public website, including the current and previous financial year, within four months of the end of each financial year. • Approve acceptance of declarable gifts, benefits and hospitality decisions.
Chief Risk Officer	• Annual review of this policy. • Assurance of gifts, benefits and hospitality management in line with this policy.
Audit and Risk Team members	• Contact officer for queries. • Review Declaration forms and advise if proposed approach does not comply with this policy. • Recommend approval or otherwise of declarable gifts, benefits and hospitality decisions for Executive Director Enterprise Services review. • Maintain the Register of gifts, benefits and hospitality – declarable offers (internal register) in line with approved decision. • Prepare and seek approval of Enterprise Director Enterprise Services to publish Public Gifts Register, based on version approved by Audit and Risk Committee, including the current and previous financial year, within four months of the end of each financial year. • Deliver targeted training to high-risk areas and roles.

AV people	• You must comply with all sections of this policy when you:
	  ○ Are offered gifts, benefits or hospitality.
	  ○ Provide gifts, benefits or hospitality.
	If unsure what to do, first check with your manager. Further advice is available from Audit and Risk at gifts@ambulance.vic.gov.au.

Leaders	If you're a manager with direct reports, you must also: • Be aware of the gifts, benefits and hospitality risks inherent in your direct reports' roles. • Encourage AV people to develop a culture of 'thanks is enough'. • Oversee and support your direct reports' compliance with this policy. • Endorse your direct reports' proposed decisions to accept or decline declarable offers prior to submission to Audit and Risk. • Obtain Executive Director approval prior to providing gifts, benefits and hospitality in line with this policy. • Promote awareness and give advice. • Model good practice.

Management of offers to AV people

7. Minimum accountabilities

7.1 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.

7.2 Integrity test – offers you must refuse and declare

You must always refuse and declare a gift, benefit or hospitality (token or non-token), if any of the following apply.

1. Money or similar

You must refuse and declare the offer if it is money, used in a similar way to money, or easily converted to money. This applies whether the value is considered token or non-token, and includes gift vouchers, gift cards and scratch tickets. See the definition of money below.

2. Conflict of interest

You must refuse and declare 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. When making this assessment you must comply with POL/FCS/028 Conflict of Interest and follow the prescribed processes.

3. Public trust

You must refuse and declare the offer if it could compromise the public's trust that you'll perform your job in an impartial manner or the public's trust in the impartiality of your organisation or the public sector.

4. Non-token offer without a legitimate business reason

You must refuse and declare a non-token offer unless there is a legitimate business reason to accept. It must further the conduct of official business or other legitimate goals of our organisation, the public sector or the State.

5. Community expectations

You must refuse and declare the offer (token or non-token) if it is not consistent with community expectations.

6. Bribe

You must refuse the offer if it could reasonably be seen as a bribe or other inducement. In line with FRA/FCS/007 Fraud Control Framework you must immediately notify your immediate supervisor or manager where appropriate (if not appropriate, then notify the next level line management or Professional Standards). The supervisor or manager has the following responsibilities:

a) **Must** advise Professional Standards immediately;
b) **Must Not**:
   i) Contact the suspected individual(s) to determine any facts related to the claim;
   ii) Attempt to conduct their own investigations or interviews;
   iii) Interfere with any evidence. Where relevant, appropriate action should be taken to ensure evidence is not destroyed or compromised;
   iv) Discuss any facts, suspicions or allegations associated with the allegation with anyone.

Criminal or corrupt conduct will be reported to Victoria Police or the Independent Broad-based Anti-corruption Commission as specified in FRA/FCS/007 Fraud Control Framework.

7. Repeat offers that cause a conflict of interest

Repeat offers are multiple offers from the same person, group or organisation. Their combined effect can sometimes lead to the perception that they could influence you.

Refuse and declare the offer if it is a repeat offer (token or non-token) that could reasonably be seen as adding up to a conflict of interest.

8. Decisions you are likely to make or influence

Refuse the offer if it is from a person, group or organisation you're likely to make or influence a decision about in the foreseeable future. This could reasonably be seen as a conflict of interest.

Exception

The only exception is that you can accept an offer if it is:

- Token hospitality (a basic courtesy)
- A learning opportunity, such as a webinar, and all of the following apply:
    - It is relevant to your work duties.
    - It has a legitimate business reason (benefit).
    - It is free for all attendees.
    - The covering or discounting of additional costs (travel, accommodation) is not included in the offer.
    - It is consistent with community expectations.

9. Offers by suppliers or contractors

Accepting offers from suppliers for free or discounted development opportunities that they were not engaged to provide will not pass the integrity test in some circumstances.

Staff may only accept development opportunities from suppliers where there is a legitimate business reason, attendance meets community expectations and any risk of conflict of interest can be appropriately managed.

To ensure that our people have development opportunities that do not raise conflicts of interest, our organisation will try to build training and development offerings into our contracts as deliverables, wherever appropriate.

An offer to attend a free webinar is far more likely to be consistent with community expectations than an offer to attend a conference – particularly if the latter includes accommodation, travel or related benefits, such as a gala dinner.

Refuse and declare the offer if it is made by a person, group or organisation whose primary purpose is to lobby ministers, members of parliament or public sector agencies.

10. Endorsement

Refuse and declare the offer if accepting it could reasonably be seen as endorsing a product or service.

11. Advantage to a supplier or sponsor

Refuse and declare the offer if accepting it could reasonably be seen as advantaging a supplier or sponsor in a future procurement.

12. Sufficient attendees

For hospitality and events, refuse the offer if our organisation will already be sufficiently represented to meet its business needs or – as is the case for all other offers – if it does not comply with other elements of the integrity test.

13. Your own judgement

Refuse the offer if you feel that accepting it would breach your obligations under POL/PAC/043 AV Code of Conduct or the Code of conduct for Victorian public sector employees. This is a broad test that you can use to protect yourself if you are still unsure about accepting an offer. If you're uncertain, you can seek advice from your manager or Audit and Risk at gifts@ambulance.vic.gov.au.

8. Declining offers

In most cases where the offer should or must be refused, you should decline it at the time the offer is made to you. Sometimes this can be difficult, for example:

- The offer may have been delivered to our organisation via mail or other method, making declining difficult.
- Declining the offer may cause offence or even be unsafe in the moment for the team member being offered it.
- There may be some other reason why, in the moment, you are unable to decline the offer.

8.1 Gifts

This is most common with gifts. In the case of gifts, declare the offer as normal and make it clear to your manager or supervisor that you were unable to decline the offer in the moment, but you have not accepted it.

Follow-up response

You or our organisation will dispose of the gift and an explanation and rejection will be sent to the offeror where appropriate.

Suggested ways to decline gifts

The easiest way to decline a gift will usually be to:

- Say ‘thanks is enough’;
- Mention that AV’s GBH policy prevents us from accepting gifts;
- Note that AV’s GBH policy applies universally and isn’t specific to this particular instance (i.e. the refusal is not personal); and
- Suggest showing appreciation for AV’s work by making a donation directly to AV.

8.2 Benefits and hospitality

In the case of benefits and hospitality, it is very unusual for a situation to arise where you cannot decline an offer. The most obvious, but still extremely unlikely, scenario is that refusing would offend the offeror in a way that would make you feel unsafe.

In such cases, as soon as possible declare that you accepted the offer and why.

Follow-up response

Our organisation will take action to ensure our people are not placed in such situations in the future.

9. 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 Integrity test (item 7.2).
- Remember, money or items similar to money, including gift cards, gift vouchers and scratch cards can never pass the Integrity test. They can never be accepted, even if the value is less than $50.

- Remember, thanks is enough. Do you need to accept?
- If it passes the Integrity test:
  - You do not need a legitimate business reason to accept.
  - You do not need approval from your manager or Audit and Risk to accept.
- You are the owner of the gift, benefit or hospitality.
- You only need to declare the offer if it has failed the Integrity test and you have not refused it for some reason.

10. Non-token offers

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 only consider accepting the offer if it passes the Integrity test (item 7.2).
- As part of the integrity test, you must have a legitimate business reason to accept. This means the offer must further the conduct of official business or other legitimate goals of AV, the public sector or the State.
- You must have prior endorsement in writing from your manager **and** the Executive Director Enterprise Serivces to accept.
- If you are authorised to accept the offer you do so on behalf of our organisation. It is not usually yours to keep. Some exceptions 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 will also be published in the online public register.

11. How to declare an offer

To declare an offer:

- Use FOR/CEO/003 Gifts, Benefits and Hospitality Declaration (Declaration form).
- If you are proposing to accept the offer, record the business reason on the form in enough detail to link it with your duties and the benefit to our organisation, the public sector or the State.
- Submit the form to your manager, who will review against the requirement of this policy, endorse and submit to Audit and Risk at gifts@ambulance.vic.gov.au.
- Audit and Risk will review the form and if you are proposing to accept the gift, will advise you of the decision.
- Audit and Risk will arrange for the offer and outcome to be recorded in the internal register. Certain information will also be published in the online public register.
- Appeals to outcome decisions will be considered in the first instance by the Chief Risk Officer, with the Executive Director Enterprise Services providing a further escalation point.
- The CEO should submit their form to the Board Chair for review and approval.

Examples – legitimate business reason

These are examples of how to record the legitimate business reason in enough detail:

Unacceptable:

- 'Networking'
- 'Maintaining stakeholder relationships'

Acceptable:

- 'I am responsible for evaluating and reporting on the outcomes of our organisation's sponsorship of Event A. I was offered a free ticket by the event organisers. I accepted so I could attend Event A in an official capacity and reported back to our organisation on the event.'
- 'I presented to a visiting international delegation. The delegation presented me with a cultural item which, consistent with our organisation's policy on official gifts and items, I accepted on behalf of the organisation.'
- 'I was offered to attend professional development by one of our stakeholders, who supplies legal services to my organisation and more broadly to other organisations in the public sector. The session would count towards my Continuing Professional Development obligations as a lawyer. The event was free to everyone, and my organisation paid for travel costs.'

Alternatives to sponsored travel and accommodation

Travel for AV business may be undertaken if it has legitimate business benefit for the public, AV's objectives, or the health service in general in line with PRO/FCS/090 Business Travel. AV people may receive offers of sponsored travel and accommodation to attend a conference or to participate in an industry familiarisation tour. Such offers should be declined because of the potential for a conflict of interest. If attendance at the conference or the industry familiarisation tour is considered to have a legitimate business benefit and is in the public interest, AV may elect to pay for the travel and accommodation as an alternative.

Otherwise, travel alternatives (e.g. conference calls, video calls) must be pursued. Such alternatives can deliver savings and support AV's environmental objectives to pursue resource efficient technology. Refer to PRO/FCS/090 Business Travel.

Retrospective approval

If you cannot obtain prior approval to accepting an offer, in limited circumstances a decision can be made retrospectively. Submit a Declaration form to Audit and Risk within five (5) business days ensuring your proposed approach for accepting, returning or disposing of the gift aligns with all aspects of this policy and has been endorsed by your manager. Circumstances include:

- if it was reasonable to be unaware the gift was non-token – such as a wrapped gift.
- If the gift was delivered anonymously with no return address.
- If it would have been unsafe to refuse.
- if it would have caused serious offence to refuse – but remember, except for official gifts or items, this is not usually sufficient reason.

Decision-makers

Intended recipient	Authorised persons for approval
AV people excluding Executive Director Enterprise Services, Chief Executive, Board and Board committees	Executive Director Enterprise Services
Executive Director Enterprise Services	Chief Executive Officer
Chief Executive	Board Chair
Board and Board committee members	Board Chair

Intended recipient	Authorised persons for approval
Board Chair	Audit and Risk Committee Chair

This approval can be obtained by completing the Gifts, Benefits and Hospitality Declaration Form.

12. Internal register and public register

Access to the internal register is restricted to relevant persons in our organisation. Certain information from the internal register is published online in the public register, consistent with VPSC guidance on gifts, benefits and hospitality.

13. Applying for ownership of a non-token gift, benefit or hospitality

Usually, a non-token gift belongs to the organisation. However, if the gift was given to you specifically in recognition of your work or contribution, you may apply to retain it using a Declaration form provided that:

- It meets the Integrity test.
- It is not an official gift (see section 20 - Official gifts and items – what you must do);
- It is unlikely to bring you or our organisation into disrepute; and
- It would be consistent with community expectations.

13.1 When representing AV

When AV people attend a conference either as a participant or speaker or apply for an award in recognition of their AV work, they are representing AV. AV has usually paid for the employees' costs; their time, labour or accommodation. Any benefits accruing from the activities belong to AV. This includes door prizes, fees for speaking, and financial grants. AV will record any revenue from fees and grants on the public ledger. You should declare the benefit using the Declaration form, ensuring the proposed approach aligns with this policy and has been endorsed by your manager.

14. Offers made in a personal capacity

It is normal to receive offers of gifts, benefits and hospitality in your personal life that are unconnected to your work.

You can accept these offers, provided you believe on reasonable grounds that the offers are made in a personal capacity.

If you are unsure whether an offer is being made to you in a personal capacity or because of your role with our organisation, apply the integrity test and follow this policy as you would in your professional capacity.

15. Non-token offer from another public sector organisation

15.1 Non-token offer from a government department

In the course of your work as an employee of our organisation, you might be offered a non-token gift, benefit or hospitality by:

- a Victorian government department or administrative office; or
- the VPSC.

If this occurs:

- You can accept the offer if it complies with the Integrity test.
- You do not need to declare the non-token offer.

However, if the offer does not meet the Integrity test it must be refused and declared.

15.2 Non-token offer from a public entity or other public sector organisation

In the course of your work as an employee of our organisation, you might be offered a non-token gift, benefit or hospitality by another Victorian public sector organisation, such as a public entity.

For example, you might be offered free tickets to an event where our organisation:

- Has helped to organise the event.
- Otherwise actively supports the event or the organisation.

If this occurs:

- You can accept the offer if it complies with the Integrity test.
- Regardless of whether you accept the non-token offer, you must declare it.

16. Non-token offers of uncertain origin

If you receive an offer via a work colleague and you believe they may be offering on behalf of a third party with the possible intention of influencing you:

- Refuse the offer, and
- Report it to your manager or the appropriate delegate, as it may need to be referred on to Professional Standards and managed under FRA/FCS/007 Fraud Control Framework.

17. Offers from an interstate or Commonwealth public sector organisation

Offers from public sector organisations that are part of a different state or part of the Commonwealth public sector should be treated the same as any other organisation that is not a Victorian public sector organisation.

18. Exceptions to declaration rule

18.1 Generic offers that are refused

In the course of your public duties you may receive generic offers of non-token gifts or benefits. For example:

- Emails targeting our employees with offers to attend a seminar or webinar at a discount rate.
- SPAM email.

You don’t need to declare a generic non-token offer if you refuse it.

If you want to accept it, the usual restrictions in the Integrity test apply.

18.2 Targeted email blasts

Often, generic offers may appear personalised by being addressed to you directly, or through the use of generative language tools that can quickly and believably personalise the body of emails while still sending them to a large number of people.

If you receive an email and you are unsure if it is a generic offer, talk to your manager to determine if you need to declare it. Some useful questions to ask when unsure are:

- Do I have a relationship with the person who sent the email?
- Do I have a relationship with the organisation who sent the email?
- Is the offer related to my work or the work of my area of the organisation?

If the answer to all of the above is 'no' then it is likely a generic offer.

19. Multi-employee declaration

Sometimes, our organisation will issue a non-token declaration on behalf of all or some of our employees.

If this happens, we will let the relevant employees know, as it means they don't need to make an individual declaration of a non-token offer.

This can be a multi-employee refusal or multi-employee acceptance, depending on the offer.

These declarations will be issued by the Executive Director Enterprise Services.

Employees are still responsible for declaring any actual, potential or perceived conflicts of interest that they might have in relation to the offer.

20. Official gifts and items – what you must do

If you accept the following you do so on behalf of AV:

- Official gift.
- Official item (item with cultural, ceremonial, religious, historic, or other significance).

Official gifts and official items (for example a culturally significant gift from an official delegation) are an exception to our usual 'thanks but no thanks' approach. If accepted, the gift or item becomes the property of our organisation, with some exceptions (see below). Our organisation will decide what to do with each official item that comes into its possession according to the nature of the item and our own policies.

Regardless of its monetary value, an official gift or official item:

- Must be declared.
- Will be recorded in the internal register.
- Will not usually be published in the online public register.
- Belongs to our organisation, not you.

20.1 Applying for ownership of an official item

If an official item was given to you specifically in recognition of your work or contribution, you may apply to retain it using the Declaration form provided that:

- It passes the Integrity test.

- It is the express wish of the giver.
- It benefits our organisation's relationship with the giver.
- It is appropriate given the significance and value of the item.
- It would be consistent with community expectations.
- It is unlikely to bring you or our organisation into disrepute.
- Your manager and Audit and Risk give written approval.

You will not be authorised to retain the gift unless it meets all the above requirements.

21. Offers to our organisation

Sometimes offers are made to our organisation itself. For example, offers of equipment.

In line with POL/FCS/080 Sponsorships and Donations, monies donated in person, online, by mail or given to branches, are considered donations and will become the property of AV and receipted to donated funds. AV may decide to donate ceremonial or significant gifts, or the proceeds from their sale to charity.

In deciding whether to accept a non-monetary offer, AV will take into account:

- Whether the offer passes the Integrity test.
- In particular, AV will carefully scrutinise:
  - The people or organisation making the offer.
  - The nature and circumstances of the offer.
  - The level of public benefit if the offer is accepted.

You should use the Declaration form for this situation.

AV must reject any offer that is not consistent with community expectations.

If an offer of an official item is accepted by one of our employees, it becomes the property of our organisation, with some exceptions (see above). Our organisation will decide what to do with each official item that comes into its possession according to the nature of the item and our own policies.

22. Reward and recognition offers

Sometimes, an offer is made to provide our organisation with a benefit like discounts, free tickets or equipment for employees.

Sometimes, our organisation may decide to accept the offer for reward and recognition purposes after taking into account:

- Any relevant factors, and
- Relevant requirements of this policy including the Integrity Test.

You should submit a Declaration form to Audit and Risk requesting approval of the Executive Director Enterprise Services to accept the offer, endorsed by your manager and Executive Director.

All aspects of the offer will be managed by direct liaison between the organisation providing the offer and AV people. AV makes no representations or warranties of any kind with respect to the accuracy of value for money of the promotional offers. It is the responsibility of the individual employee to assess the offer and determine whether they wish to participate. In any case, AV must not be seen as endorsing or promoting any products, services, or organisation in association with the promotional offer on any external facing media.

22.1 Bendigo Bank and AV Auxiliaries

Bendigo Bank is a supplier to AV as banking services provider to some AV Auxiliaries, despite not being a State Purchase Contract banking services provider to the state government's Central Banking System. In February 2022, the Department of Treasury and Finance approved an exemption to allow all AV Auxiliaries to hold monies raised through their fundraising activities and community donations in bank accounts outside of the Central Banking System. Bendigo Bank has charitable arm offering grants, scholarships and community focused appeals which are accessible to charities and Not for Profit entities. Such grants and donations from Bendigo Bank's charitable arm are generally acceptable despite Bendigo Bank being a supplier of banking services to some AV Auxiliaries.

23. Donations or gifts given on our organisation's behalf

Sometimes an individual or business that has a relationship with AV may seek to donate or gift to a third party, like a charity, in our name or on our behalf. Often this happens without seeking prior approval from AV or giving us any opportunity to accept or refuse the gift or donation.

There are reputational risks associated with any donation or gift made on our behalf, even where this is well meaning.

For example, it can be seen as preferencing one charitable organisation over another and can impact the perception of and trust in the Victorian Government as a whole.

There are other risks associated with allowing a commercial partner to donate or gift in this manner, including the impact that this may have on future procurement or work activities.

Our organisation expects that everyone who works with us is made aware of our expectations around donations made in our name.

While there is no opportunity to refuse the donation or gift once made, the commercial partner should be informed that no gift or donation should be made on our organisation's behalf in future without a formal offer and approval.

Where a gift or donation has been made without prior approval, a Declaration form should be submitted so the gift or donation can be listed on the gifts, benefits and hospitality register, noting that there was no opportunity to accept or refuse.

Where an individual or business requests approval to donate or gift to a third party, like a charity, in AV's name or on AV's behalf, inform them that you will submit a request and they should wait for formal AV approval. Submit a Declaration form to Audit and Risk with Executive Director endorsement.

Management of the provision of gifts, benefits and hospitality

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

24. Integrity test – providing

When providing a gift, benefit or hospitality on behalf of our organisation, you must ensure all of the following:

24.1 Business reason

Ensure it is for a business reason. There must be a legitimate business benefit that furthers the conduct of official business or other legitimate goals of our organisation, the public sector or the State.

Some examples of legitimate business reasons are to:

- Welcome guests.
- Facilitate the development of business relationships and outcomes.
- Celebrate achievements.

24.2 No conflict 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.

24.3 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/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?

24.4 Consistent with community expectations

Ensure that the event would be considered reasonable and consistent with community expectations.

25. Requirements you must follow

AV has set out the following requirements that must be complied with regarding the provision of gifts, benefits and hospitality.

26. Catered functions

Type of catered function	Requirements
Christmas Parties / Celebrations	• Staff may attend the annual Chief Executive-endorsed Christmas celebration, paid for by AV, to recognise their contributions over the year. • All other Christmas events (e.g. team, branch, or department lunches or dinners) are to be paid for by individual staff.
Planning Days	• Planning activities are crucial for effective service delivery and fostering team culture. • Catering for planning days will provide sustenance to staff and will exclude alcohol.
Divisional, Departmental or team meetings	• Meetings support effective communication of priorities and alignment with AV strategic plans. • Catering for these meetings will provide sustenance to staff, with options such as employee contributions (e.g. baked goods), informal catering (e.g. affordable items from bakeries or supermarkets), or, as the least preferred option, formal catering.
New Starter Welcomes and Farewells	• Catering for new starter welcomes and farewells will be organised through employee contributions, individual payments, or staff collections. • Catered events at AV premises may be arranged to recognise long-standing staff upon retirement. • Meals (e.g. lunches, dinners) outside of AV premises are to be paid for by individual staff.

27. Providing gifts to staff

AV may recognise significant achievements and provide gifts as part of the following:

- Reward and recognition programs or events; or
- Celebrating length of service milestones and/or retirements.

A gift, such as a card and/or flowers, may be provided by AV in the event of employee illness, death or if a close family member of an employee passes away.

Gifts for events such as farewells, birthdays, marriages, or the birth of children must not be purchased using AV funds.

28. Gifts, benefits and hospitality between staff

It is noted that at times, staff may want to provide a gift or hospitality to another AV colleague to mark a celebration (Christmas/ birthday/ milestone), or to show their appreciation. Gifts, benefits and hospitality from one AV employee to another AV employee (not funded by AV) can generally be accepted, unless it gives rise to an actual, perceived or potential conflict of interest (for example gift to recruitment panel member where the gift giver is a candidate for the position).

29. Conduct during hospitality

Consistent with minimum accountability 7, if you participate in hospitality in your public sector role you must:

- Demonstrate professionalism in your conduct
- Uphold your duty of care to other participants.

30. Providing official gifts and items

Before providing an official gift or item, make reasonable enquiries to ensure it will be appropriate to do so.

31. Alleged Breaches and misconduct

If you may have breached this policy notify your manager in writing immediately. This enables us to assess how best to mitigate the risk – for example, we may arrange to return the gift.

AV fosters a just culture where incidents and issues are reported and addressed, and individuals are treated in a procedurally fair, transparent, consistent, and respectful manner. Everyone is encouraged to report identified misconduct or breaches of AV policies and procedures. In such circumstances, AV people must follow existing complaints and incident reporting protocols (e.g. PRO/PAC/080 Complaints, EMIS, RiskMan) and, where appropriate, notify their line manager of their concerns. If escalation to a line manager would be inappropriate, AV people are encouraged to contact the next level up manager or their People and Culture representative.

Professional misconduct and breaches will be managed in accordance with POL/PAC/047 Misconduct and POL/PAC/002 Professional Conduct and the applicable industrial instrument. Consequence for breaches of policy or procedure and/or misconduct can include disciplinary action up to and including termination of employment. Contractors may be subject to contract renegotiation or termination.

Relevant legislative offences may also result in external investigations conducted by (i.e. IBAC, Ahpra, the Victorian Ombudsman or Victoria Police).

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/Directors of Public Entities* such as sections of the Code covering conflict of interest, public trust and gifts and benefits; and
- individuals making improper use of their position.

AV 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.

32. Speak up

We encourage you to speak up if you believe a breach of this policy:

- Has happened.
- Is happening.
- Might be about to happen.

You can do so by notifying your manager or the Executive Director Enterprise Services.

We support public interest disclosures without reprisal (refer to POL/PAC/069 Public Interest Disclosures).

33. Contact 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, Audit and Risk (gifts@ambulance.vic.gov.au) or the Executive Director Enterprise Services for advice.

34. Definitions

Term	Definition
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 be difficult to define in dollars, but as they are valued by the individual, they may be used to influence the individual's behaviour.
Bribes	Money or other inducements given or promised to employees to corruptly influence the performance of their role. Bribery of a public official is an offence punishable by a maximum of ten years imprisonment.
Business associate	An individual or body that Ambulance Victoria 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.
Ceremonial gifts	Official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are usually provided when conducting business with official delegates or representatives from another organisation, community or foreign government. Ceremonial gifts are the property of Ambulance Victoria, irrespective of value, and should be accepted by individuals on behalf of AV. The receipt of ceremonial gifts should be recorded on the register but does not need to be published online.
Conflict of interest	Conflicts may be: **Actual:** there is a real conflict between an employee's public duties and private interests. **Potential:** 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 to mitigate that future risk. **Perceived:** The public or a third party could reasonably form the view that an employee's private interests could improperly influence their decisions or actions, now or in the future.
Declarable offers	Offers that must be recorded on AV's internal register. At a minimum, declarable offers include accepted gifts, benefits and hospitality that exceed a nominal value. They also include gift offers of any value, whether they are accepted or not, that do not meet the integrity test. The gifts may have been offered to an employee directly or extended to them as a guest of their partner or other close relation.
Donation	A one-off untied gift that has no requirement for benefits in return. Donations will become the property of AV.
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.

Term	Definition
Gifts	Items or services that are free, discounted, or would generally be seen by the public as a gift. For example: items such as vouchers, gift cards, artwork, chocolates or flowers; services such as car repair. The monetary value of a gift is the estimated monetary value of the item if it were not being provided either free or discounted. Remember that gift cards and vouchers must be treated the same as money under the minimum accountabilities.
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.
Internal register	The official record of all declarable offers of gifts, benefits and hospitality made to our employees or organisation, whether accepted or declined. The full title is 'Register of gifts, benefits and hospitality – declarable offers'.
Legitimate business benefit	A gift, benefit or hospitality may have a legitimate business benefit if it furthers the conduct of official business or other legitimate goals of AV, the public sector, or the State.
Non-token offer	A gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value. All offers worth more than $50 are non-token offers and must be approved as meeting the requirements of this policy before being accepted. They must also be recorded on a gift, benefit and hospitality register.
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 AV's nternal register. It is published online.
Token offer	A gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). All offers worth less than $50 are non-token offers. The monetary value of an offer is the estimated monetary value of the item if it were not being provided either free or discounted. A token offer must pass the Integrity test (item 7.2) prior to being accepted. Remember, money or items similar to money, including gift cards, gift vouchers and scratch cards can never pass the Integrity test. They can never be accepted, even if the value is less than $50.

DOCUMENT CONTROL

Document name	**GIFTS, BENEFITS AND HOSPITALITY**		
Document no.	POL/FCS/033	**Version**	19.0
Policy team review	4-Feb-26	**Risk**	☒ High ☐ Medium ☐ Low
Review period	☐ Annual ☒ 3-yearly ☐ 5-yearly	**Review date**	As the need arises, or by **2 March 2029**.
Responsible Executive	Executive Director Enterprise Services		
Responsible Director	Chief Risk Officer		
Responsible Area	Audit and Risk		
Key stakeholders	**Consulted:** • Strategic Policy Advisor • Executive Risk Management Committee • Audit and Risk Committee • AV Board of Directors	**To be informed:** • All AV people	

Standards

Code	Relevant standard/s
NSQHS	☒ NSQHS standards are NOT applicable.

Amendment history

Version	Date approved	Amendment
15.0	31 May 2021	Annual review.
16.0	27 June 2022	Annual review. Inclusion of: flowchart to help assess whether offer is gift or donation; information relating to gifts between AV staff. Clarification that offers can be accepted by suppliers if they are non-exclusive to AV and do not create COI. Additional sections relating to Bendigo Bank and AV Auxiliaries.
17.0	5 June 2023	Annual review.
18.0	2 September 2024	Comprehensive revision to harmonise with VPSC GBH model policy. Organisational delegate changed from Executive Director Corporate Services to Executive Director Strategy and Engagement.
19.0	2 March 2026	Comprehensive review to align with current VPSC GBH model policy, and clarify common areas of misunderstanding, especially regarding gift vouchers and gift cards. Organisational delegate changed from Executive Director Strategy and Engagement to Executive Director Enterprise Services.