

RECEIVING AND PROVIDING GIFTS, BENEFITS AND HOSPITALITY

All Councillors and staff are reminded of Council’s policy in relation to receiving and providing offers of gifts, benefits and hospitality. Our Gifts, Benefits and Hospitality policy is intended to support Councillors and staff to avoid conflicts of interest and maintain high levels of integrity and public trust.

Council has a preference for no gifts!

The following gifts, benefits and hospitality should not be accepted or provided:

- Monetary gifts such as cash, gift cards, vouchers, Flybuys, Frequent flyers or similar rewards
- Hospitality or other retail discounts offered specifically to Councillors and staff that are not commonly available to the public
- Gifts that are likely to create a conflict of interest, where there is no business benefit, or may lead to reputational damage
- Multiple gifts from the same person/organisation, as these can generate a strong perception of influence.

Receiving Offers of Gifts, Benefits and Hospitality

The Gifts, Benefits and Hospitality policy allows for acceptance of token and non-token offers as follows.

Token Offers (\$20 or less)

- Token offers may include promotional items such as a pen, note pad or coffee mug and note pads, and modest hospitality such as light refreshments during a meeting
- You may generally accept token offers of a gift, benefit or hospitality without approval or declaring the offer on our Gifts, Benefits and Hospitality Register as long as the offer doesn’t create a conflict of interest or lead to reputational damage.

Non Token Offers (over \$20)

- Non-token offers may include tickets to sporting events or stage shows, wine, hampers, etc

You should only accept a non-token offer if –

- There is a legitimate business reason for acceptance, it is offered in the course of your official duties, relates to your work responsibilities, and has a benefit to Council
- It does not raise a general or material conflict of interest or have the potential to bring you or Council into disrepute.


When deciding to accept or decline an offer, you should first consider if the offer could be perceived as influencing you in performing your duties, or lead to reputational damage of Council.

The **GIFT test** below will help you to decide if you should refuse an offer.

G	Giver	<p>Who is providing the gift, benefit or hospitality and what is their relationship to me? Does my role require me to select suppliers, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?</p>
I	Influence	<p>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 a valuable non-token offer? Does its timing coincide with a decision I am about to make?</p>
F	Favour	<p>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?</p>
T	Trust	<p>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?</p>

When accepting or declining a non-token offer, you must formally acknowledge the donor, complete the Gifts, Benefits and Hospitality Declaration Form and submit it to the CEO for approval (the Mayor is responsible for approving gifts, benefits and hospitality offered to the CEO). Once approved, the details will be recorded in the Gifts Benefits and Hospitality Register and published on the Council website.

Where you have decided not to accept the offer of a gift, benefit or hospitality, it is important that you decline the offer in a way that doesn't cause offence to the donor or damage relationships. The best way to do this is to state that the offer is appreciated and explain Council's policy in relation to gifts, benefits and hospitality.



If you believe you may have been offered a bribe or inducement, the offer must be reported to the Director Corporate Services or the Manager Governance and Information, who will report any suspected criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission.

Providing Gifts, Benefits and Hospitality

In some instances, it may be appropriate to provide a non-token (over \$20) gift, benefit or hospitality, however, it is important to ensure that costs are contained as much as possible.

When deciding to offer a gift, benefit or hospitality, you must ensure that:

- It is provided for a business reason that furthers the conduct of official business or other legitimate organisational goals or promotes and supports Council policy objectives and priorities
- Any costs are proportionate to the benefits obtained for Council and would be considered reasonable in terms of community expectations
- It does not raise a general or material conflict of interest.

The **HOST test** below will help you to determine if it is appropriate to offer a gift, benefit or hospitality.

H	Hospitality	To whom is the gift or hospitality being provided? Will recipients be external business associates, 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 Council's policy objectives and priorities? Will it contribute to staff wellbeing and workplace satisfaction?
S	Spend	Will Council 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 Council? Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?

When providing non-token (over \$20) gifts, benefits and hospitality, you must complete the Gifts, Benefits and Hospitality Declaration Form and submit it to the Chief Executive Officer for approval (the Mayor is responsible for approving gifts, benefits and hospitality offered by the CEO). Once approved, the details will be recorded in the Gifts Benefits and Hospitality Register and published on the Council website.

If you need further clarification or guidance in relation to gifts, benefits and hospitality, please read the Gifts, Benefits and Hospitality policy, discuss with your Manager, or contact the Governance Team.