
Subject: Gifts/Benefits/Hospitality
Section: Organisational
Responsibility: Operational Management Team
Authorised: Chief Executive Officer



OBJECTIVE

This policy builds upon the existing guidance in relation to the acceptance and provision of gifts, benefits and hospitality. It sets out minimum requirements and accountabilities for Boort District Health (BDH), and defines commonly used terms and reinforces the Victorian public sector values of impartiality, integrity, and accountability.

Employees of BDH are remunerated to perform specified roles and responsibilities. As such, gifts and gratuities of any nominal value from interested parties are discouraged and should not be accepted. In such circumstances, a donation to BDH is preferable, in lieu of providing any gift. Any 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.

DEFINITION

Gifts are the free or heavily discounted items, intangible benefits or hospitality exceeding common courtesy that are offered to employees in association with their work. They may be enduring such as a work of art or consumables such as a box of chocolates. They range in value from nominal to significant and may be given for different reasons.

Benefits are the preferential treatment, privileged access, favors or other advantage offered to an employee. They include invitations to sporting, cultural or social events, access to discounts and loyalty programs, and promises of a new job. While their value may sometimes be difficult to quantify in monetary terms, they may be highly valued by the intended recipient and therefore used to influence their behavior.

Hospitality is the friendly reception and treatment of guests. It is hospitable to offer light refreshments in the course of a business meeting or as part of a conference program. Hospitality can range from offers of light refreshment at a business meeting to restaurant meals and sponsored travel and accommodation.

Employees are the directors, chief executive and all other employees of a public sector organisation.

Bribes are money or other inducements given or promised to employees to corruptly influence the performance of their role.

Interested parties are persons with either direct or indirect interest in the organisation's activities and include patients, residents, clients & their families, contractors and tender applicants.

Gifts declaration is the form an employee uses to declare reportable gifts. Information on the form is either transferred to a gifts register or filed on a central secure file. If there is not a gifts register in place, the audit committee audits the declarations on file.

Gifts register is a register of reportable gifts. It records the date a gift was offered, information about the donor and recipient, the nature of the gift, its estimated value and how it was handled.

A designated person maintains the register, which is reviewed by the organisation's audit committee. If maintained in an electronic format to enable search and analysis, the register is protected from unauthorised changes.

Conflicts of interest occur when an employee's private interests conflict with their public duty. Employees have a duty to always resolve a conflict in the public interest, not their own. This may mean that they decline a gift or transfer the gift to their employer's ownership if this is identified as being in the public interest.

PRINCIPLES

- Clients or relatives may wish to express their thanks for care provided. Should this occur, donations to BDH are welcomed, and donors should be directed to the office where an official receipt will be issued.
- Where clients are incapable of understanding a staff member's refusal to accept a gift, e.g. a dementia sufferer, these may be accepted and passed onto the Department Manager for safekeeping and return to the client or their family. These incidents must always be documented.
- Employees must not accept gifts of money. In refusing to accept a monetary gift the employee should inform the designated officer responsible for maintaining the gifts register for notation.
- Employees must not accept jewellery or items appearing to have intrinsic or sentimental value.
- Small token gifts such as sweets or biscuits may be exchanged between clients and staff for particular occasions e.g. birthdays or festive occasions such as Christmas and Easter. These gifts must not be linked to any care needs normally provided, and must not be exchanged on a regular basis.
- If employees are pressured to accept any gifts of value, the matter should be discussed with their Manager.
- Any bribes or inducements must be refused and any attempts must be reported to the CEO. (Who should report to the police or IBAC).
- Resolution of disputes arising from this policy is the responsibility of the Chief Executive Officer.
- Gifts, benefits or hospitality of greater than nominal value must be declared in the gifts declaration & register (refer Appendix A & B). For the purposes of this policy, 'nominal' value is a combined total value of \$20.00 or less.). Staff must declare all non-taken offers (valued collectively at \$20 or more), of gifts, benefits and hospitality, (whether accepted or declined), on register and seek written approval from their manager to accept any non-taken offer.
- The gifts declaration & register is to be reviewed annually by the BDH Finance, Audit & Risk Committee.

Gifts & Benefits from within the Workplace:

Boort District Health may wish to recognise significant staff achievements and provide token gifts as part of:

- Reward and recognition programs or events; and
- Celebrating length of service milestones and/or retirements.
- A token, such as a card and/or flowers, may also be sent to family members to acknowledge an employee's contribution to the workplace in the event of their death. Doing so can also assist their colleagues with their bereavement.

Celebrations of events such as birthdays, marriages or the birth of children should not be funded using public monies.

EVALUATION

The Boort community trusts that the employees of BDH will perform their duties impartially. They can only do this if their personal interests do not conflict in any way whatsoever with their public duty.

Accepting gifts can give the impression that an employee will favour a particular person or organisation when making decisions or taking action. This may not be the intention of either the employee or the donor. Impressions are also important when the public sector provides hospitality.

All BDH employees should strike a balance between the responsible use of public resources and the benefits that may be delivered to their organisation and, ultimately to the community that they serve. It is also necessary to guard against any perception that hospitality is being used to solicit benefits or encourage other forms of unethical or dishonest behaviour.

The right of interested parties, such as patients, to offer gifts or benefits to employees, volunteers and contractors BDH is acknowledged.

This policy has been developed to ensure that the community is protected from any coercion or corrupt treatment and staff members are protected from claims of coercion or corruption against them.

References:

Links:

[BDH Code of Conduct](#)

[BDH Recognition of Service](#)

Relevant Legislation & Guidelines

[Crimes Act 1958](#)

[Financial Management Act 1994](#)

[Freedom of Information Act 1982](#)

[Information Privacy Act 2000](#)

[Liquor Control Reform Act 1998](#)

[Occupational Health and Safety Act 2004](#)

[Public Administration Act 2004](#)

Attachments:

Appendix A – Gifts Declaration Form

Appendix B – Gifts Declaration Register

Appendix C – Responding to Gifts, Benefits and Hospitality

Review Dates:

May 2022

Next Review Date:

May 2025

Appendix A



Gifts Declaration Form

Date offered:

Offered to: Name:

Role:

Offered by: Name:

Role:

Gift Description:

Reason gift was offered:

Estimated value of gift:

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

Decision regarding gift:

Declined or Retained or Transferred to organization's ownership

Signature of recipient

Signature Date

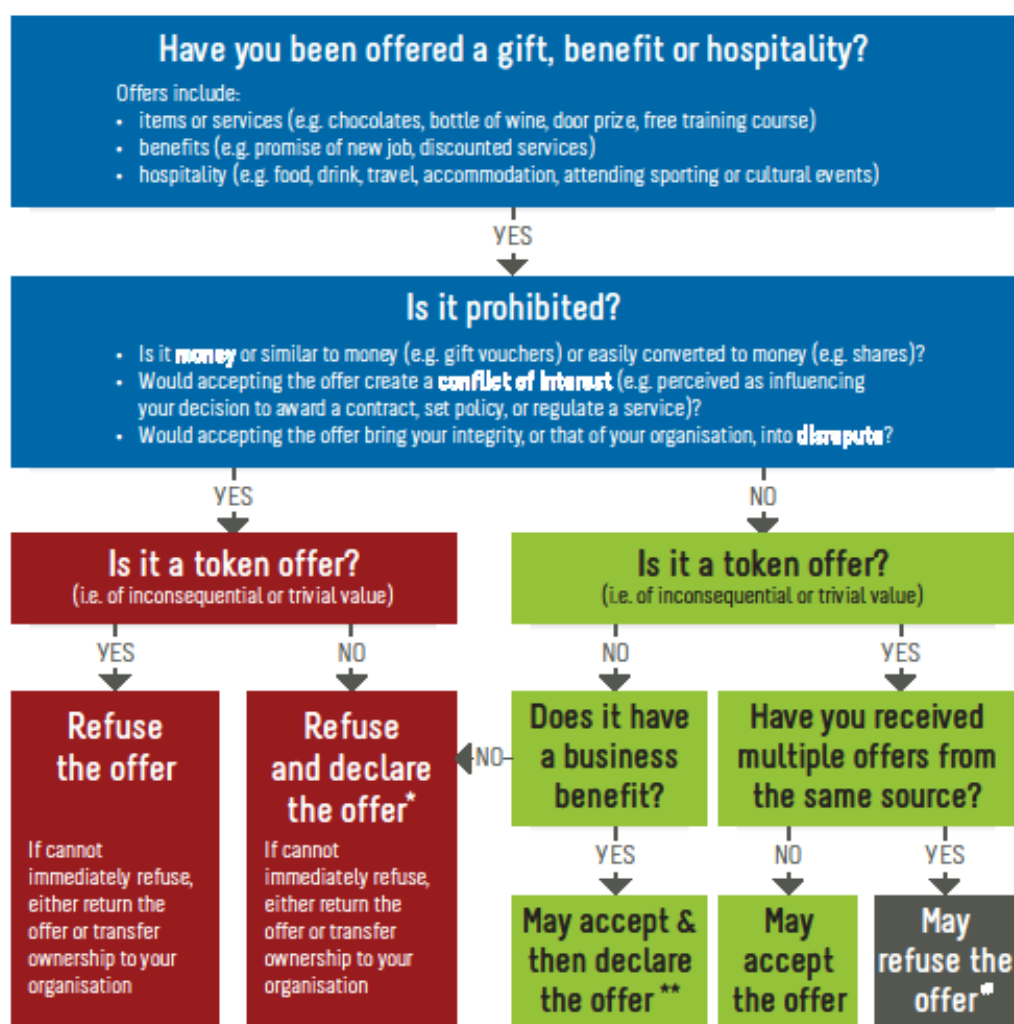
Name

At a minimum, reportable gifts include accepted gifts, benefits or hospitality that exceed a nominal value. They could also include gift offers of any value, whether they are accepted or not.

Appendix C

RESPONDING TO GIFTS, BENEFITS AND HOSPITALITY

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



* 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/>

