



# Gifts, Benefits & Hospitality (GBH) Procedure

## Sections

<b>1. Procedure Statement</b>	<b>2</b>
1.1 Purpose	2
1.2 Scope	2
1.3 Requirements	2
<b>2. Procedure Principles</b>	<b>2</b>
2.1 Compliance requirements	2
<b>3. Definitions</b>	<b>3</b>
<b>4. Procedure for managing offers of GBH</b>	<b>6</b>
4.1 SRLA's approach to offers of GBH	6
4.2 When an offer of GBH must be refused	6
4.3 Accepting offers of GBH	7
4.4 Accepting Non-token Offers of GBH prior to obtaining approval	7
4.5 What to consider when responding to offers of GBH	8
4.6 Declaring offers of GBH	8
4.7 Publication of declared offers of GBH	9
4.8 Ownership of Gifts Offered to individuals	9
4.9 Maintaining records of attendances at Official Business Events	9
4.10 Reporting attempts to Bribe	9
<b>5. Procedure for managing the provision of GBH</b>	<b>10</b>
5.1 Requirements for providing GBH	10
5.2 Personal Gifts for SRLA persons	11
<b>6. Procedure Responsibilities</b>	<b>11</b>
<b>7. Breaches</b>	<b>11</b>
7.1 Speak Up	12
7.2 Contacts for Further Information	12
7.3 Governance and Review	12
<b>8. Related documents</b>	<b>13</b>
<b>9. Document control</b>	<b>13</b>
<b>10. Appendix</b>	<b>14</b>
Schedule A: Minimum Accountabilities	14

# Gifts, Benefits & Hospitality (GBH) Procedure

## 1. Procedure Statement

### 1.1 Purpose

The purpose of this Gifts, Benefits & Hospitality (GBH) Procedure is to set out the process of the Suburban Rail Loop Authority (SRLA), for:

- (a) responding to offers of GBH; and
- (b) providing GBH.

### 1.2 Scope

This Procedure applies to SRLA persons (including SRLA Board members), and is intended to support those individuals to avoid conflicts of interest and maintain high levels of integrity and public trust.

### 1.3 Requirements

SRLA persons must follow this Procedure when:

- offered GBH in relation to their role for SRLA, beyond their normal employment entitlements; or
- providing GBH as part of their role for SRLA.

## 2. Procedure Principles

### 1.4 Compliance requirements

#### Minimum accountabilities required by the *Financial Management Act 1994*

Under the Instructions supporting the Standing Directions 2018 issued by the Minister for Finance under the Financial Management Act 1994, the Victorian Public Sector Commission (VPSC) has set binding minimum accountabilities for the management of GBH applicable to all public sector organisations.

This Procedure meets these minimum accountabilities.

The minimum accountabilities are set out in Schedule A.

#### Codes of Conduct

Under the *Code of Conduct for Victorian Public Sector Employees*, SRLA employees must not seek GBH for themselves or others and must refuse all offers of GBH that could reasonably be perceived as influencing them or undermining the integrity of their organisation or themselves.

Under the *Code of Conduct for Directors of Victorian Public Entities*, SRLA Board members must not seek gifts or favours for themselves, members of their family or other close personal or business associates and must decline gifts or favours that may cast doubt on their ability to apply independent judgement. This Procedure supports behaviours consistent with the Codes of Conduct. A breach of this Procedure may constitute a breach of the relevant Code.

## Gifts, Benefits & Hospitality (GBH) Procedure

### 3. Definitions

Term	Definition
<b>Benefits</b>	<p>Benefits are preferential treatment, privileged access, favours or other advantages offered to an individual. They 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 where they are valued by the individual, they may be used to influence the individual's behaviour.</p> <p><b>Note:</b> An Official Business Event is not a Benefit for the purposes of this Procedure.</p>
<b>Business Associate</b>	<p>Business associate means an individual or entity that SRLA has, or plans to establish, some form of business relationship with, or who may seek commercial or other advantage by offering GBH.</p>
<b>CEO</b>	SRLA's Chief Executive Officer
<b>Ceremonial Gifts</b>	<p>Ceremonial Gifts are official gifts provided as part of the culture and practice 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.</p>
<b>Conflict of Interest</b>	<p>(a) <b>Actual:</b> There is a real and current conflict between your private interests and performing your role for SRLA.</p> <p>(b) <b>Potential:</b> Your private interests could conflict with your SRLA role. This refers to circumstances where it is foreseeable that a conflict may arise in the future and steps should be taken now to mitigate that future risk.</p> <p>(c) <b>Perceived:</b> The public or a third party could reasonably form the view that your private interests could improperly influence your decisions or actions for SRLA, now or in the future.</p>
<b>COO</b>	SRLA's Executive General Manager, Corporate Services
<b>GBH</b>	<p>Gifts, Benefits &amp; Hospitality offered in connection with a person's role for SRLA</p> <p><b>Note:</b> GBH excludes Official Business Events</p>
<b>GBH Form</b>	The GBH Declaration Form used to record accepted or declined non-token GBH offers.
<b>GBH Register</b>	The GBH Register is SRLA's internal register of declared GBH.
<b>Gifts</b>	<p>Gifts are free or discounted items or services that would generally be seen by the public as a gift. These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. small bunch of flowers) and consumables (e.g. chocolates).</p> <p>Fundraising by SRLA consistent with relevant legislation and any government policy is not a gift.</p> <p><b>Note:</b> An Official Business Event is not a Gift for the purposes of this Procedure.</p>
<b>Hospitality</b>	<p>Hospitality is 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.</p>

## Gifts, Benefits & Hospitality (GBH) Procedure

	<b>Note:</b> An Official Business Event is not Hospitality for the purposes of this Procedure.
<b>Legitimate Business Benefit</b>	<p>A Legitimate Business Benefit furthers the official business or other legitimate goals of SRLA, the Victorian public sector or the State, including (without limitation):</p> <ul style="list-style-type: none"> <li>• <b>Business leveraging:</b> opportunities to advance SRLA or the State’s interests through networking with third parties interested in trade and investment, and other collaboration opportunities; or</li> <li>• <b>Funded service delivery:</b> opportunities to observe that funded programs are delivered effectively and in accordance with agreements between the State, SRLA and the recipient; or</li> <li>• <b>Stakeholder engagement:</b> opportunities to maintain and develop effective relationships and networks with persons and organisations with an interest in SRLA’s activities; or</li> <li>• <b>Sector knowledge:</b> opportunities to develop and maintain a broad and deep knowledge of industry sectors, to inform the quality of the advice given to the government, and assist to identify opportunities to improve sector outcomes; or</li> <li>• <b>Professional knowledge:</b> opportunities for SRLA persons to develop and maintain knowledge relating to a qualification (e.g. CPD points), build expertise or understanding in relation to a technical business-related area (e.g. new approaches in a professional field) or become acquainted with new responsibilities such as legislative changes.</li> </ul>
<b>Non-token Offer</b>	GBH that is, or may be perceived by the recipient, the person making the offer or by the wider community, to be of more than inconsequential value. All offers of GBH worth more than \$50 are Non-token Offers.
<b>Offer of GBH</b>	An offer of GBH can be a Token Offer or a Non-token Offer.
<b>Official Business Event</b>	<p>An Official Business Event is an event which meets all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. the <u>primary purpose</u> of your attendance at the event is for SRLA to obtain a Legitimate Business Benefit; and</li> <li>2. the invitation to the event and your attendance at the event directly relates to your role for SRLA; and</li> <li>3. your attendance at the event will <i>not</i> create a Conflict of Interest that cannot be appropriately managed; and</li> <li>4. your attendance at the event will <i>not</i> adversely impact the reputation or public standing of SRLA.</li> </ol> <p><b>Note:</b> The following events are automatically considered Official Business Events:</p> <ol style="list-style-type: none"> <li>i. an event you are attending under a ticket purchased by SRLA; or</li> <li>ii. an event hosted by a Victorian public sector entity or Victorian State owned entity.</li> </ol> <p><b>Note:</b> An offer to attend an Official Business Event is not considered an offer of GBH for the purposes of this Procedure and does not need to be declared as an offer of GBH.</p>



## Gifts, Benefits & Hospitality (GBH) Procedure

<b>Public Official</b>	Public Official has the same meaning as section 4 of the <i>Public Administration Act 2004</i> and includes public sector employees, statutory office holders and directors of public entities.										
<b>Public Register</b>	The Public Register is a modified version of the GBH Register for publication on SRLA's website.										
<b>Responsible Person</b>	<p>The Responsible Person is the relevant person, set out in the table below, that you must:</p> <ul style="list-style-type: none"> <li>(a) obtain written approval from, to accept a GBH offer that is greater than \$50 in value; and</li> <li>(b) seek advice from, in relation to offers of GBH, and the provision of GBH.</li> </ul> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: left;"><b>Responsible Person</b></th> </tr> </thead> <tbody> <tr> <td style="text-align: right;"><i>SRLA person:</i></td> <td><i>your SRLA Manager</i></td> </tr> <tr> <td style="text-align: right;"><i>CEO:</i></td> <td>SRLA Board Chairperson</td> </tr> <tr> <td style="text-align: right;"><i>SRLA Board member:</i></td> <td>SRLA Board Chairperson</td> </tr> <tr> <td style="text-align: right;"><i>SRLA Board Chairperson:</i></td> <td>Minister for the Suburban Rail Loop or COO</td> </tr> </tbody> </table>		<b>Responsible Person</b>	<i>SRLA person:</i>	<i>your SRLA Manager</i>	<i>CEO:</i>	SRLA Board Chairperson	<i>SRLA Board member:</i>	SRLA Board Chairperson	<i>SRLA Board Chairperson:</i>	Minister for the Suburban Rail Loop or COO
	<b>Responsible Person</b>										
<i>SRLA person:</i>	<i>your SRLA Manager</i>										
<i>CEO:</i>	SRLA Board Chairperson										
<i>SRLA Board member:</i>	SRLA Board Chairperson										
<i>SRLA Board Chairperson:</i>	Minister for the Suburban Rail Loop or COO										
<b>SRLA</b>	Suburban Rail Loop Authority										
<b>SRLA Board</b>	The Board of the Suburban Rail Loop Authority										
<b>SRLA persons</b>	<p>All of the following persons:</p> <ul style="list-style-type: none"> <li>• SRLA employees, including executive officers and employees covered by the <i>Victorian Public Service Enterprise Agreement 2020</i> (the Agreement)</li> <li>• Workplace participants including (but not limited to) trainees, university and work experience students</li> <li>• SRLA Board members</li> <li>• Interns, cadets and volunteers who perform work for or on behalf of SRLA</li> <li>• Agency on-hire staff and contractors who the VPSC has specifically identified as being bound by the VPS Code of Conduct. These people include those who: <ul style="list-style-type: none"> <li>○ supervise public sector employees</li> <li>○ undertake work that is of a similar nature to the work undertaken by public sector employees at premises or a location generally regarded as a public sector workplace, or</li> <li>○ use or have access to public sector resources or information that are not normally accessible or available to the public.</li> </ul> </li> </ul>										
<b>Token Offer</b>	GBH that is of inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). Token Offers are not worth more than \$50.										

## **Gifts, Benefits & Hospitality (GBH) Procedure**

### **4. Procedure for managing offers of GBH**

This section sets out the process for accepting, declining and recording offers of GBH offered to you in relation to your role for SRLA, beyond your normal employment entitlements.

Any exceptions to this process must have the prior written approval of:

- (a) the COO in the case of offers of GBH to SRLA persons (other than offers to the COO, CEO or SRLA Board members);
- (b) the CEO in the case of offers of GBH to the COO;
- (c) the SRLA Board Chairperson in the case of offers of GBH to other SRLA Board members or the CEO; and
- (d) the Minister for the Suburban Rail Loop, or the COO, in the case of offers of GBH to the Board Chairperson.

All approved exceptions will be reported to the Risk & Integrity Committee.

#### **1.5 SRLA's approach to offers of GBH**

**The default SRLA position is to politely decline all offers of GBH, other than Token hospitality and GBH permitted to be accepted under this Procedure.**

SRLA persons must not seek offers of GBH for themselves or others as a result of their role for SRLA.

GBH may be offered directly or indirectly. It may be offered directly to you, or offered indirectly via an offer to your relative or close associate, including:

- (a) a member of your immediate family (e.g. spouse, partner, parent, sibling, child);
- (b) a regular member of your household; or
- (c) another close associate (e.g. friend, relative, business partner).

#### **1.6 When an offer of GBH must be refused**

- (a) SRLA persons must refuse GBH offers that:
  - i. give rise to a Conflict of Interest that cannot be appropriately managed;
  - ii. are money, items used in a similar way to money, or items easily converted to money;
  - iii. may adversely affect their standing as a public official or which may bring SRLA or the Victorian public sector into disrepute; or
  - iv. are Non-token Offers without a Legitimate Business Benefit;
- (b) SRLA persons must also refuse an offer of GBH (other than Token Offers of Hospitality) made by a person or entity:
  - i. involved in a procurement or tender process in which the SRLA person has a decision-making role in respect of the outcome of that process; or
  - ii. about whom the SRLA person has a decision-making role in SRLA's decisions regarding:
    - the conduct of a legal dispute or litigation;

## Gifts, Benefits & Hospitality (GBH) Procedure

- land dealings;
- planning application approvals; or
- grants, sponsorship or funding allocation award.

(c) SRLA persons must refuse bribes or inducements.

**Please note:** SRLA probity plans, evaluation plans and other project plans that have been established for the management of procurement, tender and other project activities may impose additional requirements in respect of responding to offers of GBH.

### 1.7 Accepting offers of GBH

Offers of GBH may be accepted if the offer is a:

- **Token Offer** (i.e. offers of GBH that are \$50 or less in value), provided acceptance of the offer is not precluded by section 3.2 of this Procedure;
- **Non-token Offer** (i.e. offers of GBH that are greater than \$50 in value), provided that:
  - i. there is a Legitimate Business Benefit to SRLA in you accepting the offer; and
  - ii. the offer directly relates to your role for SRLA; and
  - iii. the acceptance of the offer is not precluded by section 3.2 of this Procedure; and
  - iv. the Responsible Person has approved your acceptance of the offer in accordance with this Procedure.

Please note:

Where acceptance of GBH involves management of a Conflict of Interest through a conflict management plan, the Responsible Person must approve the management plan as part of approval of the acceptance of the GBH. The SRLA person must satisfy the requirements of that plan. Please contact the Integrity and Assurance Branch for advice on the suitability of any proposed conflict management plan.

- **Ceremonial Gift** - All Ceremonial Gifts that are accepted are the property of SRLA irrespective of value and should be accepted on behalf of SRLA.

### 1.8 Accepting Non-token Offers of GBH prior to obtaining approval

You may receive a Non-token Offer of GBH where there is no opportunity to seek written approval from the Responsible Person prior to accepting the offer. For example, you may be offered a wrapped Gift that you later identify as being a Non-token Offer. In these cases, you must seek approval from the Responsible Person within 5 business days of receipt of the Non-token Offer.

Any Gifts accepted, without obtaining prior Responsible Person approval, that is likely to bring the individual or SRLA into disrepute, should be returned to the provider of the Gift.

If your acceptance of a Gift results in a Conflict of Interest that cannot be appropriately managed, you should either return the Gift or transfer ownership of the Gift to the SRLA to mitigate this risk.

If a Gift cannot be returned (i.e. because it is not practical to do so, or because it may cause offence), guidance should be sought from the Integrity & Assurance Branch on the ownership and handling of the Gift.

## Gifts, Benefits & Hospitality (GBH) Procedure

### 1.9 What to consider when responding to offers of GBH

The factors set out below provide useful guidance as to the matters to consider before deciding how to respond to an offer of GBH.

Figure 1 – GIFT Test

<b>G</b>	<b>Giver</b>	<ol style="list-style-type: none"> <li>Who is providing the GBH and what is their relationship to me?</li> <li>Does my role require me to select suppliers, award grants, regulate industries or determine government policies?</li> <li>Could the person or organisation benefit from a decision I make?</li> </ol>
<b>I</b>	<b>Influence</b>	<ol style="list-style-type: none"> <li>Are they seeking to gain an advantage or influence my decisions or actions?</li> <li>Has the GBH been offered to me publicly or privately?</li> <li>Is it a courtesy or a token of appreciation or a valuable non-token offer?</li> <li>Does its timing coincide with a decision I am about to make?</li> </ol>
<b>F</b>	<b>Favour</b>	<ol style="list-style-type: none"> <li>Are they seeking a favour in return for the GBH?</li> <li>Has the GBH been offered honestly?</li> <li>Has the person or organisation made several offers over the last 12 months?</li> <li>Would accepting it create an obligation to return a favour?</li> </ol>
<b>T</b>	<b>Trust</b>	<ol style="list-style-type: none"> <li>Would accepting the GBH diminish public trust?</li> <li>How would the public view acceptance of this GBH?</li> <li>What would my colleagues, family, friends or associates think?</li> </ol>

In addition, consideration should also be given as to whether the relevant SRLA person has received multiple offers of GBH from the same external source. If so, the overall effect (e.g. the number, frequency, value of the offers of GBH) should be considered when determining if accepting the offer may bring a SRLA person's integrity, or that of SRLA, into disrepute.

### 1.10 Declaring offers of GBH

Offers of GBH with a value of more than \$50 (i.e. Non-token Offers) must be declared, whether accepted or declined.

Please note:

- Offers of GBH should be declared using the GBH Form.
- Acceptance of a GBH offer must be approved in writing by the Responsible Person. This can be done by completing the relevant section of the GBH Form.
- Please send the completed GBH form to [integrity@srla.vic.gov.au](mailto:integrity@srla.vic.gov.au)



## **Gifts, Benefits & Hospitality (GBH) Procedure**

**SRLA persons are not required to declare:**

- offers of GBH that are \$50 or less in value (i.e. Token Offers);
- Official Business Event offers (i.e. offers to attend Official Business Events);
- GBH offered to you in a capacity other than in connection with your role for SRLA; and
- GBH offered via spam e-mail (i.e. unsolicited e-mail messages usually sent in bulk to a large list of recipients) that you have not accepted.

### **1.11 Publication of declared offers of GBH**

The Integrity & Assurance Branch maintains a GBH Register and enters the relevant details from the GBH Form onto the GBH Register.

A subset of the GBH Register is also published on SRLA's Public Register with any personal information deidentified.

### **1.12 Ownership of Gifts Offered to individuals**

If a SRLA person accepts a Token Offer that is a Gift, it belongs to that person.

If a SRLA person accepts a Gift that is a Non-token Offer, you accept this Gift on behalf of SRLA. Ownership of the Gift remains with SRLA until the Responsible Person approves the retention of the Gift.

Ceremonial Gifts are the property of the SRLA, irrespective of its value, and are accepted on behalf of SRLA.

### **1.13 Maintaining records of attendances at Official Business Events**

SRLA persons are required to maintain their own records of attendance at Official Business Events.

These records may need to be provided as part of internal or external reviews of compliance with this procedure.

Responsible Persons are responsible for oversight of attendances at Official Business Events in respect of the SRLA persons for which they are responsible.

Please contact the Integrity and Assurance Branch with any questions regarding if an event is an Official Business Event.

### **1.14 Reporting attempts to Bribe**

If you are offered GBH that you believe is, or may be, an attempted bribe or an inducement, you must:

- (a) refuse the offer;
- (b) where appropriate, report the offer immediately to the COO and the Integrity & Assurance Branch at [integrity@srla.vic.gov.au](mailto:integrity@srla.vic.gov.au).  
(In the event the bribe is made to the COO, the COO will report the offer to the CEO and the Integrity & Assurance Branch at [integrity@srla.vic.gov.au](mailto:integrity@srla.vic.gov.au))
- (c) complete a GBH Form so that the refusal can be recorded in the GBH Register; and
- (d) where appropriate, report any criminal or corrupt conduct to the Victorian Police and/or the *Independent Broad-based Anti-Corruption Commission* (IBAC).



## Gifts, Benefits & Hospitality (GBH) Procedure

### 5. Procedure for managing the provision of GBH

This section sets out the requirements for providing GBH.

#### 1.15 Requirements for providing GBH

GBH may be provided when welcoming guests, to facilitate the development of business relationships, to further SRLA or public-sector business outcomes and to celebrate achievements.

When deciding whether to provide GBH or the type of GBH to provide, you must ensure:

- (a) any GBH is provided for a business reason that furthers the conduct of official business or other legitimate goals of SRLA, or promotes and supports government policy objectives and priorities;
- (b) that any costs are proportionate to the benefits obtained for SRLA and would be considered reasonable in terms of community expectations.
- (c) alcohol is not provided at an event unless this has been approved by the COO or CEO.

The factors set out below provide useful guidance as to the matters to consider before deciding whether to provide GBH or the type of GBH to provide.

Figure 2 – *HOST Test*

<b>H</b>	<b>Hospitality</b>	<ol style="list-style-type: none"> <li>1. To whom is the gift or hospitality being provided?</li> <li>2. Will recipients be external Business Associates, or individuals of the host organisation?</li> </ol>
<b>O</b>	<b>Objectives</b>	<ol style="list-style-type: none"> <li>3. For what purpose will hospitality be provided?</li> <li>4. Is the hospitality being provided to further the conduct of official business?</li> <li>5. Will it promote and support SRLA objectives and priorities?</li> <li>6. Will it contribute to staff wellbeing and workplace satisfaction?</li> </ol>
<b>S</b>	<b>Spend</b>	<ol style="list-style-type: none"> <li>7. Will public funds be spent?</li> <li>8. What type of hospitality will be provided?</li> <li>9. Will it be modest or expensive, and will alcohol be provided as a courtesy or an indulgence?</li> <li>10. Will the costs incurred be proportionate to the benefits obtained?</li> </ol>
<b>T</b>	<b>Trust</b>	<ol style="list-style-type: none"> <li>11. Will public trust be enhanced or diminished?</li> <li>12. Could you publicly explain the rationale for providing the gift or hospitality?</li> <li>13. Will the event be conducted in a manner which upholds the reputation of the public sector?</li> </ol>

## Gifts, Benefits & Hospitality (GBH) Procedure

	14. Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?
--	--

### 1.16 Personal Gifts for SRLA persons

Personal celebrations or condolences for SRLA persons (e.g. birthdays, marriages, birth of a child, bereavement cards or flowers) should not be funded using public monies.

## 6. Procedure Responsibilities

Role	Responsibility
<b>Risk &amp; Integrity Committee</b>	<ul style="list-style-type: none"> <li>(a) Review new entries in SRLA's GBH Register periodically.</li> <li>(b) Monitor the effectiveness of SRLA processes to manage GBH.</li> </ul>
<b>Chief Executive Officer (CEO)</b>	<ul style="list-style-type: none"> <li>(a) SRLA implements and reviews processes for the effective management of GBH that comprehensively addresses the VPSC minimum accountabilities.</li> <li>(b) SRLA maintains a register for gifts, benefits and hospitality offered to SRLA persons that, at a minimum, records sufficient information to effectively monitor, assess and report on the VPSC minimum accountabilities.</li> <li>(c) SRLA communicates within SRLA that a breach of this procedure may constitute a breach of binding Codes of Conduct, may constitute criminal or corrupt conduct, and may result in disciplinary action.</li> </ul>
<b>Integrity &amp; Assurance Branch</b>	<ul style="list-style-type: none"> <li>(a) Ensure this Procedure is communicated to SRLA persons.</li> <li>(b) Promoting awareness of and compliance with this Procedure.</li> <li>(c) Advising SRLA persons on their obligations under this Procedure.</li> <li>(d) Receiving GBH Forms and updating and maintaining SRLA's GBH Register.</li> <li>(e) Reporting periodically to the Risk &amp; Integrity Committee on new entries in the GBH Register.</li> <li>(f) Undertaking periodic reviews of the SRLA's compliance with this Procedure.</li> <li>(g) Reporting to the Risk &amp; Integrity Committee periodically on the outcome of compliance reviews of this Procedure.</li> <li>(h) Publishing this Procedure and the GBH Register on SRLA's website, as required by legislation.</li> </ul>

## 7. Breaches

Disciplinary action consistent with the relevant industrial instrument and legislation, including dismissal, may be taken where an individual fails to adhere to this Procedure. This includes where an individual fails to avoid wherever possible, or identify, declare and manage a conflict of interest related to GBH in accordance with SRLA's conflict of interest procedures.

Actions inconsistent with this Procedure may constitute misconduct under the Public Administration Act 2004, which includes:



## **Gifts, Benefits & Hospitality (GBH) Procedure**

- (a) breaches of the binding Code of Conduct for Victorian Public Sector Employees, such as sections of the Code covering conflict of interest, public trust and gifts and benefits; and
- (b) individuals making improper use of their position.

For further information on managing breaches of this Procedure, please contact the Integrity & Assurance Branch at [integrity@srla.vic.gov.au](mailto:integrity@srla.vic.gov.au).

SRLA will communicate its procedure on the offering and provision of GBH to contractors, consultants and other business associates. Those identified as acting inconsistently with this procedure may be subject to contract re-negotiation, including termination.

### **1.17 Speak Up**

Individuals who consider that this Procedure may not have been complied with should speak up and notify their manager or the Integrity & Assurance Branch at [integrity@srla.vic.gov.au](mailto:integrity@srla.vic.gov.au).

SRLA will take decisive action, including possible disciplinary action, against individuals who discriminate against or victimise those who speak up in good faith.

### **1.18 Contacts for Further Information**

A conflict of interest resulting from the acceptance of GBH is not always clear to those who have them. Individuals who are unsure about accepting GBH, or the application of this Procedure, should ask their manager or the Integrity and Assurance Branch ([Integrity@srla.vic.gov.au](mailto:Integrity@srla.vic.gov.au)) for advice.

### **1.19 Governance and Review**

The effectiveness of the GBH Procedure and GBH Register is reviewed periodically by the Risk & Integrity Committee.

The Integrity & Assurance Branch will report periodically to the Risk & Integrity Committee on the administration and quality control of the GBH Procedure and GBH Register. The report will include analysis of SRLA's GBH risks (including multiple offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

## Gifts, Benefits & Hospitality (GBH) Procedure

### 8. Related documents

Document Type	Reference
Relevant Legislation	<i>Public Administration Act 2004 (Vic)</i>
External Policy Documents and Standards	Code of Conduct for Directors of Victorian Public Entities Code of Conduct for Victorian Public Sector Employees Victorian Public Service Enterprise Agreement 2020
Relevant SRLA Policy	<a href="#"><u>Governance and Integrity Policy</u></a>
Related and Supporting Documents	<a href="#"><u>Governance and Integrity Policy Documents</u></a>
Please see the <a href="#"><u>SRLA Policies and Supporting Documents Intranet page</u></a> for links to SRLA's approved policies and supporting documents	

### 9. Document control

Document Type	Title of Procedure
Issuing Division & Branch	Corporate Services, Integrity and Assurance
Enquires/Contact	Rudy Monteleone, Director, Integrity and Assurance
Accountable Officer	Rudy Monteleone, Director, Integrity and Assurance
Sponsor	Jennifer Gale, Executive General Manager, Corporate Services
Approved by	Executive Leadership Team
Date approved	17 May 2022
Review Date	17 May 2024
Last reviewed	N/A
Version	1.0
Summary of changes to latest version	N/A

## **Gifts, Benefits & Hospitality (GBH) Procedure**

### **10. Appendix**

#### **Schedule A: Minimum Accountabilities**

##### **Public officials offered GBH**

1. Do not, for themselves or others, seek or solicit GBH.
2. Refuse all offers of GBH that:
  - (a) are money, items used in a similar way to money, or items easily converted to money;
  - (b) give rise to an actual, potential or perceived conflict of interest;
  - (c) may adversely affect their standing as a public official or which may bring their public-sector employer or the public sector into disrepute; and
  - (d) are non-token offers without a legitimate business benefit.
3. Declare all non-token offers (valued at more than \$50i) of GBH (whether accepted or declined) on their organisation's register and seek written approval from their manager or organisational delegate to accept any non-token offer.
4. Refuse bribes or inducements and report inducements and bribery attempts to the head of the public sector organisation or their delegate (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-Corruption Commission).

##### **Public officials providing GBH**

5. Ensure that any GBH is provided for a business purpose in that it furthers the conduct of official business or other legitimate organisational goals or promotes and supports government policy objectives and priorities.
6. Ensure that any costs are proportionate to the benefits obtained for the State and would be considered reasonable in terms of community expectations.
7. Ensure that when hospitality is provided, individuals demonstrate professionalism in their conduct, and uphold their obligation to extend a duty of care to other participants.

##### **Heads of public sector organisations:**

8. Establish, implement and review organisational policies and processes for the effective management of GBH that comprehensively address these minimum accountabilities.
9. Establish and maintain a register for GBH offered to public officials that, at a minimum, records sufficient information to effectively monitor, assess and report on these minimum accountabilities.
10. Communicate and make clear within the organisation that a breach of the GBH 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.
11. Establish and communicate a clear policy position to business associates on the offering of GBH to employees, 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.

## Gifts, Benefits & Hospitality (GBH) Procedure

12. Report at least annually to the organisation's audit committee on the administration and quality control of its GBH policy, processes and register. This report must include analysis of the organisation's GBH risks (including repeat offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.
13. Publish the organisation's GBH policy and register on the organisation's public website (applies only to organisations with an established website). The published register should cover the current and the previous financial year.

---

<sup>i</sup> Except where a person employed under the *Education and Training Reform Act 2006* in a Victorian Government school receives an offer from or on behalf of a parent, guardian, carer or student intended to express appreciation of the person's contribution to the education of a student or students, in which case non-token includes any offer worth more than \$100.