



Gifts, Benefits and Hospitality Policy

1. Purpose

The purpose of this Policy is to establish the minimum accountabilities expected of the Board of Directors and employees of Sunraysia Institute of TAFE, to ensure all activities in relation to the receipt or provision of gifts, benefits and hospitality are conducted with integrity, transparency and in alignment with public sector expectations.

This Policy is intended to establish clear standards to safeguard against actual, potential or perceived conflicts of interest, reflecting the principles of ethical conduct, impartiality and accountability, to maintain high levels of public trust.

2. Scope

This policy applies to all Institute employees, Board Directors, co-opted Committee members, consultants, contractors, sub-contractors and any individuals or groups undertaking activity for or on behalf of the Institute.

This Policy applied to any and all offers of gifts, benefits and hospitality received both locally and internationally.

3. Definitions

Acronym/Term	Definition
Benefits	Preferential treatment, privileged access, favours or any other advantages.
Bribes	Bribes are money or other inducements given or promised to employees to corrupt or influence the performance of their role. Bribery of a public servant is punishable by law applicable at the time.
Business Associate	An external individual, group or entity which the organisation has, or plans to have, some form of business relationship with or who may seek commercial or other advantage. This also refers to contractors and consultants.
CEO	Chief Executive Officer
Ceremonial Gift	Official gifts provided as part of the culture and practices of communities and Government, within Australia or internationally.
Conflict of Interest	A conflict of interest exists if you have a private interest that could influence, or reasonably be seen to influence, how you perform your public duties. The conflict can be actual, potential or perceived; Actual: Where there is a real conflict between an employee’s public duties and private interests Potential: where an employee has private interests that could conflict with their public duties. This refers to circumstances where

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Page 1 of 12

OFFICIAL

Acronym/Term	Definition
	<p>it is foreseeable that a conflict may arise in further and steps should be taken to mitigate that future risk</p> <p>Perceived: the public or a third party could reasonably form the view that an employee's private interests could improperly influence their decision or actions, now or in the future</p>
Employee	<p>Any person employed by SuniTAFE, regardless of their employment or engagement status.</p> <p>For the purpose of this Policy, this includes the Board of Directors, SuniTAFE employees, as well as contractors and volunteers required as part of their contract to comply with this Policy</p>
Gifts	<p>Items or services that are free, discounted, or would generally be seen by the public as a gift, intangible benefits or hospitality exceeding common courtesy that are offered to employees in association with their work.</p> <p>The monetary value of a gift is the estimate value of the item if it were not being provided either free or discounted.</p> <p>Gift cards and vouchers are to be treated the same as money under the Minimum Accountabilities</p>
Hospitality	<p>The friendly reception and entertainment of guests, ranging from offers of light refreshment at a business meeting, to restaurant meals and sponsored travel and accommodation</p>
Internal Register	<p>The official record of all declarable offers of gifts, benefits and hospitality make to the Institute and its employees, whether accepted or declined.</p>
Legitimate Business Reason	<p>Furthers the conduct of official business or other legitimate goals of our organisation, the public sector or the State</p>
Non-Token Offer	<p>An offer of a gift, benefit or hospitality that is worth \$50 or more.</p> <p>If a joint offer is made by multiple people the total value of the offer is used to determine its worth, not the value of each individual contribution.</p>
Official Gifts and Items	<p>Official gifts and items include;</p> <ul style="list-style-type: none"> • Official gifts • Official items (items with cultural, ceremonial, religious, historical or other significance. <p>Which are sometimes accepted or given on behalf of the Institute as part of business with official delegates or representatives of a community group, organisation or government.</p>
Public Register	<p>The official record of information made public from the Institute's internal register.</p>

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Acronym/Term	Definition
	The Public Register is published online on the Institutes website.
The Board of Directors	The Board of Sunraysia Institute of Technical and Further Education established under the Constitution of the Sunraysia Institute of Technical and Further Education Order 2016, and is an incorporated body that is authorised by the Minister to oversee and govern a TAFE Institute.
The Institute	Sunraysia Institute of TAFE
Token Offer	Any offer of a gift, benefit or hospitality that is worth less than \$50, including cumulative offers from the same source over a 12 month period.
VPSC	Victorian Public Sector Commission

4. Policy

4.1. Introduction

- 4.1.1. When working for SuniTAFE, no matter what the 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.
- 4.1.2. The VPSC issues minimum accountabilities for the management of gifts, benefits and hospitality. These minimum accountabilities are binding on the Institute
- 4.1.3. A gift, benefit or hospitality must not be accepted or given by a public sector organisation or employee if the offer does not comply with the minimum accountabilities.
- 4.1.4. The minimum accountabilities are binding under the Instructions supporting the Standing Directions of the Minister for Finance 2018
- 4.1.5. SuniTAFE encourages all employees to assist in developing a culture of 'thanks is enough'

4.2. Receiving Offers of Gifts, Benefits and/or Hospitality

- 4.2.1. Minimum Accountability 1 – Do not solicit offers
 - 4.2.1.1. Consistent with the minimum accountabilities, employees 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.
- 4.2.2. Minimum Accountability 2 – Offers you must refuse
 - 4.2.2.1. Employees must refuse all offers of gifts, benefits or hospitality that could be reasonably perceived as undermining the integrity and impartiality of the Institute, or themselves.

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Last review date: 24/11/2025

Page 3 of 12

OFFICIAL

OFFICIAL

- 4.2.2.2. Employees must always refuse offers of gifts, benefits and hospitality if any of the following apply:
- Money or similar – you must refuse the offer if it is money, items used in a similar way to money, or items easily converted to money such as shares;
 - Conflict of interest – you must refuse the offer if it may give rise to an actual, potential or perceived conflict of interest;
 - Public trust – you must refuse the offer if it could adversely compromise the public's trust or affect their standing as a public official, or which may bring their public sector employer or the public sector into disrepute; or
 - Non-token offers without a legitimate business benefit;
 - Community expectations – you must refuse the offer if it is not consistent with community expectations
 - Bribe – you must refuse the offer if it could reasonably be seen as a bribe or other inducement. Employees must report all bribery attempts to their manager or the Institute CEO, and to the Fraud and Corruption Response Group who will determine the reporting requirement in accordance with the Fraud and Corruption Response Procedure.
- 4.2.2.3. In addition to the minimum accountability, employees must also refuse a gift, benefit or hospitality if any of the following apply;
- Repeat offer that cause a conflict of interest – repeat offers are multiple offers from the same person, group or organisation. Their combined effect can sometime lead to the perception that they could influence you
 - 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
 - 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
 - Endorsement – you must refuse an offer if accepting it could reasonably be seen as endorsing a product or service
 - Advantage to a supplier or sponsor – you must refuse the offer if accepting it could reasonably be seen as advantaging a supplier of sponsor in a future procurement

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Last review date: 24/11/2025

Page 4 of 12

OFFICIAL

OFFICIAL

- Sufficient attendees - For hospitality and events, refuse the offer if SuniTAFE will already be sufficiently represented to meet its business needs

4.2.1. Declining offers of Gifts, Benefits and / or Hospitality;

- 4.2.1.1. In most cases where the offer should or must be refused, employees should decline it at the time the offer is made, however this at times can be difficult. In the case of gifts, employees shall declare the offer as per Institute process, and advise their immediate manager or appropriate delegate that they were unable to decline the offer in the moment, but note the offer has not been accepted.
- 4.2.1.2. The employee or Institute will dispose of the gift and an explanation and rejection sent to the offeror where appropriate
- 4.2.1.3. Employees should refer to appendix B – *Helpful guide on whether to accept or refuse* to help assess whether to accept or refuse a particular gift, benefit or hospitality.
- 4.2.1.4. If unsure of how to respond to an offer of a gift, benefit or hospitality, employees should seek advice from their manager or, in the case of a Board Director, from the Board Chair

4.2.2. Accepting offers of Gifts, Benefits and / or Hospitality:

- 4.2.2.1. Employees must, when accepting gifts deemed appropriate;
 - Ensure that any costs are proportionate to the benefits obtained for the Institute, and would be considered reasonable in terms of community expectations;

4.2.2.2. Minimum Accountability 3 – Declare all non-token offers

If an employee receives a non-token offer (valued at \$50 or more) you must;

- Declare the offer in writing, even if it is refused. To declare a non-token offer, employees are required to submit a completed Gifts, Benefits and Hospitality Declaration Form to their manager for review.
- Completed forms shall be submitted to the General Manager, Corporate Services for approval.
- All offers received shall be recorded in the Gifts, Benefits and Hospitality Register, administered by the Compliance & Risk Unit, with an approximate value recorded.
- Employees should always refuse the offer unless it complies with minimum accountability 2 and you have approval as set out in this policy

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Last review date: 24/11/2025

Page 5 of 12

OFFICIAL

OFFICIAL

4.2.3. Official gifts

- 4.2.3.1. At times, SuniTAFE may receive offers of official gifts or items, including items of cultural, ceremonial, religious, historic or other significance
- 4.2.3.2. Official gifts and official items are the exception to SuniTAFE's usual 'thanks is enough' approach.
- 4.2.3.3. Official gifts and official items are the property of the organisation, irrespective of value, and should be accepted by the individual on behalf of the Institute. All ceremonial gifts should be reported on the Gifts, Benefits and Hospitality Register.
- 4.2.3.4. An employee may retain ownership of an official item provided that;
 - It was gifted to an employee specifically in recognition of their work or contribution
 - It is the express wish of the giver
 - It benefits the Institute's relationship with the giver
 - It is appropriate given the significance and value of the items
 - It would be consistent with community expectations, and is unlikely to bring the employee or Institute into disrepute
 - The Executive Leadership Team provides written approval

4.3. Providing Gifts, Benefits and/or Hospitality

4.3.1. Minimum Accountability 4 – Business Purpose

- 4.3.1.1. Employees must ensure that any gift, benefit or hospitality (token or non-token) provided on behalf of SuniTAFE is provided solely for business purposes, in that it furthers the conduct of official business or other legitimate organisational goals, or promotes government policy objectives and priorities.

4.3.2. Minimum Accountability 5 – Cost and Community Expectations

- 4.3.2.1. The cost of any gift, benefit or hospitality provided by SuniTAFE must be proportionate to the benefits obtained, and be considered reasonable in terms of community expectations.

4.3.3. Minimum Accountability 6 – Conflicts of Interest

- 4.3.3.1. When providing any gift, benefit or hospitality, employees must ensure that the provision would not give rise to an actual, potential or perceived conflict of interest.
- 4.3.3.2. Where a conflict of interest may exist, this must be declared, mitigated and managed in accordance with the Institute's Conflict of Interest process

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Original issue: 30/07/2012

Last review date: 24/11/2025

Page 6 of 12

OFFICIAL

OFFICIAL

4.3.4. Minimum Accountability 7 – Behaviour

4.3.4.1. When hospitality is provided, individuals must demonstrate professionalism in their conduct and uphold their obligation to extend duty of care to other participants.

4.3.5. Employees should refer to appendix C – *Helpful guide on whether or not to provide gifts, benefits or hospitality to others* to assess or refuse a particular gift, benefit or hospitality.

4.4. Additional Obligations for Heads of Public Sector Organisations

4.4.1. Minimum Accountability 8 – Culture and good practice

4.4.1.1. SuniTAFE’s Board of Directors and Executive Leadership Team must model good practice and foster a culture of integrity

4.4.2. Minimum Accountability 9 – Policies and processes

4.4.2.1. In accordance with the minimum accountabilities, SuniTAFE will establish, implement and review policies and process for the effective management of gifts, benefits and hospitality.

4.4.2.2. SuniTAFE will support any employee who speaks up in good faith about a possible breach of this policy, will respond in a constructive manner and will take decisive action against anyone who discriminates or victimises an employee who speaks up in good faith.

4.4.3. Minimum Accountability 10 – Communicating to employees

4.4.3.1. Employees will be advised of any changes to this Policy and related process as they occur, and will undergo regular training as part of the Institute’s annual compliance training process.

4.4.3.2. Breaches of this policy or associated processes may constitute a breach of binding codes of conduct and may constitute criminal or corrupt conduct, and may result in disciplinary action. Any breach of this policy and associated procedures by a staff member or Board Director will incur a requirement for the individual to undergo additional training in Gifts, Benefits and Hospitality obligations.

4.4.4. Minimum Accountability 11 – Communicating to business associates

4.4.4.1. SuniTAFE discourages the making of any offers of gifts, benefits and hospitality, and will communicate this policy position to business associates, including the possible repercussions for a business associate acting contrary to the Institute’s policy position

4.4.4.2. Information available to (potential) suppliers should include;

- What constitutes a gift, benefit or hospitality
- SuniTAFE’s Gifts, Benefits and Hospitality Policy
- Any whole of Victorian Government supplier codes of conduct.

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Last review date: 24/11/2025

Page 7 of 12

OFFICIAL

4.4.5. Minimum Accountability 12 – Reports to Audit Committee

4.4.5.1. Management will report at least annually to the Institute’s Audit Committee on the administration and quality control of its gifts benefits and hospitality policy, processes and register. This must include analysis of the organisation’s gifts, benefits and hospitality risks, risk mitigation measures and any proposed improvements.

4.4.6. Minimum Accountability 13 – Internal register

4.4.6.1. SuniTAFE shall maintain a register of all declarable gifts, benefits and hospitality offered to the Board of Directors and employees.

4.4.7. Minimum Accountability 14 – Publishing organisation’s policy and the public register

4.4.7.1. For transparency, and to comply with the minimum accountabilities, SuniTAFE’s Gifts, Benefits and Hospitality Policy, and a subset of information outlined in the Gifts, Benefits and Hospitality Register must be recorded on the Institute’s website. This public register must include the most recent and the previous financial year.

5. Legislative Context

- Code of Conduct for Victorian Public Sector Employees (Vic)
- Freedom of Information Act 1982 (Cth)
- Gifts, Benefits and Hospitality Policy Guide Victorian Public Sector
- Public Administration Act 2004 (Vic)
- Standing Directions of the Minister for Finance 2018 (Vic)

6. Associated documents

6.1. Associated Policies

- Appropriate Workplace Behaviour Policy
- Conflict of Interest Policy.
- Fraud and Corruption Policy;
- Sponsorship Policy;

6.2. Associated Procedures

- Employee Discipline Procedure

6.3. Associated Forms

- Gifts Benefits and Hospitality Declaration Form.

6.4. Other associated documents

- SuniTAFE Gifts, Benefits and Hospitality Register.

7. Responsibility

The General Manager, Corporate Services is responsible for ensuring compliance with this policy, and its associated procedures and systems.

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Status: Current

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Last review date: 24/11/2025

Page 8 of 12

8. Review Frequency

This policy is to be reviewed annually, and remains in force as amended from time to time, until rescinded.

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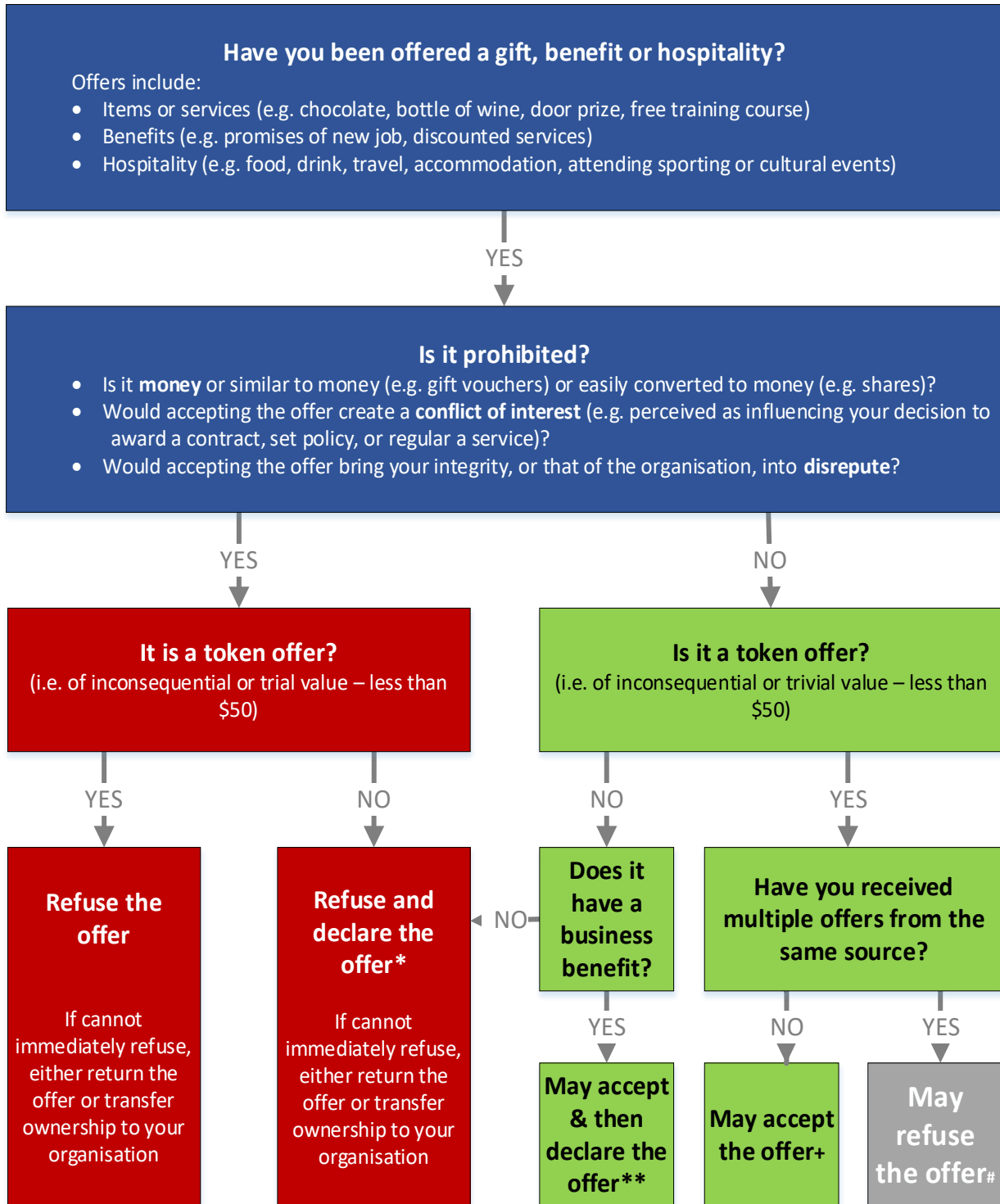
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Last review date: 24/11/2025

Page 9 of 12

9. Appendix A – Responding to Gifts, Benefits and Hospitality



* Generic, bulk event invitations that are declined (e.g. spam email offers) do not need to be declared
 ** Hospitality for Victorian Public sector organisations do not need to be declared
 + Confirm responsibility with Management prior to accepting any offer
 # 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. Confirm responsibility with Management

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

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10. Appendix B – Helpful guide on whether to accept or refuse

You can use the following GIFT questions to help assess whether to accept or refuse a particular gift, benefit or hospitality.

Useful questions to prompt your thinking

G - GIVER	<ul style="list-style-type: none">• 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, group or organisation benefit from a decision I make?
I - INFLUENCE	<ul style="list-style-type: none">• 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 basic courtesy or token of appreciation or is it a non-token offer?• Does its timing coincide with a decision I'll be making in the foreseeable future?
F - FAVOUR	<ul style="list-style-type: none">• 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, group or organisation made several offers over the last 12 months?• Would accepting create an obligation, or feeling of obligation, to return a favour?
T - TRUST	<ul style="list-style-type: none">• 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?

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11. Appendix C – Helpful guide on whether or not to provide gifts, benefits or hospitality to others

You can use the following HOST questions to help you assess if providing a particular gift, benefit or hospitality would comply with the 'Integrity Test – Providing'

Useful questions to prompt your thinking

H – HOSPITALITY	<ul style="list-style-type: none">• To whom is the gift or hospitality being provided?• Will recipients be external business associates, our employees, or a mixture of both?
O – OBJECTIVES	<ul style="list-style-type: none">• What is the business reason for providing the hospitality?• Will it further the conduct of official business?• Will it promote and support government policy objectives and priorities?• Will it contribute to staff wellbeing and workplace satisfaction?
S – SPEND	<ul style="list-style-type: none">• Will the cost be proportionate to the benefits obtained?• What type of hospitality will be provided?• Will the hospitality be modest or expensive?• If alcohol is to be provided, why? Would it be a courtesy or an indulgence?• Is an external venue necessary or can our organisation host the event?• Is the catering or hospitality proportionate to the number of attendees?• Does the size of the event and number of attendees align with the intended outcomes?• If a gift is to be given, is it symbolic rather than financial in value?
T – TRUST	<ul style="list-style-type: none">• Will public trust be enhanced or diminished?• Will the gift, benefit or hospitality be proportionate to public expectations or seen as excessive?• Is there a conflict of interest?• Could you publicly explain that rationale for providing the gift, benefit or hospitality?• Will the event be conducted in a manner which upholds the reputation of the public sector?• Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?

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Page 12 of 12