



Gifts, Benefits and Hospitality Policy

Version: 6.0

Responsible officer: Senior Manager, Governance and Integrity

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OFFICIAL

1 Policy Objective

CSV is committed to creating and maintaining a strong integrity culture and to being accountable for the way in which it delivers its activities in the public interest. The purpose of this policy is to outline CSV's position on responding to offers of and providing gifts, benefits and hospitality in support of the principles of integrity, impartiality and accountability.

2 Policy Scope

This policy applies to members of the CSV Board and its sub-committees while acting in the capacity of their CSV role, all CSV executive and staff, and business associates who deliver services to or on behalf of CSV.

3 Key Policy Principles

- 3.1 CSV has a policy of zero-dollar amount tolerance and all Board members, executives and staff (hereafter referred to as 'CSV parties') must not accept any type of gift or benefit, including token gifts or donations, unless a gift meets the definition of a ceremonial gift and cannot be declined without causing offence. Offers of hospitality must not be accepted unless they are specifically excluded under the definition in Section 5.
- 3.2 All CSV parties are required to decline and declare any offer of gifts, benefits or hospitality as soon as they arise.
- 3.3 Business associates must not offer CSV parties any gifts or benefits, either directly or indirectly, and offers of hospitality must be limited to offers of basic hospitality identified as exclusions to the policy in Section 5. This includes making donations to a charity or other organisation on behalf of CSV or a CSV party. Business associates also must not take any action to entice or obtain any unfair or improper advantage.
- 3.4 All people to whom this policy applies have a duty to conduct themselves in accordance with the highest standards of integrity, impartiality and accountability in responding to and providing gifts, benefits and hospitality.
- 3.5 All people to whom this policy applies must not, for themselves or others, seek or solicit gifts, benefits or hospitality that could reasonably be seen as connected with their employment, appointment to or engagement with CSV.
- 3.6 All people to whom this policy applies must refuse bribes or inducements and report any attempts of bribery or inducement in accordance with CSV's procedures.
- 3.7 In responding to or providing gifts, benefits or hospitality, CSV procedures must be followed.
- 3.8 A register of gifts, benefits and hospitality will be maintained and published by CSV to support monitoring, assessment and reporting requirements. The information in these registers will be used in accordance with the provisions of the *Privacy and Data Protection Act 2014* (Vic) and the *Public Records Act 1973* (Vic).
- 3.9 All members of decision-making bodies and committees will be asked to state whether their entries in the gifts, benefits and hospitality register are complete at the start of each meeting.

- 3.10 At the end of each financial year, all executives and staff will complete an attestation confirming that their gifts, benefits and hospitality declarations are current and accurate.
- 3.11 All people to whom this policy applies have an active duty to report at the earliest opportunity any instance where they become aware that another person may have breached this policy. If there is a suspicion of fraudulent or corrupt conduct, this must be reported through the process outlined in the Fraud and Corruption Control Framework.
- 3.12 Breaches of this policy will be reported immediately to the Chief Operating Officer (or in the case of a breach by the Chief Operating Officer, to the Chief Executive Officer) and will be addressed under the relevant disciplinary policy or breach of contract procedure. A policy breach may constitute a breach of a binding code of conduct and/or fraudulent or corrupt conduct and may result in disciplinary action up to and including termination of employment or contract, a report to the Independent Broad-based Anti-corruption Commission and/or a report of criminal conduct. Policy breaches will also be reported to the next scheduled meeting of the CSV Board's Risk and Audit Committee.
- 3.13 The CEO will report at least annually to the Risk and Audit Committee on the administration and quality control of CSV's gifts, benefits and hospitality processes and register.

4 Roles and Responsibilities

- 4.1 Board members are responsible for setting a strong integrity culture that supports transparency around gifts, benefits and hospitality, approving CSV's policy approach to managing gifts, benefits and hospitality, and for demonstrating accountability by declaring all offers of gifts, benefits and hospitality in accordance with CSV procedures.
- 4.2 Risk and Audit Committee members are responsible for monitoring the internal controls and risk management processes that relate to gifts, benefits and hospitality.
- 4.3 The Integrity Committee is responsible for monitoring the Gifts, Benefits and Hospitality Register and discussing related strategic issues that inform policy and procedure reviews and communications regarding gifts, benefits and hospitality.
- 4.4 Executives and management are responsible for ensuring the implementation of this policy and related procedures through regular communication, staff training and monitoring of compliance. This includes the communication of CSV's policy position to business associates. They are also responsible for supporting CSV's integrity culture through their own behaviour and conduct, through the active management of gifts, benefits and hospitality risks, and by addressing policy breaches in an appropriate manner.

Executives and management must:

- actively support and protect employees who speak up in good faith about a potential breach of this policy, and support and protect those who directly manage them
- respond in a constructive and timely manner to the information provided and ensure a due, expedient and fair process in determining whether an actual breach has occurred
- take decisive action in accordance with the Appropriate Workplace Behaviour Policy, including possible disciplinary action, against anyone who is found to have discriminated against or victimised an employee who speaks up in good faith.

4.5 All people to whom this policy applies are responsible for ensuring their own conduct meets the required standard.

5 Key Definitions

- 5.1 **Accountability** means that individuals are accountable for appropriately responding to and providing gifts, benefits and hospitality. Managers are accountable for modelling good practice, promoting awareness and overseeing their direct reports' management of gifts, benefits and hospitality.
- 5.2 **Benefit** means 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.
- 5.3 **Business associate** is an individual, group or organisation that CSV has, or plans to have, a business relationship with or who may seek commercial or other advantage.
- 5.4 **Business benefit** means a benefit that will legitimately enhance the conduct of official business or other legitimate goals of the public sector organisation, the public sector or the State.
- 5.5 **Ceremonial gift** means 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 do not include offers made to thank CSV staff for presenting at industry events. Under no circumstances can a gift offered by a lobbyist be considered as a ceremonial gift.
- 5.6 **Gift** means free or discounted items, and any item that would generally be seen by the public as a gift, including items of high value (e.g. artwork, jewellery or expensive pens), low value (e.g. small bunch of flowers) and consumables (e.g. chocolates). They may be offered directly to a staff member or presented as the result of a random-draw process (e.g. a door prize or raffle at an event/conference).
- 5.7 **Hospitality** means the friendly reception and treatment of guests. Hospitality may range from purchased tea or coffee at a cafe meeting to expensive restaurant meals and sponsored travel and accommodation. For the purpose of this policy, the following types of hospitality are excluded from this definition, may be accepted and do not need to be declared:
- hospitality offered by a Victorian public sector organisation, where the reason for the CSV party's attendance is consistent with CSV's functions and objectives and with the CSV party's role (e.g. a meeting or forum)
 - hospitality offered at an official business event where CSV has paid for the Board member, executive or staff member's attendance (e.g. a training session)
 - basic hospitality offered at a work site where these amenities are generally available to others (e.g. a coffee urn in a tea room).

The following type of hospitality is excluded from this definition and may be accepted, but does need to be declared:

- hospitality offered for an official business event where the Board member, executive or staff member's attendance has been approved, but CSV has not paid for their attendance (e.g. a conference at which the CSV party is presenting).

Under no circumstances can hospitality offered by a lobbyist be accepted under the aforementioned exemptions.

- 5.8 **Impartiality** means that individuals place the public interest above their private interests when carrying out their duties. They refuse offers of gifts, benefits and hospitality that could reasonably be perceived as influencing them or undermining the integrity of their organisation.
- 5.9 **Integrity** means to strive to earn and sustain public trust and avoid any real or apparent conflicts of interest when offering or responding to gifts, benefits and hospitality.
- 5.10 **A lobbyist** is a person, company or organisation who works on behalf of a third-party client to influence government outcomes. Lobbyists seek to influence public sector employees or politicians to support an outcome favourable to their third-party client. This does not include:
- charitable, religious and non-profit organisations that represent their members' interests
 - people who represent the personal affairs of their family or friends
 - members of trade delegations visiting Australia
 - a person who is a member of a regulated profession who deals with government as part of their day-to-day work
 - a member of a profession who occasionally makes representations to government on behalf of others as part of what they do in their job (e.g. doctors, lawyers or accountants).
- 5.11 **Official business event** is an event hosted by an external, non-public sector organisation where it is in the public interest for the CSV party to attend and the CSV party's attendance has been approved (e.g. seminars, conferences and training sessions).
- 5.12 **Token gift** means those gifts offered in business situations by organisations to representatives of an agency. Token gifts are often mass produced, not generally given as personal gifts, have no significant or lasting value. Examples include caps, stationery, coffee mugs, etc.

6 Related Policies

- Conflict of Interest Policy
- Fraud and Corruption Control Policy
- Appropriate Workplace Behaviour Policy
- Privacy and Information Security Policy
- Risk Management Policy

7 Associated Documents, Guidelines and Procedures

- Gifts, Benefits and Hospitality Procedure for Board Members
- Gifts, Benefits and Hospitality Procedure for Staff
- CSV Board Charter
- Risk and Audit Committee Charter
- Reward and Recognition Framework
- Procurement Framework

8 Legislation and External Documents

- *Cladding Safety Victoria Act 2020* (Vic.)
- *Public Administration Act 2004* (Vic.)
- *Public Interest Disclosure Act 2012* (Vic.)
- *Privacy and Data Protection Act 2014* (Vic.)
- *Public Records Act 1973* (Vic.)
- Code of Conduct for Victorian Public Sector Employees
- Code of Conduct for Directors of Victorian Public Entities
- Supplier Code of Conduct
- VPSC Model Gifts, Benefits and Hospitality Policy
- VPSC Model Conflict of Interest Policy