Gifts, Benefits and Hospitality

Policy last updated

26 June 2025

Scope

- Schools
- School councils

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Policy

Policy

This policy outlines the requirements for schools when responding to offers of and providing gifts, benefits and hospitality.

Summary

- School staff must follow this policy and guidance when responding to offers of and when providing gifts, benefits and hospitality.

- This policy supports school staff to avoid conflicts of interest and maintain high levels of integrity and public trust.
- Schools must also comply with all of the requirements in the detailed chapters on the Guidance tab <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance> . This includes information relating to management of offers of, and provision of, gifts, benefits and hospitality, breaches of requirements and the minimum accountabilities for all staff working in the public sector including in schools.
- The default position of the department is to politely decline all offers. The 'GIFT' test can be used as a guide to the appropriateness of accepting a gift. There are specific requirements in relation to when offers must be refused and when they must be declared. There are also specific requirements in relation to gifts of appreciation given to school staff by students and their families – refer to detailed information in the Guidance chapter: Management of offers of gifts, benefits and hospitality <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/management-of-offers-of-gifts-benefits-and-hospitality> .
- Online learning is available for all school staff by searching for 'gifts, benefits and hospitality' in the LearnED section of eduPay <https://edupay.eduweb.vic.gov.au/> .

Details

This policy applies to all school staff – which includes members of the teaching service, school councillors, school council employees and contractors – who are bound by this policy and the minimum accountabilities <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> . This policy refers to these cohorts of people collectively as 'school staff'.

This policy also applies to gifts, benefits or hospitality offered to school staff's immediate family members, if the offer is linked to the school staff member's role with or in relation to the department, as these offers may be made to influence their public duties.

This policy does not apply to gifts, benefits or hospitality offered to school staff in a context that has no connection with their professional responsibilities or role.

School councils monitor and oversee offers and provision of gifts, benefits and hospitality within schools, and must annually review the department's online register (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> for compliance with this policy. School councils may request a copy of the register for their school at any time via gifts@education.vic.gov.au <mailto:gifts@education.vic.gov.au>

Compliance with this policy by schools and school councils will be evidenced through the schools certification checklist <https://www2.education.vic.gov.au/pal/finance-manual/guidance/section-18-end-financial-year-reporting-30-june#185-schools-certification-checklist> and end-of-financial year attestation, returned by schools to the department in July of each year.

Policy principles

This policy and guidance has been developed in accordance with requirements outlined in the minimum accountabilities <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> for the management of gifts, benefits and hospitality issued by the Victorian Public Sector Commission.

The department is committed to upholding the following principles in applying this policy.

Impartiality

School staff have a duty to place the public interest above their private interests when carrying out their official functions. They must:

- not accept gifts, benefits or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment
- not accept offers from those about whom they are likely to make business decisions which includes awarding contracts, grants, accepting sponsorships, applying regulations, and making enforcement or licencing decisions.

Accountability

School staff are accountable for:

- declaring all non-token offers <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/definitions> (valued at $50 or more) of gifts, benefits and hospitality
- declining non-token offers of gifts, benefits and hospitality, or where an exception applies under this policy, seeking approval to accept the offer
- the responsible provision of gifts, benefits and hospitality.

School staff with direct reports are accountable for overseeing management of their direct reports' acceptance, refusal and declaration of non-token gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality policies and processes.

Integrity

School staff should strive to earn and sustain public trust through providing or responding to offers of gifts, benefits and hospitality in a manner that is consistent with community expectations. School staff must refuse any offer that may lead to an actual, perceived or potential conflict of interest.

Risk-based approach

The department, through its policies, processes and audit committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. School staff with direct reports will ensure they are aware of the risks inherent in their team's work and functions and monitor the risks to which their direct reports are exposed.

Definitions

Definitions are provided in the Guidance tab <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance> .

Related policies

- Alcohol at School Events <http://www2.education.vic.gov.au/pal/alcohol-school-events/policy>
- Managing Conduct and Unsatisfactory Performance in the Teaching Service <http://www2.education.vic.gov.au/pal/complaints-misconduct-and-unsatisfactory-performance/policy-and-guidelines>
- Conflict of Interest <http://www2.education.vic.gov.au/pal/conflict-interest/policy>
- Finance Manual – Financial Management for Schools <http://www2.education.vic.gov.au/pal/finance-manual/policy>
- Fraud and Corruption Control <http://www2.education.vic.gov.au/pal/fraud-and-corruption-control/policy>
- Sponsorship <http://www2.education.vic.gov.au/pal/sponsorship/policy>
- Travel <http://www2.education.vic.gov.au/pal/travel/policy>
- Values – Department and VPS Values for School Employees <http://www2.education.vic.gov.au/pal/values-department-values-schools/overview>

Relevant legislation

- Education and Training Reform Act 2006 (Vic) <https://www.legislation.vic.gov.au/in-force/acts/education-and-training-reform-act-2006>

- Liquor Control Reform Act 1998 (Vic) <https://www.legislation.vic.gov.au/in-force/acts/liquor-control-reform-act-1998>
- Occupational Health and Safety Act 2004 (Vic) <https://www.legislation.vic.gov.au/in-force/acts/occupational-health-and-safety-act-2004>
- Public Administration Act 2004 (Vic) <https://www.legislation.vic.gov.au/in-force/acts/public-administration-act-2004>
- Standing Directions of the Minister for Finance 2018 <https://www.dtf.vic.gov.au/financial-management-government/standing-directions-2018-under-financial-management-act-1994>

Guidance

Guidance

This guidance contains the following chapters:

- Management of offers of gifts, benefits and hospitality
- Management of the provision of gifts, benefits and hospitality
- Breaches and speaking up
- Minimum accountabilities
- Definitions

Management of offers of gifts, benefits and hospitality

Management of offers of gifts, benefits and hospitality

This chapter sets out the process for accepting, declining and recording offers of gifts, benefits and hospitality.

Conflict of interest and reputational risks

When deciding whether to accept an offer, school staff need to first consider if the offer could be perceived as influencing them in performing their duties or lead to reputational damage. The more valuable the offer, the more likely that a conflict of interest or reputational risk exists.

Thanks is enough

The default position of the department is to politely decline all offers.

'Thanks is enough' is the desired standard for school staff when responding to offers of gifts, benefits and hospitality – ensuring impartiality in decision making with business or suppliers.

The approach means that a simple thank you is all we need from businesses or suppliers to show their appreciation.

The GIFT test below can be used as a guide to the appropriateness of accepting a gift. Answering 'yes' to any of the below tests would usually lead to a decision to decline an offer.

GIFT test

Giver

Who is providing the gift, benefit or hospitality, what is their relationship to me and does that represent a conflict of interest?

Does my role require me to select suppliers? Could the person or organisation benefit from a decision I make?

Influence

Could the giver be 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, token of appreciation or a valuable non-token offer? Does its timing coincide with a decision I am about to make?

Favour

Is the giver seeking a favour in return for the gift, benefit or hospitality?

Has the gift, benefit or hospitality been offered dishonestly? Has the giver made several offers over the past 12 months?

Would accepting it create an obligation to return a favour?

Trust

Would accepting the gift, benefit or hospitality diminish public trust?

Would the public view acceptance of this gift, benefit or hospitality as a betrayal of their trust? Would my colleagues, family, friends or associates think I was diminishing public trust?

Requirement to refuse offers

School staff must refuse all offers of gifts, benefits or hospitality:

- in the form of money, that are used in a similar way to money or that are easily converted to money (except for gifts of appreciation)
- which may give rise to an actual, potential or perceived conflict of interest
- which could compromise the public's trust that they will perform their public duties in an impartial manner, or the public's trust in the impartiality of their school, the department or the public sector
- that are inconsistent with community expectations
- which could reasonably be seen as a bribe or other inducement – any such offers must be reported to the staff member's authorised delegate (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission)
- for which there is no legitimate business reason to accept the offer (non-token offers) – even where an offer complies with all the other requirements above, it must be refused if it does not further the conduct of official business, or other legitimate goals, of the staff member's school, the public sector or the state
- made by a person or organisation about which they will likely make or influence a decision (this also applies to processes involving sponsorship or regulation), particularly offers:

    - made by a current or prospective supplier
    - made during a procurement or tender process by a person or organisation involved in that process
- likely to be a bribe or inducement to make a decision or act in a particular way
- that extend to their relatives or friends
- where, in relation to hospitality and events, the department will already be sufficiently represented to meet its business needs
- where acceptance could be perceived as endorsement of a product or service, or where acceptance would unfairly advantage the sponsor in future procurement decisions
- made by a person or organisation with a primary purpose to lobby ministers, members of parliament or public sector organisations
- made in secret.

School staff are considered to make business decisions about any entity when they, or their direct report, make or are likely to make or influence a decision about that entity.

Gifts valued at $500 or more

Gifts valued at $500 or more must be declined or transferred to the school if there is a legitimate business benefit. The exceptions to this provision are:

- gifts of appreciation when offered by multiple sources (for example, when students or parents/carers pool money together to purchase a present for a staff member)
- sponsored travel and conference or meeting attendance offers where these are effectively consumed by the recipient and are unable to be transferred.

Bribes and inducements

If a school staff member considers they have been offered a bribe or inducement, they must report the offer to their authorised delegate <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/definitions> (who must report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission).

Learning and development offers from suppliers

Accepting offers from suppliers for free or discounted development opportunities that they were not contracted to provide will not pass the GIFT test above in some circumstances.

School 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.

For example, if a supplier sent a link for a webinar that is free for everyone, attending the free webinar would most likely meet community expectations and can be accepted under this policy.

Schools may consider incorporating training and development requirements into supplier contracts as deliverables to ensure conflicts of interest are managed. If a supplier delivers a training program that was specified as a deliverable in its contract with the department, school staff would be permitted to accept that under this policy.

GIFT Test

School staff are encouraged to use the GIFT Test (discussed above) to determine if an offer must be refused.

Requirement to declare offers

Token offer

A token offer is a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). The minimum accountabilities <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> state that token offers must be worth less than $50.

This does not apply to a person employed under the Education and Training Reform Act 2006 in a Victorian government school, who 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 a token cannot be worth more than $100.

Unless it is a ceremonial gift (see below) a token offer does not need to be declared in the department's online register (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> and does not need to have a legitimate business benefit to be retained. However, all other acceptance conditions apply (for example, it cannot be a voucher, cannot extend to family, and cannot be from a supplier).

Non-token offer

A non-token offer is a gift, benefit or hospitality that is – or may be perceived to be by the recipient, the person making the offer or the wider community – of more than inconsequential value. All offers worth $50 or more are non-token offers and must be recorded on department's online register (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> (except for specific offers received by a person employed in a Victorian government school, as defined under 'token offer').

School staff can only accept non-token offers if they have a legitimate business benefit. All accepted non-token offers must be approved electronically by the recipient's authorised delegate, recorded in the gifts, benefits and hospitality register and be consistent with the following requirements:

- none of the conditions to refuse an offer have been met (refer to the 'Requirement to refuse offers' section above)
- there is a legitimate business reason for acceptance: it is offered in the course of the individual's official duties, relates to the individual's responsibilities and has a benefit to the department, public sector or the state.

School staff may be offered a gift or hospitality where there is no opportunity to seek written approval from their authorised delegate prior to accepting. For example, they may be offered a wrapped gift that they later identify as being a non-token gift. In these cases, the individual must seek approval from their authorised delegate within 5 business days.

Where the gift cannot be accepted, the gift must be returned or ownership transferred to the school.

Ceremonial gifts

Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are the property of the school, irrespective of value. If it is appropriate to accept a ceremonial gift, it must be accepted by individuals on behalf of the school and not accepted personally.

Token and non-token ceremonial gifts are government property and must be recorded on the department's register (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> .

Gifts of appreciation

A gift of appreciation is an offer from or on behalf of a parent, carer or student(s) made to members of the teaching service, intended to express appreciation of the teacher's contribution to the education of a student or

students. Where the estimated value is $100 or less, the gift of appreciation is considered token and does not need to be declared. A gift with an estimated or actual value above $100 is considered non-token and must be declared.

Gifts of appreciation may be provided by an individual or group of students, parents or carers. It is the total value of the offer rather than the individual contribution by each donor that determines if the offer is non-token.

Gifts or benefits offered to a member of the teaching service by other members of the community (for example, community groups, businesses) are not gifts of appreciation and are subject to the standard token offer threshold of $50.

Gifts of appreciation received by a member of the teaching service that are valued above $100 are non-token gifts. School staff must declare and seek approval to retain non-token gifts in the registry system. These gifts have a unique legitimate business benefit (gift of appreciation).

Non-cash vouchers as defined in this policy that are offered as gifts of appreciation may be accepted. However, cash vouchers are prohibited, for example a pre-paid visa card.

Where the total estimated value of a gift of appreciation (and not the value of each individual contribution for group offer) is equal to or exceeds $500, the authorised delegate has discretion to allow the recipient to retain it only when it has been offered by multiple students, parents or carers. Otherwise, the gift of appreciation must be either declined or transferred to the ownership of the school.

Targeted email and spam

Generic offers and spam do not need to be declared if they are declined or unanswered.

Generic offers may appear personalised by being addressed to school staff directly, or through the use of generative language tools that can quickly and believably personalise the body of emails whilst still sending them to a large number of people.

If school staff are unsure if it is a generic offer they may raise it with their authorised delegate to determine if it needs to be declared. Some useful questions to ask when unsure are:

- Do I have a relationship with the person who sent the email?
- Do I have a relationship with the organisation who sent the email?
- Is the offer related to my work at school?

If the answer to all of the above is ‘no’ then it is likely a generic offer and does not need to be declared if declined or unanswered.

Repeat offers

Receiving multiple offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence the recipient. School staff must refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage.

Repeat offers that are gifts of appreciation may be retained subject to approval by the authorised delegate and having considered the cumulative value of the offers.

Hospitality provided by Victorian Public Sector organisations

Victorian public sector organisations may provide hospitality to stakeholders, as part of their functions. When offered hospitality by a Victorian public sector organisation, school staff must consider the requirements of the minimum accountabilities.

Accepted hospitality offered by a Victorian public sector organisation as part of official business does not need to be declared or reported, where the reason for the school staff's attendance is consistent with the department’s functions and objectives and with the school staff's role.

Sponsored travel and conference offers

Sponsored travel and conference offers must be declined unless a legitimate business benefit for acceptance can be demonstrated. Authorised delegates approving acceptance of sponsored travel offers must determine that no conflict of interest or improper influence will result from acceptance and ensure there is a legitimate business benefit from acceptance.

All offers of sponsored travel from suppliers, potential suppliers or organisations about whom school staff make business decisions must be refused, whether they are the donor or sponsor of the event.

If travel is in the public interest, the school may consider paying for the travel, accommodation and associated costs in full. School staff must be careful not to accept any sponsored travel offer where this could be perceived as endorsing an organisation or product.

School staff must declare and receive approval for any sponsored travel offer under this policy, before submitting a request for travel approval.

Guidance on the management of travel can be found in the Travel policy <http://www2.education.vic.gov.au/pal/travel/policy> .

Sponsored travel requests valued at $500 and above can be accepted if all the conditions for acceptance are met.

Information required in the declaration

All ceremonial gifts and non-token offers, whether accepted or declined, must be declared in the department's online gifts, benefits and hospitality register (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> . This includes non-token gifts given to school staff by the department or a school at a reward and recognition event, retirement or length of service milestone.

Value

The value of the gift needs to be declared, see the 'Valuing offers' section below.

Legitimate business benefit

The legitimate business benefit (acceptance rationale) for accepting the non-token offer must be recorded in the register with sufficient detail to link the acceptance to the school staff's work functions and benefit to the department, school, public sector or state.

School staff must consider the following examples of acceptable and unacceptable levels of detail to be included in the department's register when recording the business reason.

Unacceptable

- Networking
- Maintaining stakeholder relationships

Acceptable

- Attending professional learning in order to maintain the school's accreditation with an organisation
- Representing the school as a finalist at an award ceremony

Timing

Declarable offers are required to be declared by recipients in the registry system within 5 days of the offer date, and where possible, be approved prior to acceptance.

Where there is no opportunity to declare the non-token offer or ceremonial gift and seek approval from an authorised delegate prior to acceptance, the recipient must declare the non-token offer in the registry system within 5 days of the acceptance date and provide an explanation of the circumstances to the authorised delegate.

Unjustified delays in declaring offers constitute non-compliance with this policy.

Accepted token offers and declined or unanswered generic 'spam' offers do not need to be declared.

Access to the register is restricted to relevant persons within the department.

Valuing offers

In considering the value of a gift, benefit or hospitality, it is the highest of:

- the retail or replacement cost of the gift, benefit or hospitality
- the value of the gift or benefit to the recipient.

Where the retail cost of the gift, benefit or hospitality is not immediately clear, school staff must conduct a simple internet search to determine the cost.

If the exact gift, benefit or hospitality cannot be purchased or found, school staff may estimate the cost using other products of a similar quality and standard.

Ownership of gifts offered to school staff

Non-token gifts with a legitimate business benefit that have been accepted by school staff for their work or contribution may be retained by the school staff where the gift is not likely to bring them, the department or school into disrepute, and where their authorised delegate has provided written approval.

School staff must transfer to the school any ceremonial gifts or gifts valued at $500 or more (except for gifts of appreciation funded by multiple families).

Authorised delegates

Under this policy, nominated individuals fulfil the responsibilities of authorised delegates.

Authorised delegates are responsible for considering and approving or declining recipient's acceptance decisions within the Registry system (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> . Authorised delegates' responsibilities are non-delegable.

In approving a recipient's proposed acceptance decision, the authorised delegate is confirming that the offer:

- will provide a legitimate business benefit to the department or school
- does not raise a conflict of interest
- is not from a supplier, potential supplier or organisation about whom the recipient or authorised delegate makes business decisions, as these must be refused
- will not bring the recipient, department, school, or public sector into disrepute
- complies with this policy.

The authorised delegate for:

- members of the teaching service, administrative staff or school contractors – is the principal
- assistant principals – is the principal
- principals – is the regional director
- school council members, employees or contractors – is the school council. In the registry system, declarations of school council members, employees and contractors are authorised by principals on behalf of school councils. Principals must attach evidence of the school council's approval to the registry system declaration record.

For declined offers, authorised delegates are notified of submitted declarations but are not required to make an approval decision.

Timeliness of approval decisions

Authorised delegates must review all declared non-token offers in the registry system and make an approval decision within 10 days for non-token offers proposed to be accepted, and where possible prior to acceptance.

Where there is less than 10 days before an offer event date, authorised delegates must make reasonable efforts to provide an approval decision in the registry system prior to the event date.

Management of the provision of gifts, benefits and hospitality

Management of the provision of gifts, benefits and hospitality

This chapter sets out the requirements for providing gifts, benefits and hospitality.

HOST test

The HOST test can be used as a guide to decide the appropriateness of offering hospitality.

Hospitality

To whom is the gift or hospitality being provided?

Will recipients be external business associates, or individuals of the school community?

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 government policy objectives and priorities? Will it contribute to staff wellbeing and workplace satisfaction?

Spend

Will public 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?

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 the

public sector? Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?

Requirements for providing gifts, benefits and hospitality

Gifts, benefits and hospitality may be provided when welcoming guests to facilitate the development of business relationships, further school outcomes and to celebrate achievements.

When deciding whether to provide gifts, benefits or hospitality or the type of gift, benefit or hospitality to provide, school staff must ensure:

- any gift, benefit or hospitality is provided for a business reason that furthers the conduct of official business or other legitimate organisational goals, or promotes and supports government, department or the school's objectives and priorities
- that any costs are proportionate to the benefits obtained for the school, and would be considered reasonable in terms of community expectations (the 'HOST' test above is a good reminder of what to think about in making this assessment)
- it does not raise an actual, potential or perceived conflict of interest.

School staff must keep detailed records when providing gifts or hospitality that captures:

- legitimate business benefit or purpose of providing the gift or hospitality
- details of the gift or hospitality including invoices and order forms
- details of approving officer and records of approval.

Records must be available to audit and are ideally kept per transaction in CASES21.

Containing costs

School staff must contain costs involved with providing gifts, benefits and hospitality wherever possible, and comply with the financial probity and efficient use of resources guidance outlined in the Code of conduct for Victorian public sector employees <http://www2.education.vic.gov.au/pal/code-conduct/overview> (for members of the teaching service) and the Code of conduct for directors of public entities <https://vpsc.vic.gov.au/ethics-behaviours-culture/codes-of-conduct/code-of-conduct-for-directors-of-victorian-public-entities/> (for school councillors).

The following questions may be useful to assist school staff to decide on the type of gift, benefit or hospitality to provide:

- Will the cost of providing the gift, benefit or hospitality be proportionate to the potential benefits?
- Is an external venue necessary or does the school have facilities to host the event?
- Is the proposed catering or hospitality proportionate to the number of attendees?
- Does the size of the event and number of attendees align with intended outcomes?
- Is the gift symbolic, rather than financial, in value?
- Will providing the gift, benefit or hospitality be viewed by the public as excessive?

Hospitality guidelines

Approval for hospitality

The purchase of hospitality with departmental funds must be approved by the responsible financial delegate.

Schools are required to complete the School hospitality expense approval form (DOCX) <https://edugate.eduweb.vic.gov.au/Services/Finance/School%20FBT%20Documents/School%20Hospitality%20Expense%20Approval%20form.docx> (staff login required) and submit it to the principal or school council president for approval.

An approval form must be approved prior to confirmation of an event unless extenuating circumstances prevent this. Such circumstances must be noted on or attached to the form. Any prior verbal approval must also be noted.

An approval form is required prior to processing an invoice for any amount of hospitality. Blanket approvals for a period of time are not acceptable.

Non-allowable hospitality

Hospitality is not to be provided in the following situations:

- for school staff that is of an unofficial or private nature, including birthdays or farewells (other than retirements)
- for end of year celebrations beyond the definition of 'light refreshments' below.

Business meetings

Working meals involve participation of persons outside the school.

School council meetings are business meetings and therefore light catering is permitted.

Where a business meeting is expected to be of extended duration it may be appropriate to offer tea, coffee, milk and biscuits which would be a small cost.

The provision of working meals must be limited to 'light refreshments' and normally occur:

- at an ordinary school-based meeting location
- on non-regular occurrences, except where particular meetings are planned to continue without break for the convenience of school-based timetables.

Working meals may be provided when:

- there are organisational efficiencies in continuing the meeting through the normal meal break
- there is no reasonable alternative date and time to conduct the meeting except through a normal meal period.

Any hospitality provided for business meetings must be considered 'light refreshments' and be commensurate with a modest meal attendees would usually consume. A multiple-course meal at a restaurant would not meet the definition of modest and would not be approved.

Effort needs to be made to avoid meetings between 12 noon and 2 pm, unless necessary.

School staff are not permitted to claim a reimbursement or allowance for meals or beverages where the meal or entertainment has been provided as part of hospitality.

Behaviour

School staff must ensure that when hospitality is provided, participants:

- demonstrate professionalism in their conduct
- behave in a manner that upholds their duty of care to other participants.

Catered lunches

For a range of reasons, catered activities may be occasionally provided for school staff. These are likely to be limited to a lunch as part of a larger staff-related event, for example a training course, workshop, planning day seminar or conference that is held offsite.

Catered lunches are encouraged to be modest and meet the description of 'light refreshments' above. The staff member approving the expense must

also ensure that the general community would consider it to be a reasonable public expenditure.

Provision of alcohol

The supply of alcohol at any event can lead to increased risks, including the risk of anti-social behaviour and risks to the reputation of both individuals and the school alike. Given the risks, alcohol would not normally be served at school functions or official meetings, particularly those which are attended solely by school staff. This requirement however may be waived at the discretion of the principal.

Financial delegates must only supply alcohol at an official event in accordance with the Occupational Health and Safety Act 2004, Liquor Control Reform Act 1998, Code of Conduct and Alcohol at School Events policy <http://www2.education.vic.gov.au/pal/alcohol-school-events/policy> .

School staff must not be impaired by alcohol while working or while otherwise at a school or departmental location.

If the school hosts an event where alcohol will be served, express authorisation is required from the:

- principal if the event is held off school premises
- school council if the event is held on school premises.

Providing gifts and hospitality to non-school staff

Authorised delegates may provide gifts and hospitality to non-school staff such as external guests, presenters and delegates for legitimate business purposes. Any gift provided must be token, that is, under $50. Gifts must not bring the school into disrepute and gifts involving alcohol would not ordinarily be appropriate.

Providing gifts to volunteers is not appropriate.

Providing gifts to school staff

On occasions, the department or school may wish to recognise significant staff achievements and provide token gifts as part of:

- a reward and recognition event
- acknowledging length of service milestones or retirements.

A token gift, such as a card or flowers, may be sent to family members in the event of a school staff member's death. This may also help their colleagues with their bereavement.

Authorised delegates must consider in providing any gifts if there have been multiple recent events that would result in the perception of excess.

School staff are required to seek approval from the school council when issuing non-token gifts to staff that are funded by public monies. However, school council cannot approve:

- gifts to other school councillors as this would raise an actual, potential or perceived conflict of interest
- expenditure on gifts that are outlined in 'Unacceptable provision of gifts to personnel' section below
- gifts that depart from the financial responsibility obligations set out in the Code of conduct for directors of Victorian public entities <https://vpsc.vic.gov.au/ethics-behaviours-culture/codes-of-conduct/code-of-conduct-for-directors-of-victorian-public-entities/> .

Funds sourced from staff collections do not constitute public monies.

Unacceptable provision of gifts to personnel

Public monies must not be used to provide gifts to school staff in other celebratory events such as:

- birthdays
- marriages
- the birth of children
- care packages, wellbeing packs or holiday hampers sent to all staff.

Items offered must be appropriate to the workplace context and preferably not involve alcohol. Gift vouchers are not permitted to be consistent with the Victorian Public Sector Commission requirement that school staff do not accept them.

Breaches and speaking up

Breaches and speaking up

Breaches

Disciplinary action consistent with the relevant industrial instrument and legislation, including dismissal, may be taken where school staff fail to adhere to this policy. This includes where school staff fail to avoid wherever possible, or identify, declare and manage a conflict of interest related to gifts, benefits and hospitality in accordance with the Conflict of Interest policy <http://www2.education.vic.gov.au/pal/conflict-interest/policy> .

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

- breaches of the binding Code of conduct for Victorian public sector employees <http://www2.education.vic.gov.au/pal/code-conduct/overview> and the Code of conduct for directors of public entities <https://vpsc.vic.gov.au/ethics-behaviours-culture/codes-of-conduct/code-of-conduct-for-directors-of-victorian-public-entities/> , such as sections of the codes covering conflict of interest, public trust and gifts and benefits
- school staff making improper use of their position.

In the event of identified non-compliance, principals and managers may proceed with actions in accordance with the Managing Conduct and Unsatisfactory Performance in the Teaching Service policy <http://www2.education.vic.gov.au/pal/complaints-misconduct-and-unsatisfactory-performance/overview> .

Procurement Division will report instances of potential non-compliance to authorised delegates, to allow them to take actions under the Managing Conduct and Unsatisfactory Performance in the Teaching Service policy.

Instances of non-compliance will also be reported to the department's Audit and Risk Committee.

Schools will communicate this policy on the offering and provision of gifts, benefits and hospitality to contractors, consultants and other business associates using the letter to supplier template (DOCX) <https://eduvic.sharepoint.com/:w:/r/sites/IntegrityInvestigations/Shared%20Documents/GBH_Letter_to_supplier_template.docx> (staff login required). Those identified as acting inconsistently with this policy may be subject to contract re-negotiation, including termination.

Speaking up

School staff who consider that gifts, benefits and hospitality or conflict of interest within the school may not have been declared or is not being appropriately managed should speak up and notify their manager or principal.

School staff can seek advice about unprofessional conduct from Fraud and Corruption Control (03 7022 0121) or fraud.control@education.vic.gov.au <mailto:fraud.control@education.vic.gov.au>

School staff can report to the department's external Speak Up service:

Hotline service: 1800 633 462
Email: educationspeakup@pkf.com.au <mailto:educationspeakup@pkf.com.au>
Web: PKF Integrity Portal <https://pkftalkintegrity.com/?det>

School staff who believe they have observed corrupt conduct in their colleagues may also make a protected disclosure directly to the Independent Based-based Anti-corruption Commission (IBAC).

How the department or school must respond if personnel speak up

The department must always:

- actively support and protect employees who speak up in good faith
- take decisive action, including possible disciplinary action, against anyone who discriminates against or victimises an employee who speaks up in good faith
- respond in a constructive manner to the information provided.

Minimum accountabilities

Minimum accountabilities

For managing gifts, benefits and hospitality in the Victorian public sector.

Part A – Introduction

The minimum accountabilities are issued by the Victorian Public Sector Commission (VPSC).

A gift, benefit or hospitality must not be accepted or given by a public sector organisation or its employees if the offer does not comply with these minimum accountabilities.

The minimum accountabilities are binding under the Instructions supporting the Standing Directions of the Minister for Finance 2018 <https://www.dtf.vic.gov.au/financial-management-government/standing-directions-2018-under-financial-management-act-1994> .

Part B – Receiving offers of gifts, benefits and hospitality

You must comply with the minimum accountabilities when responding to all offers of gifts, benefits or hospitality (token or non-token), including offers from other public sector organisations.

Minimum accountability 1 – do not solicit offers

You 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.

Minimum accountability 2 – offers you must refuse

You must always refuse a gift, benefit or hospitality (token or not token) if any of the following apply.

1. Money or similar

You must refuse the offer if it is money, used in a similar way to money, or easily converted to money, including vouchers other than non-cash vouchers offered as gifts of appreciation, as defined in this policy.

2. Conflict of interest

You must refuse the offer if it gives rise to a conflict of interest (actual, potential or perceived). This means you must refuse the offer if it could influence, or reasonably be seen to influence, how you perform your public duties.

3. Public trust

You must refuse the offer if it could compromise the public's trust that you will perform your public duties in an impartial manner or the public's trust in the impartiality of your organisation or the public sector.

4. Community expectations

You must refuse the offer if it is not consistent with community expectations.

5. Bribes

You must refuse the offer if it could reasonably be seen as a bribe or other inducement. Report the offer to the head of your 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).

6. Legitimate business reason – non token offers

Even if the offer complies with all the other requirements above, you must refuse a non-token offer unless there is a legitimate business reason to accept it. The offer must further the conduct of official business or other legitimate goals of the department, your school, the public sector or the state.

Minimum accountability 3 – declare all non-token offers

If you receive a non-token offer (valued at $50 or more), you must:

- declare the offer on the department's online register (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> , even if you refuse it
- always refuse the offer unless it complies with minimum accountability 2 and you have approval as set out in this policy.

The offer and outcome will be recorded on the organisation's official internal register and in the public register.

Part C – Providing gifts, benefits and hospitality

These minimum accountabilities relate to providing gifts, benefits and hospitality on behalf of your organisation.

They apply when making any offer of a gift, benefit or hospitality, including an offer to another Victorian public sector organisation.

Minimum accountability 4 – business purpose

You must ensure that any gift, benefit and hospitality (token or non-token) you provide on behalf of the department or a school 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.

Minimum accountability 5 – cost and community expectations

You must ensure that the cost of providing a gift, benefit or hospitality is:

- proportionate to the benefits obtained for the state
- would be considered reasonable in terms of community expectations.

Minimum accountability 6 – conflicts of interest

You must ensure that you do not provide a gift, benefit or hospitality unless:

- no conflict of interest exists (actual, potential or perceived) or
- you declare a conflict and your organisation develops a management plan that explicitly allows you to provide it.

Minimum accountability 7 – behaviour

You must ensure that when hospitality is provided, participants:

- demonstrate professionalism in their conduct
- uphold their obligation to extend a duty of care to other participants.

If you are a participant who is accepting hospitality, you must also comply with these standards.

Obligations for the Secretary of the Department of Education

The minimum accountabilities prescribe additional obligations for the heads of public sector organisations. The relevant public sector organisation head for schools is the Secretary of the Department of Education.

Among these are obligations to maintain and publish a register of all reportable offers of gifts, benefits and hospitality made to staff.

Definitions

Definitions

Authorised delegate
Nominated school staff assigned the responsibility to consider and approve proposed acceptance decisions within declarations of gift, benefit and hospitality offers. Authorised delegates' responsibilities are non-delegable.

Benefits
Benefits include 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 or rewards 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.

Business associate
An individual or body that the school has, or plans to establish, some form of business relationship with, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.

Ceremonial gifts
Ceremonial gifts are 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 are the property of the department, irrespective of value. If appropriate to accept a ceremonial gift, it must be accepted by school staff on behalf of the school, not accepted personally. The receipt of ceremonial gifts must be recorded on the department's online register (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> but does not need to be published online.

Conflict of interest
Conflicts may be:

- actual – there is a real conflict between an employee's public duties and private interests
- potential – an employee has private interests that could conflict with their public duties. This refers to circumstances where it is foreseeable that a

conflict may arise in future and steps must be taken now to mitigate that future risk

- perceived – the public or a third party could reasonably form the view that an employee's private interests could improperly influence their decisions or actions, now or in the future.

Consumed offer
A gift, benefit or hospitality offer is regarded as consumed when it has been accepted prior to approval and it is not possible to return it.

Days
Days in this policy are working days. School holidays are not counted as working days for declarations in schools.

Declaration
The documented disclosure of an offer and the recipient's decision, which includes all pertinent details to enable the authorised delegate to assess the recipient's decision.

Donations
Gifts given from or received by schools, typically for charitable purposes or to benefit a cause. They impose no obligations on the receiving organisation and offer little or no rights or benefits to the provider. Similarly, donations to schools are not considered gifts, benefits or hospitality and their administration does not fall under this policy.

Schools must refuse donations (monetary or gifts) from current or potential suppliers that may be perceived as influencing future procurement decisions.

Fundraising and collections
Fundraising undertaken by schools, or on behalf of the department with its prior consent, is permitted under this policy, provided it complies with the department's Fundraising Activities (including fetes) policy <http://www2.education.vic.gov.au/pal/fundraising-activities-including-fetes/policy> .

Gift of appreciation (teaching service only)
An offer from or on behalf of a parent, carer or student made to members of the teaching service, intended to express appreciation of their contribution to the education of a student or students. Where the estimated value is $100 or less, the gift of appreciation is considered token and does not need to be declared. A gift with an estimated or actual value above $100 is considered non-token and must be declared.

Gifts
Gifts are free or discounted items or services and any item or service that would generally be seen by the public as a gift. These include items of high

value (for example, artwork, jewellery, or expensive pens), low value (for example, small bunch of flowers), consumables (for example, chocolates) and services (for example, painting and repairs). Fundraising by public sector organisations that is consistent with relevant legislation and any government policy is not prohibited under the minimum accountabilities <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> .

Hospitality
Hospitality is the friendly reception and entertainment of guests. Hospitality may range from light refreshments at a business meeting to expensive restaurant meals as well as sponsored travel and accommodation.

Host
The person, office holder or organisation which authorises an event. Responsibilities of a public sector host include initiating the event and approving decisions, for example in relation to cost, selecting invitees, ensuring the event runs smoothly and meets its objectives, and facilitating relationships between invitees.

Immediate family
School staff's partner, sibling, child or parent.

Legitimate business benefit
A legitimate business benefit furthers the conduct of official business, educational or other legitimate organisational goals, or promotes and supports government policy objectives and priorities.

When considering the benefit, define in tangible language how the school or department's objectives will be advanced. If you cannot or the only benefit is 'networking' or 'relationship building', then it is likely the benefits are personal and not business benefits.

For example, an education conference ticket so a school staff member can enhance their understanding of curriculum is more likely to be of legitimate business benefit to the school than the offer of hospitality at a corporate box at the football for networking.

Non-token offer
A non-token offer is a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value. All offers valued at $50 or more are non-token offers and must be recorded in the Registry system (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> , except for specific offers received by a person employed in a Victorian government school, as defined under 'token offer'.

Procurement
Procurement refers to all the business processes associated with purchasing goods and services under the Financial Management Act 1994, or construction-relates services and infrastructure under the Project Development and Construction Management Act 1994, spanning the entire lifespan from the identification of needs to the end of a service contract or the end of the useful life and subsequent disposal of an asset. It also includes the organisational and governance frameworks that underpin the procurement function.

Public official
Public official has the same meaning as section 4 of the Public Administration Act 2004 and includes public sector employees, statutory office holders and directors of public entities.

Public register
A public register is a record, preferably digital, of a subset of the information contained in a register, for publication as required by the minimum accountabilities <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> . Guidance regarding the information that should be published is provided in the Management of offers of gifts, benefits and hospitality <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/management-of-offers-of-gifts-benefits-and-hospitality> guidance chapter.

Public sector
As defined within the Public Administration Act 2004. The public sector comprises:

- the public service
- public entities
- special bodies.

Recipient
School staff to whom offers of gifts, benefits and hospitality are made.

Register
The department-wide record of all declarable gifts, benefits and hospitality.

Registry system
The department-wide information technology application (staff login required) <https://eduvic.sharepoint.com/sites/giftsregister> used by school staff to declare and approve offers of gifts, benefits and hospitality and provide reports.

School council
School councillors are required to monitor and oversee offers and provision of gifts, benefits and hospitality within schools, and at least annually review the school register for compliance with the policy.

School staff
Members of the teaching service, school councillors and school council employees, and contractors.

Spam offers
Spam offers, junk email and similar offers made available to the public, refers to unsolicited messages, usually sent in bulk to large numbers of recipients, that are not specifically targeted to school staff in their public sector role. A generic bulk email invitation may address school staff by name but still be considered spam. Personalised and individual invitations, however, must be treated as general offers and declared if non-token.

Sponsored travel
Sponsored travel is an offer to fund, wholly, or in part, school staff travel and other work-related costs. This includes sponsored transport, accommodation, meals, conferences and industry tours. Sponsored travel must be declined unless a legitimate business benefit for acceptance can be demonstrated.

Sponsorships
The purchase or receipt of rights or benefits, including naming rights, delivered through association with an organisation's products, services or activities. The rights or benefits typically relate to the sponsor's reputation management or communication objectives. In accordance with Guidance 4.2.2, Minister for Finance Standing Directions 2018, sponsorships are not considered gifts, benefits or hospitality and their administration does not fall under this policy.

Supplier code of conduct
A code of conduct <https://www.buyingfor.vic.gov.au/supplier-code-conduct-suppliers> issued by the Victorian Government which outlines the minimum ethical standards in behaviour that suppliers will aspire to meet when conducting business with, or on behalf of, the state.

Token offer
A token offer is a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). The minimum accountabilities <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> state that token offers are less than $50.

This does not apply to a person employed under the Education and Training Reform Act 2006 in a Victorian government school, who 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 it cannot be worth more than $100.

Transfer
The passing of possession or control of a physical item to the department or school.

Victorian public sector organisations
Victorian public sector entities as defined within the Public Administration Act 2004. This does not include Victorian local government organisations.

Voucher
Vouchers (including retail debit cards and gift cards) are a payment facility offered by businesses to consumers.

Cash vouchers are any vouchers that can be 'universally' used in the same way as cash can. A financial institution issued debit card, for example, a bank $50 debit card, is a 'cash' voucher. The acceptance of cash vouchers is prohibited under this policy.

Non-cash vouchers are vouchers that must be used at specific retailers and cannot be converted to cash. Non-cash vouchers are prohibited under this policy except when they are offered as gift of appreciation to members of the teaching service.

Resources

Resources

Online learning

Online learning is available for all school staff by searching for 'gifts, benefits and hospitality' in the LearnED section of eduPay <https://edupay.eduweb.vic.gov.au/> (staff login required).

Supporting resources

- Gifts, Benefits and Hospitality Registry System <https://eduvic.sharepoint.com/sites/giftsregister> – log in to the registry system to declare an offer
- Gifts, benefits and hospitality: quick guide (DOCX) <https://eduvic.sharepoint.com/:w:/r/sites/IntegrityInvestigations/Shared%20Documents/GBH_Quick_guide.docx>
- Gifts, benefits and hospitality: quick guide (PDF) <https://eduvic.sharepoint.com/:b:/r/sites/IntegrityInvestigations/Shared%20Documents/GBH_Quick_guide.pdf>
- How to declare an offer guide (DOCX) <https://eduvic.sharepoint.com/:w:/r/sites/IntegrityInvestigations/Shared%20Documents/GBH_How_to_declare_an_offer.docx> (staff login required)
- Authorised delegates and endorser guide (DOCX) <https://eduvic.sharepoint.com/:w:/r/sites/IntegrityInvestigations/Shared%20Documents/GBH_Authorised_delegate_endorser_guide.docx%20> (staff login required)
- Speak Up service <https://eduvic.sharepoint.com/sites/IntegrityInvestigations/SitePages/Speak-Up-service.aspx> (staff login required)
- Thanks is Enough <https://eduvic.sharepoint.com/sites/IntegrityInvestigations/SitePages/Thanks-is-enough.aspx> (staff login required)
- Case studies – outlining how to respond to the most common situations (DOCX) <https://eduvic.sharepoint.com/:w:/r/sites/IntegrityInvestigations/Shared%20Documents/GBH_Case_studies.docx> (staff login required)
- Fringe Benefit Tax (FBT) School Hospitality Scenarios (DOCX) <https://edugate.eduweb.vic.gov.au/Services/Finance/School%20FBT%20Documents/FBT%20School%20Hospitality%20Scenarios.docx> (staff login required)
- Letter to supplier template (DOCX) <https://eduvic.sharepoint.com/:w:/r/sites/IntegrityInvestigations/Shared%20D

ocuments/GBH_Letter_to_supplier_template.docx> – to communicate this policy to contractors, consultants and other business associates

- Minimum accountabilities <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> – Victorian Public Sector Commission

Useful websites

- Gifts, benefits and hospitality register <https://www.vic.gov.au/gifts-benefits-and-hospitality-register-department-education> – the department's public register of information on all declared gifts, benefits and hospitality for previous years
- Code of conduct for Victorian public sector employees <https://vpsc.vic.gov.au/ethics-behaviours-culture/codes-of-conduct/code-of-conduct-for-victorian-public-sector-employees/>
- Code of conduct for directors of Victorian public entities <https://vpsc.vic.gov.au/ethics-behaviours-culture/codes-of-conduct/code-of-conduct-for-directors-of-victorian-public-entities/>
- Victorian Public Sector Commission gifts, benefits and hospitality policy guide <https://vpsc.vic.gov.au/ethics-behaviours-culture/gifts-benefits-hospitality/>
- Independent Broad-based Anti-corruption Commission (IBAC) <https://www.ibac.vic.gov.au/>
- Supplier Code of Conduct <https://www.buyingfor.vic.gov.au/supplier-code-conduct>

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