

Gifts, Benefits and Hospitality Policy

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Part A – Overview and definitions

1. Purpose

This policy states Greater Western Water’s position on:

- Responding to offers of gifts, benefits and hospitality; and
- Providing gifts, benefits and hospitality.

This policy is intended to support you and Greater Western Water (GWW) to avoid conflicts of interest and maintain high levels of integrity and public trust.

GWW has issued this policy to support behaviour consistent with the Code of Conduct for Victorian Public Sector Employees and the GWW Code of Conduct. All employees are required under these respective Codes to comply with this policy.

2. Policy summary

This policy is to be read in full. If you are unsure about the acceptance of a gift, benefit or hospitality, or the application of this policy, you should ask the responsible person for advice.

In summary the policy provides for:

- A ban on soliciting offers;
- Acceptance of token offers of gifts, benefits and hospitality without approval or declaring the offer on the GWW internal register (token offers may include promotional items and modest hospitality, but cannot exceed \$50 in value);
- Refusal of all non-token offers except for hospitality and gifts that do not raise a conflict of interest, do not compromise the public's trust, are consistent with community expectations, are not considered a bribe or other inducement, and for which there is a legitimate business reason for acceptance; and
- All non-token offers of \$50 or more in value, whether accepted or declined, must be approved, and declared in the internal register regardless.

3. Application

This policy applies to:

- GWW Board directors.
- GWW executives and employees.
- 'In house' contractors, consultants, labour hire employees and any individuals or groups undertaking activity for or on behalf of GWW.

'In house' contractors and consultants mean contractors and consultants performing a GWW function, for example:

- Undertaking work of a similar nature to work undertaken by GWW employees;
- Using or having access to GWW resources or information that is not normally accessible or available to the public; or
- Supervising GWW employees.

For ease of reading, in this policy the term "employee" is used to cover anyone the policy applies to, as set out above, regardless of their employment or engagement status.

4. Policy principles

This policy has been developed in accordance with requirements outlined in the minimum accountabilities for the management of gifts, benefits and hospitality issued by the Victorian Public Sector Commission. These minimum accountabilities are binding on GWW.

GWW is committed to and will uphold the following principles in applying this policy:

Impartiality – you have a duty to place the public interest above your private

interests when carrying out your official functions. You must not accept gifts, benefits or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment. You must not accept offers from those about whom they are likely to make business decisions.

Accountability - you are accountable for:

- Declaring all non-token offers 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; and
- The responsible provision of gifts, benefits and hospitality.

Individuals with direct reports are accountable for overseeing management of their direct reports' acceptance or refusal of reportable gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality policies and processes.

Integrity - you must 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. You must refuse any offer that may lead to an actual, perceived or potential conflict of interest.

Risk-based approach - GWW through its policies, processes and Risk Management and Audit Committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. Individuals with direct reports must ensure that 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.

5. Minimum accountabilities

Under the Instructions supporting the Standing Directions of the Minister for Finance 2018, the Victorian Public Sector Commission has set binding minimum accountabilities for the appropriate management of gifts, benefits and hospitality. These can be found at Schedule A.

6. Key things you must do

When you are doing work for GWW, no matter what that work is, you must act with integrity and impartiality consistent with the Code of Conduct for Victorian public sector employees, and the GWW Code of Conduct. This includes placing the public interest above your private interests.

This does not just help GWW. It protects you if you are accused of wrongdoing and helps you navigate difficult situations.

Employees

As an employee, you must comply with this policy when you:

- Are offered gifts, benefits or hospitality.
- Provide gifts, benefits or hospitality.

If you are unsure what to do, check with your manager.

Managers

If you are a manager with direct reports, you must also:

- Be aware of the gifts, benefits and hospitality risks inherent in your direct reports' roles.
- Oversee your direct reports' compliance with this policy.
- Promote awareness and give advice; and
- Model good practice.

Head of organisation

As a public sector body head, the Managing Director must fulfill their obligations under the minimum accountabilities.

7. Moving to “thanks is enough”

GWW encourages you to help us develop a culture of “thanks is enough”. Our aim is to move to a culture where offers are not accepted even if they are permitted under this policy.

GWW will be taking steps to help external stakeholders understand our policy and this aim – for example, that we discourage gift offers, especially repeat offers.

8. Definitions

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 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.

Bribes

A 'bribe' is an offer of money or other inducement made with the intention to

corruptly influence an individual in the performance of their duties. Bribery or attempted bribery is a criminal offence.

Business associate

An individual, group or organisation that GWW 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.

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. Conflicts may be:

Actual: There is a real conflict between an individual's public duties and private interests.

Potential: An individual 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 should be taken now to mitigate that future risk.

Perceived: The public or a third party could reasonably form the view that an individual's private interests could improperly influence their decisions or actions, now or in the future.

If a conflict of interest exists, then GWW's Conflict of Interest Policy (POL-1005414) will also apply.

Fundraising

Fundraising is raising money in a way that does not breach the minimum accountabilities because it occurs under a fundraising policy that is consistent with relevant law, government policy and codes of conduct issued by the Victorian Public Sector Commission.

Gifts

Gifts include items or services that are free or discounted and any item or service that would generally be seen by the public as a gift. These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. small bunch of flowers), consumables (e.g. chocolates) and services (e.g. painting and repairs).

The monetary value of a gift is the estimated monetary value of the item if it were not being provided either free or discounted. Gift cards and vouchers must be treated the same as money under the 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 and sponsored travel and accommodation.

Internal Register

The Internal Register is the official record, preferably digital, of all declarable gifts, benefits and hospitality made to our employees or GWW, whether accepted or declined. The full title is "Register of gifts, benefits and hospitality – declarable offers".

Legitimate business benefit

A legitimate business benefit is one that furthers the conduct of official business or other legitimate goals of GWW, the public sector or the State.

Non-token offer

A non-token offer is one that is worth \$50 or more.

Official gifts and items

Official gifts and items include:

- Official gifts; and
- Official items (items with cultural, ceremonial, religious, historic, or other significance).

Official gifts and items are sometimes accepted or given on behalf of GWW as part of business with official delegates or representatives from another organisation, community group or government.

If accepted, official gifts and items are the property of GWW, irrespective of value. Official gifts and items must be declared and recorded on the register, regardless of whether they were accepted or refused.

Example

GWW has been working with a local community group representing people of a specific cultural background. In gratitude for GWW's work, the group presents an employee leading the GWW group with a gift that is culturally significant to them. This is an official item.

The community group, in addition to this official item, provides the employee with a bottle of wine for the team to celebrate the successful work. This is an official gift – it is not culturally significant but was provided by an organisation in recognition of GWW's relationship with them.

The employee accepts both gifts on behalf of GWW, declares both, and GWW determines what to do with the gift as soon as reasonably possible.

Public register

The public register is the official record, preferably digital, of a subset of the information contained the internal register. It is published in GWW's website.

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). A token offer is worth less than \$50.

Part B – Offers to employees.

9. Do not solicit offers

Consistent with the minimum accountabilities, individuals must not solicit (seek) any gift, benefit or hospitality, for themselves or others, if the offer could reasonably be seen as connected to their employment.

10. Integrity test – offers that must be refused

Consistent with the minimum accountabilities, you must always refuse a gift, benefit or hospitality (token or non-token) if any of the following apply.

For further information, please refer to the summary flowchart in Schedule A.

Minimum accountabilities

a) Money or similar

You must refuse the offer if it is money, used in a similar way to money, or easily converted to money.

b) Conflict of interest

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

Example 1

Sally is involved in managing a tender for a major contract. Part of doing so involves interviewing each applicant. One applicant offers to host Sally at their office for the interview and provide her with food.

Even if the value of the meal was well below \$50, it would be reasonable for people to believe that it could influence how Sally performed her public duty of impartially awarding the contract. Sally must refuse and declare the offer.

Example 2

If an individual is likely to make a decision in relation to a customer in the foreseeable future, then the individual must refuse any offer from that customer.

c) Public trust

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

d) Non-token offer without a legitimate business reason

You must refuse a non-token offer unless there is a legitimate business reason to accept. In order to accept a non-token offer, it must further the conduct of official business or other legitimate goals of GWW, the public sector or the State.

Example

James is required to meet with a supplier to conduct business. The supplier invites James to meet him at a corporate box during a sporting event (at no cost to James but at a cost to the supplier). There is no legitimate business reason for the meeting to take place in this way.

James must refuse and declare the offer.

e) Community expectations

You must refuse an offer (token or non-token) if it is not consistent with community expectations.

f) Bribe

You must refuse an offer if it could reasonably be seen as a bribe or other inducement.

Any such offer must be reported to the Managing Director or the Chief Operating Officer. They will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-Corruption Commission.

Additional requirements

GWW has decided that you must also refuse a gift, benefit or hospitality if any of the following apply.

g) Repeat offers that cause a conflict of interest

Repeat offers are multiple offers from the same person, group or organisation. Their combined effect can sometimes lead to the perception that they could influence you.

You should refuse an offer if it is a repeat offer (token or non-token) that could reasonably be seen as adding up to a conflict of interest.

Example

Rachael is responsible for managing a relationship with one of GWW's suppliers. She often meets with the supplier's representative at a café because it is a convenient place for both parties to meet.

The supplier has offered to pay for Rachael's coffee. It may be appropriate for Rachael to accept the offer a single time or perhaps occasionally. However, the supplier offers every or most times.

It would not be appropriate for Rachael to accept each time or more occasionally, because it could create the perception of influence. A member of the public could reasonably infer that Rachael expects suppliers to pay for her food and drink when they meet and that this may influence her decision making.

h) Decisions you are likely to make or influence

You should refuse an offer if it is from a person, group or organisation that you are likely to make or influence a decision about in the foreseeable future. This could reasonably be seen as a conflict of interest.

Exception

The only exception is that you can accept an offer if it is:

- Token hospitality (a basic courtesy).
- A learning opportunity, such as a webinar, and all of the following apply:
 - It is relevant for your work duties.
 - It has a legitimate business reason (benefit).
 - It is free for all attendees.
 - The covering or discounting of additional costs (travel, accommodation) is not included in the offer; and
 - It is consistent with community expectations.

i) **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.

You 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.

To ensure that GWW employees have development opportunities that do not raise conflicts of interest, GWW will try to build training and development offerings into our contracts as deliverables, wherever appropriate.

Example

An organisation you are likely to make, or influence, a decision about in the foreseeable future offers you a learning opportunity that is relevant to your work duties and has a legitimate business benefit. It is free for all attendees.

You can accept the offer if it is also consistent with community expectations.

An offer to attend a free webinar is far more likely to be consistent with community expectations than an offer to attend a conference – particularly if the latter includes accommodation, travel or related benefits, such as a gala dinner.

You must refuse the offer if it is made by a person, group or organisation whose primary purpose is to lobby ministers, members of parliament or public sector agencies.

j) **Presenting at conferences**

GWW allows conference organisers to pay the costs for an individual to present at a conference in their area of expertise including flights, accommodation, meals and conference admission, providing that there is a legitimate business reason, attendance meets community expectations and any risk of conflict of interest can be appropriately managed.

k) **Endorsement**

You should refuse an offer if accepting it could reasonably be seen as endorsing a product or service.

Example

An organisation is offered several vehicles to use by a dealership. The dealership is making the offer on the basis that it can include advertising indicating that it is the preferred dealer of vehicles to Government. In this instance, the offer should be refused.

l) Advantage to a supplier or sponsor

You should refuse an offer if accepting it could reasonably be seen as advantaging a supplier or sponsor in a future procurement.

Example

Eman is attending a conference, paid for by her organisation, as part of her work. At the conference, she should avoid accepting offers from the sponsors of the conference or any exhibitors. A member of the public might see this as an attempt by the offeror to make Eman more favourable to them in the future.

m) Sufficient attendees

For hospitality and events, you should refuse the offer if GWW will already be sufficiently represented to meet its business needs or – as is the case for all other offers – if it does not comply with other elements of the integrity test.

n) Your own judgement

You should refuse the offer if you feel that accepting it would breach your obligations under the Code of Conduct for Victorian public sector employees or the GWW Code of Conduct. This is a broad test that you can use to protect yourself if you are still unsure about accepting an offer. If you are uncertain, you can seek advice from your manager.

Declining offers

In most cases, where the offer should or must be refused, you should decline it at the time the offer is made to you. Sometimes this can be difficult, for example:

- The offer may have been delivered to GWW via mail or courier, making declining difficult.
- Declining the offer may cause offence or even be unsafe in the moment for the employee being offered it.
- There may be some other reason why, in the moment, you are unable to decline the offer.

Gifts

Difficulty with declining offers is most common with gifts. In the case of gifts, declare the offer as normal and make it clear to your manager that you were unable to decline the offer in the moment, but you have not accepted it.

Follow up response.

You or GWW will dispose of the gift and an explanation and rejection will be sent to the offeror where appropriate.

Benefits and hospitality

In the case of benefits and hospitality, it is very unusual for a situation to arise where you cannot decline an offer. The most obvious, but still extremely unlikely, scenario is that refusing would offend the offeror in a way that would make you feel unsafe.

In such cases, as soon as possible, declare that you accepted the offer and why.

Follow up response.

GWV will take action to ensure employees are not placed in such situations in the future.

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.

GIFT is an acronym for: giver, influence, favour and trust.

Figure 1. GIFT test

Acronym	Meaning	Useful questions to prompt your thinking
G	Giver	<ul style="list-style-type: none"> • Who is offering 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 a token of appreciation or is it a non-token offer? • Does its timing coincide with a decision I am about to make 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 it create an obligation, or feeling of obligation
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?

11. Token offers – what you must do

If you receive a token offer (value less than \$50):

- You can only accept the offer if it passes the “integrity test” (section 10 above).
- Remember, thanks are enough. Do you need to accept?
- You do not need to declare the offer.
- You do not need a legitimate business reason to accept.
- You do not need approval from your manager to accept.
- You are the owner of the gift, benefit or hospitality.

12. Non-token offers – what you must do

If you receive a non-token offers (value \$50 or more):

- You must declare the offer even if you refuse it.
- Remember, thanks is enough. Even if you have a legitimate business reason, do you need to accept?
- You can accept if it passes the “integrity test” (section 10 above).
- As part of the integrity test, you must have a legitimate business reason to accept.
- You must have prior written approval from your manager to accept.
- If you accept the offer, you do so on behalf of GWW. It is not usually yours to keep. Some exceptions exist, but you will need to see if you qualify in the circumstances. For more information, see “Applying for ownership of a non-token gift” below.
- The offer and outcome must be recorded in the internal register. Certain information may also be published in the online public register.

Recording reportable offers

All reportable offers, whether accepted or declined, must be recorded in GWW’s internal register. To declare a non-token offer:

- Within 5 working days of the offer, use the [declaration form](#).
- If you accept the offer, record the business reason on the form with sufficient detail to link it with your duties and the benefit to GWW, the public sector or State.
- Submit the form to your manager, who will arrange for the offer and outcome to be recorded in GWW’s internal register.
- The Managing Director should submit their form to the Chair of the GWW Board for review and approval.

Examples – legitimate business reason

These are examples of how to record the legitimate business reason in enough detail:

Unacceptable

- “Networking”
- “Maintaining stakeholder relationships”.

Acceptable

- “I am responsible for evaluating and reporting on the outcomes of GWW’s sponsorship of Event A. I was offered a free ticket by the event organisers. I accepted so I could attend Event A in an official capacity and reported back to GWW on the event”.
- “I presented to a visiting international delegation. The delegation presented me with a cultural item which, consistent with GWW’s policy on official gifts and items, I accepted on behalf of GWW”.
- “I was offered to attend professional development by one of our stakeholders, who supplies legal services to my organisation and more broadly to other organisations in the public sector. The session would count towards my Continuing Professional Development obligations as a lawyer. The event was free to everyone, and my organisation paid for travel costs.”

GWW’s internal register and public register

Access to GWW’s internal register is restricted to relevant persons within GWW and is maintained by the Corporate Secretary.

GWW’s Risk Management and Audit Committee receives a report at least annually on the administration and quality control of the gifts, benefits and hospitality policy, processes and register. The report includes analysis of GWW’s gifts, benefits and hospitality risks (including multiple offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

GWW’s public register contains a subset of the information detailed in GWW’s internal register, consistent with the VPSC’s guidance on gifts, benefits and hospitality.

GWW will ensure compliance with the *Privacy and Data Protection Act 2014* when collecting, using, and disclosing personal information in relation to gift offers (token and non-token). This includes ensuring that:

- Identifying information is deleted from the public register; and
- A privacy collection statement - gift offers will be published on GWW’s website.

Applying for ownership of a non-token gift

Usually, a non-token gift that is accepted belongs to GWW.

However, if the gift was given to you specifically in recognition of your work or contribution, you may retain it provided:

- It is not an official gift (refer section 8 above and section 16 below).
- It is unlikely to bring you or GWW into disrepute.
- It would be consistent with community expectations; and
- Your manager has provided written approval.

GWW encourages gifts such as food hampers to be auctioned to employees with the proceeds donated to charity.

Retrospective approval

If you cannot obtain prior approval to accepting an offer, in limited circumstances you can obtain retrospective approval. You must apply for retrospective approval within 5 business days. For example – if it:

- was reasonable to be unaware the gift was non-token – such as a wrapped gift; or
- would have caused serious offence to refuse – but remember, except for official gifts or items, this is not usually sufficient reason.

13. Offers made in a personal capacity

It is normal to receive offers of gifts, benefits and hospitality in your personal life that are unconnected to your work. You can accept these offers, provided that you believe on reasonable grounds that the offers are made in a personal capacity.

14. Non-token offer from another public sector organisation

Non-token offer from a government department

In the course of your work as an employee of GWW, you might be offered a non-token gift, benefit or hospitality by:

- A Victorian government department or administrative office; or
- The VPSC.

If this occurs:

- You can accept the offer if it complies with the integrity test (section 10 above); and
- You do not need to declare the non-token offer.

However, if the offer does not meet the integrity test, it must be refused and declared.

Non-token offer from a public entity or other Victorian public sector organisation

In the course of your work as an employee of GWW, you might be offered a non-token gift, benefit or hospitality by another Victorian public sector organisation, such as a public entity.

For example, you might be offered free tickets to an event where GWW:

- GWW has helped organise the event; or
- Otherwise actively supports the event or the organisation.

If this occurs:

- You can accept the offer if it complies with the integrity test (section 10 above); and
- Regardless of whether you accept the non-token offer, you must declare it.

Non-token offers of uncertain origin.

If you receive an offer via a work colleague and you believe they may be offering on behalf of a third party with the possible intention of influencing you, you must:

- Refuse the offer and declare it; and
- Report it to your manager, as it may need to be referred on to an integrity body or the police.

Offers from an interstate or Commonwealth public sector organisation.

Offers from public sector organisations that are part of a different State or part of the Commonwealth public sector should be treated the same as any other organisation that is not a Victorian public sector organisation.

Example

An offer may be made to our organisation by a visiting delegation from a Queensland government department. This offer should be treated like any other offer. It should be subject to the integrity test, and declarations should be made if necessary.

15. Exceptions to the declaration rule

Generic offers that are refused

In the course of your public duties, you may receive generic offers of non-token gifts or benefits. For example:

- Emails targeting our employees with offers to attend a seminar or webinar at a discount rate.
- SPAM emails.

You do not need to declare a generic non-token offer if you refuse it.

If you want to accept it, the usual restrictions in the integrity test (section 10 above) apply as to whether you can do so.

Targeted email blasts

Often, generic offers may appear personalised by being addressed to you 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 you receive an email and you are unsure if it is a generic offer, talk to your manager to determine if you need to declare it. 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 or the work of my area of GWW?

If the answer to all of the above is “no”, then it is likely a generic offer.

Multi-employee declaration

Sometimes, GWW will issue a non-token declaration on behalf of all or some of its employees. If this happens, GWW will let the relevant employees know, as it means that they do not need to make an individual declaration of a non-token offer. This can be a multi-employee refusal or multi-employee acceptance, depending on the offer.

These declarations will be issued by either the Managing Director or the Chief Operating Officer.

Employees are still responsible for declaring any actual, potential or perceived conflicts of interest that they might have in relation to the offer.

Example

Sometimes, if a number of GWW's employees receive a non-token offer to attend a learning opportunity, GWW will issue a multi-employee declaration. If GWW accepts the offer using a multi-employee declaration, GWW will let eligible employees know that they will be covered by this declaration if they attend.

Employees who decide to attend will still need to let the event organiser know as GWW will only approve attendance for eligible employees, not confirm it with the organisers.

Employees still have an obligation to raise and manage any conflicts of interest that they believe the offer may create for them.

Hospitality and conference tickets provided by organisations of which GWW is a member.

Hospitality and conference/function tickets may be provided by membership-based organisations (e.g., VicWater, WSAA, CEDA), for functions hosted by them to their member organisations, generally or specifically for certain attendees, e.g., presenters. GWW will issue a multi-employee declaration for these events.

Accepted hospitality or conference/function tickets offered by organisations of which GWW is a paid member do not need to be declared or reported, where your attendance is consistent with GWW's functions and objectives, and your role.

16. Official gifts and items – what you must do

If you accept the following, you do so on behalf of GWW:

- An official gift; or
- An official item (item with cultural, ceremonial, religious, historic, or other significance).

Official gifts and official items (for example, a culturally significant gift from an official delegation) are an exception to our usual "thanks but no thanks" approach.

Regardless of its monetary value, an official gift or official item:

- Must be declared.
- Will be recorded on GWW's internal register.
- Will not usually be published in GWW's online public register; and
- Belongs to GWW, not you.

Some exceptions exist (see below).

Applying for ownership of an official item

If an official item was given to you specifically in recognition of your work or contribution, you may retain it provided that:

- It is the express wish of the giver.
- It benefits GWW's relationship with the giver.
- It is appropriate given the significance and value of the item.
- It would be consistent with community expectations.
- It is unlikely to bring you or GWW into disrepute; and
- Your manager or, depending on the gift, the Chief Operating Officer gives written approval.

You cannot retain the gift unless it meets all of the above requirements.

17. Offers made to GWW

Sometimes, offers are made to our organisation itself. For example, offers of equipment.

In deciding whether to accept such an offer, GWW will take into account:

- Whether the offer passes the integrity test (section 10 above).
- In particular, will carefully scrutinise:
 - The people or organisation making the offer.
 - The nature and circumstances of the offer.
 - The level of public benefit if the offer is accepted.

GWW must reject any offer that is not consistent with community expectations.

Official items

If an offer of an official item is accepted by one of GWW's employees, it becomes the property of GWW, with some exceptions (see section 16 above). GWW will decide what to do with each official item that comes into its possession according to the nature of the item and GWW's policies.

Reward and recognition offers

Sometimes, an offer is made to provide GWW with a benefit like discounts, free tickets or equipment for employees.

Sometimes, GWW may decide to accept the offer for reward and recognition purposes after taking into account:

- The above factors; and
- Any other relevant requirements of this policy.

Donations or gifts given on GWW's behalf

Sometimes, an individual or business that has a relationship with GWW may seek to donate or gift to a third party, like a charity, in GWW's name or on GWW's behalf. Often this happens without seeking prior approval from GWW or giving GWW any opportunity to accept or refuse the gift or donation.

There are reputational risks associated with any donation or gift made on GWW's behalf, even where this is well meaning. For example, it can be seen as preferencing one charitable organisation over another and can impact the perception of and trust in the Victorian Government as a whole.

There are other risks associated with allowing a commercial partner to donate or gift in this manner, including the impact that this may have on future procurement or work activities.

GWW expects that everyone who works with us is made aware of GWW's expectations around donations made in GWW's name.

Whilst there is no opportunity to refuse the donation or gift once made, the commercial partner should be informed that no gift or donation should be made on GWW's behalf in future without a formal offer and approval.

Where a gift or donation has been made without prior approval, that gift or donation should be listed on GWW's internal register, noting that there was no opportunity to accept or refuse.

Part C – Providing gifts, benefits and hospitality to others.

18. Integrity test – providing to others

When providing a gift, benefit or hospitality on behalf of GWW, you must ensure all of the following:

a) Business reason

You must ensure it is provided for a business reason. There must be a legitimate business benefit that furthers the conduct of official business or other legitimate organisational goals of GWW, the public sector or the State.

Some examples of legitimate business reasons are to:

- Welcome guests;
- Facilitate the development of business relationships and outcomes; or
- Celebrate achievements.

b) No conflict of interest

You must ensure it does not raise a conflict of interest (actual, potential or perceived).

c) Proportional costs

You must ensure that any costs incurred are proportionate to the benefits obtained for the State.

d) Consistent with community expectations

You must ensure that the event would be considered reasonable and consistent with community expectations.

Example

GWW is running a workshop for all staff, with mandatory attendance. It is an all day event and GWW has organised catering to provide lunch for all attendees. This is a legitimate business reason for our organisation to provide hospitality. It does not raise a conflict of interest, it is proportionate in costs, and it is consistent with community expectations.

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 in this section above.

HOST is an acronym that stands for: hospitality, objectives, spend and trust.

Figure 2. HOST test

Acronym	Meaning	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 partners, or GWW 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 benefit obtained? • What type of hospitality will be provided? • Will it be modest or expensive? • If alcohol is to be provided, why? Would it be provided as a courtesy or an indulgence? • Is an external venue necessary or can GWW 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 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?

Remember, these are meant to be useful prompts only. The obligations on you are set out in the integrity test in this section above.

19. Processes you must follow – providing to others

GWW has processes and procedures for providing gifts, benefits and hospitality. For example, for providing hospitality at:

- Internally focussed events; and
- Externally focussed events.

These requirements must be complied with. For example, requirements in relation to:

- Alcohol.
- Financial expenditure and approval.
- Catering for employees and for office functions.
- Reward and recognition programs.
- Recording and reporting.

For further information, see GWW's policies on:

- Instrument of Delegation to the Managing Director and officers of GWW (POL-1)
- Drugs and Alcohol in the Workplace Policy (POL-13); and
- Code of Conduct (POL-1005449)

Conduct during hospitality

Consistent with minimum accountability 7, if you participate in hospitality in your public sector role, you must:

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

Providing official gifts and items

Before providing an official gift or item, make reasonable enquiries to ensure it will be appropriate to do so.

Example

Before providing a ceremonial gift to an official representative of an Aboriginal or Torres Strait Islander group, reasonable enquiries could include making enquiries with:

- GWW's Diversity and Inclusion team.
- The group that the person represents.
- An organisation such as the Victorian Aboriginal Heritage Council or the local Registered Aboriginal Party (RAP) or Traditional Owner Organisation.

Reward and recognition programs

Modest gifts may be provided to individuals in exceptional circumstances as part of the GWW Reward and Recognition program. Financial gifts to individuals such as vouchers or gift cards are prohibited.

Maximum expenditure on unbudgeted gifts

GWW has set a nominal limit of \$150 for the maximum expenditure on gifts to others, where the expenditure has not been explicitly budgeted for. This nominal limit is a total for a discrete, unbudgeted gift. It is not per person or an annual total.

Flowers

Flowers can be purchased from public funds in the event of the death of an individual or close family member. Should work colleagues choose to recognise life events such as the birth of a child, flowers and gifts are funded through staff collections.

Providing catering and alcohol for external events

Catering may be provided at functions for external guests subject to the following criteria:

- There is a real benefit to GWW or the public sector.
- The expenditure is modest and proportionate to the benefit.
- It is not excessive.
- It is not too frequent; and
- It is consistent with community expectations.

Alcohol may be purchased with public funds to serve at functions (off-site only) for external guests based on the following:

- Provision of alcohol would be relatively uncommon and associated with a meal.
- Any event where alcohol is served should be held at a time that minimises the risk of individuals returning to work impaired by alcohol (e.g., if standard office hours are worked, the event should be held in the late afternoon or early evening).
- Events with alcohol service do not exceed two hours in duration.
- No more than two standard drinks per person are provided; and

- The provision of alcohol should be incidental to the overall level of hospitality provided.

Providing alcohol at internal events

GWW does not permit the purchase of alcohol with public funds for internal events. Having non-GWW staff or contractors, guests or stakeholders at an event does not necessarily mean it is not an internal event.

GWW practice for recognition events is that the business unit funds a modest meal and soft drinks. Staff must also comply with GWW's Drug and Alcohol Policy.

Providing catering at internal events

GWW provides modest catering for employees at events such as annual recognition events or marking the completion of a major project based on the following considerations:

- The extent to which the event will contribute to organisational objectives by, for example, reinforcing particular values or motivating staff.
- Whether there have been multiple recent events that would result in perceptions of excess; and
- The need to balance the positive benefits of recognition with community expectations in relation to modest expenditure by public sector organisations.

Celebrations of events such as birthdays, marriages or the birth of a child are not catered with public funds.

GWW practice is that meetings are scheduled to avoid conflict with meal times. Where that is not possible, a break is encouraged to enable participants to seek their own refreshments. If an event or meeting extends over meal times, modest hospitality can be provided.

As a guideline, refreshments can be provided when meetings exceed these times:

- 2 hours - for morning or afternoon tea
- 3 hours - for lunch
- 5 hours - for lunch and either morning or afternoon tea
- 7 hours - for lunch, morning tea and afternoon tea.

Part D – Alleged Breaches

20. Dealing with an alleged breach

If you may have breached this policy, notify your manager in writing immediately. This enables us to assess how best to mitigate the risk – for example, GWW may arrange to return the gift.

GWW’s response

GWW will respond to alleged breaches of this policy consistent with the *Public Administration Act 2004*, the Code of Conduct for Victorian public sector employees, GWW’s Code of Conduct, this policy and any other obligations that apply.

GWW will take a graduated approach. GWW’s response will be fair, reasonable and proportionate. In some instances, no action will be taken. In others, GWW will deal with the matter:

- On an informal basis, for example, through education or counselling.
- Through a performance management process or similar; or
- If other methods are not appropriate, through a misconduct process.

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

Serious misconduct can result in termination of employment.

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

If a criminal offence may have occurred, the Victorian or Federal Police may investigate and prosecute.

21. Speak up.

GWW encourages you to speak up if you believe a breach of this policy:

- Has happened.
- Is happening; or
- Might be about to happen.

You can do so by notifying your manager or the Chief Operating Officer.

IBAC and the Victorian Ombudsman

Alternatively, if you believe corrupt or improper conduct is occurring, you can make a complaint directly to the Independent Based-based Anti-corruption Commission (IBAC) or the Victorian Ombudsman.

Sometimes this can occur on a whistle-blower basis as a public interest disclosure.

How GWW must respond

GWW 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.

Part E – More about this policy

22. More information and advice

Seek advice

If you are unsure about accepting a gift, benefit or hospitality, or the application of this policy, ask your Manager, the Chief Operating Officer or the Corporate Secretary.

Related policy, legislation and other documents

- Minimum accountabilities for the management of gifts, benefits and hospitality (see Instructions supporting the Standing Directions of the Minister for Finance)
- GWW's Code of Conduct
- GWW's Conflict of Interest Policy
- *Public Administration Act 2004*
- Code of Conduct for Victorian Public Sector Employees
- Code of Conduct for Directors of Victorian Public Entities
- Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Guide

Authorising officer and organisational delegate

This policy is issued under the authority of the Board. The organisational delegate is the Chief Operating Officer. The Chief Operating Officer has the following responsibilities in relation to this policy:

- Establish, implement and regularly review organisational policies and processes for the effective management of gifts, benefits and hospitality.
- Ensure that GWW's gifts, benefits and hospitality comprehensively addresses and is at least as strong as the minimum accountabilities.
- Report at least annually to GWW's Risk Management and Audit Committee on the administration and quality control of GWW's gifts, benefits and hospitality policy, processes and register. This report must include analysis of GWW's gifts, benefits and hospitality risks (including repeat offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements; and
- Publish GWW's gifts, benefits and hospitality policy and register on GWW's public website. The published register should cover the current and the previous financial year.

23. Review process

This policy will be reviewed every three years or more frequently as required.

Approved by the Board on 23 July 2024

Next due for review by the Board in June 2027

Version control table

Version Number	Document Owner's Position Title	Purpose/Change	Date
V12-0	General Counsel & Corporate Secretary	To establish the first integrated GWW Gifts, Benefits and Hospitality Policy.	22/06/2021
V13-0	General Counsel & Corporate Secretary	Minor refinements following biennial review.	27/06/2023
V14-0	General Counsel & Corporate Secretary	Major update following VPSC update of minimum accountabilities and model policy.	25/06/2024

Document Owner position title: General Counsel & Corporate Secretary

Endorser position title: Chief Operating Officer

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Next Review date: June 2027

V14-1	General Counsel & Corporate Secretary	Minor update to include applicability of the Policy to GWW Board members	23/07/2024
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Schedule A – Minimum accountabilities

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 the minimum accountabilities. The minimum accountabilities are binding under the Instructions supporting the Standing Directors of the Minister for Finance 2018.

Terms used are explained in the definitions of GWW’s Gifts, Benefits and Hospitality Policy. The definitions do not form part of the minimum accountabilities. They are a guide to assist your understanding.

Part B - Receiving gifts, benefits and hospitality

You must comply with the minimum accountabilities when responding to all offers of gift’s 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 and 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, and hospitality (token or non-token) if any of the following apply:

1. **Money or similar** – you must refuse the offer if is money, used in a similar way to money, or items easily converted to money.
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 GWW 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 inducements and bribery attempts to the Managing Director or Chief Operating Officer (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 benefit to accept it. The offer must further the conduct of the official business or other legitimate goal of GWW, 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 in writing, even if you refuse it;
- always refuse the offer unless it complies with minimum accountability 2 and you have written approval as set out in GWW's Gifts, Benefits and Hospitality policy.

The offer and outcome will be recorded on GWW'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 GWW. 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 GWW 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 costs of providing a gift, benefit or hospitality is:

- proportionate to the benefits obtained for GWW or the State; and
- 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 GWW 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; and
- 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.

Part D – additional obligations for heads of public sector organisations

As the head of a public sector organisation, in addition to the other minimum accountabilities, the Managing Director must also comply with the following requirements.

Minimum accountability 8 – culture and good practice

You must model good practice and foster a culture of integrity.

Minimum accountability 9 – policies and processes

You must establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality. GWW's policy must comprehensively address the minimum accountabilities.

You must ensure that the requirements in GWW's gifts, benefits and hospitality policy are at least as strong as those in the minimum accountabilities.

The VPSC recommends that GWW:

- adopts the gifts benefits and hospitality model policy and model forms published by the VPSC; and
- where appropriate, adapt them to take into account GWW's functions and any requirements in its establishing documentation.

When an employee speaks up in good faith

You must ensure that GWW's policy and procedures require GWW to:

- actively support and protect employees who speak up in good faith about a possible breach of this policy.
- 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 accountability 10 – communicating to employees

You must ensure that GWW's policy and related processes are communicated effectively to employees. This includes communicating that a breach of the policy may constitute a breach of binding codes of conduct and, where appropriate, may result in disciplinary action. In some circumstances, a breach may constitute criminal or corrupt conduct.

Minimum accountability 11 – communicating to business associates

You must ensure that a clear policy position is established and communicated to business associates on the offering of gifts, benefits and hospitality to employees, including possible repercussions for a business associate acting contrary to GWW's policy position.

The information provided to (potential) suppliers should include:

- what constitutes a gift, benefit or hospitality.
- GWW's policy.
- that GWW discourages the making of offers.
- any whole of Victorian Government supplier codes of conduct.

Minimum accountability 12 – reports to audit committee

You must report at least annually to GWW's Risk Management and Audit Committee on the administration and quality control of its gifts, benefits and hospitality policy, processes and internal register.

This report must include analysis of GWW's gifts, benefits and hospitality risks (including repeat offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

Minimum accountability 13 – internal register

You must ensure that an official internal register of non-token gifts, benefits and hospitality offered to employees is established and maintained. At a minimum, the register must record sufficient information to:

- effectively monitor, assess and report on these minimum accountabilities; and
- meet the information requirements for the public register.

Minimum accountability 14 – publishing GWW's policy and the public register

You must ensure that the following documents are available to the public:

- GWW's gifts, benefits and hospitality policy; and

- the public register of reportable gift offers received on its public website.

The public register should cover the previous financial year and be published within four months of each new financial year.

The public register must at a minimum contain the following reportable information:

- all non-token offers, whether they were accepted or not.
- the date each non-token offer was made.
- the position of the recipient.
- the position and organisation of the person making each offer.
- where possible, whether the offeror is a business associate of GWW.
- a description of each offer and its value.
- whether the offer was accepted or declined.
- if accepted, the business reason for doing so.

Schedule B – Gifts, benefits and hospitality declaration form

Instructions

To be completed by the recipient of the non-token gift, benefit or hospitality offer within 5 days of the offer being made and sent to your Manager. This form is electronic and can be found on the Watershed. This will automatically be sent to the appropriate person.

Your name	
Your position (e.g., <i>Policy Officer</i>)	
Your unit or division (e.g., <i>Climate Change</i>)	
Details of the gift, benefit or hospitality	
Date offered	
Description of the gift, benefit or hospitality	
Estimated or actual value	
Name of the person making the offer	
Position or title of the person making the offer	
Name of the organisation making the offer	
Type of organisation (e.g., <i>conference organiser, government agency, consulting firm</i>)	
Why is the offer being made?	
Is the person or organisation making the offer a business associate of GWW? If yes , describe the relationship between them and GWW. If no , describe the relationship between you and the person or organisation making the offer (e.g., <i>friendship</i>)	
Would accepting the offer create an actual, potential or perceived conflict of interest ? If yes , then the offer must be declined.	
Would accepting the offer 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 GWW or the public sector? If yes , then the offer must be declined.	

Would the offer be inconsistent with community expectations? If yes , then the offer must be declined.	
Could the offer be reasonably seen as a bribe or other inducement? If yes , then the offer must be declined.	
Is there a legitimate business benefit to GWW or the public sector for accepting the offer? <i>For example:</i> <ul style="list-style-type: none"> • Was it offered during your official duties? • Does it relate to your official responsibilities? • Does accepting bring any benefit to Greater Western Water, the public sector or the State? If no , then the offer must be declined. If yes , then the business benefit must be detailed.	
Is the offer an official gift or item provided when conducting business with official delegates or representatives from another organisation, the community or another government? If yes , please provide details.	
Did I accept or decline the offer?	
I declare that the details above are accurate and complete.	
	Signature
	Date
Manager to complete	
Your name	
Your position or title (<i>e.g., Director</i>)	
Your unit or division (<i>e.g., Climate Change</i>)	
Your relationship to the declarant (<i>e.g., line manager</i>)	
Complete if the declarant declined the offer	
I have reviewed this declaration form and submitted it for inclusion on our GWW's internal Gifts, Benefits & Hospitality Register.	Signature
	Date
Complete if the declarant accepted the offer	
What decision was made about the ownership and disposal of the gift?	

Schedule C – Template Gifts, Benefits and Hospitality Register

The content of blue columns should be included on the public register.

Date offered	Offered to (individual's name, position, unit/division) - [Name may be de-identified when published on GWW's website]	Description of the gift, benefit or hospitality	Estimate or actual value	Cumulative value of offers made by individual/organisation	Offered by (name of individual or organisation)	Is the person or organisation making the offer a business associate of GWW? (Y/N) (consider whether their offer is consistent with the GWW's policy)	Reason given by offeror for making the offer.	If accepted: a) would an actual potential or perceived conflict of interest exist; or b) would it 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 GWW or the public sector; c) would it be inconsistent with community expectations; d) could it reasonably be seen as a bribe or other inducement? (If any is answered YES, then the offer must be declined in accordance with the minimum accountabilities)	Is there a legitimate business benefit to the organisation, public sector or State for accepting the offer, i.e., does it meet the following: a) it was offered during the course of the individual's official duties; and b) it relates to the individual's official responsibilities; and c) it has a benefit to the organisation, public sector or State (If NO then offer must be declined, and if YES then the business benefit must be detailed, in accordance with the minimum accountabilities).	Decision regarding the offer: a) declined or accepted (state which) b) ownership (e.g., state whether individual retained; was transferred to GWW's ownership; returned to offeror etc.)	Approvals - if offer accepted, state who approved the offer and decision on ownership (name, position, unit/division of individual's manager or senior decision-maker who approved acceptance.)