

Gifts Benefits and Hospitality Policy

Rationale

Kingswood Primary cultivates a teaching and learning environment that is flexible, caring and focused on what is best for the students. The community expects high standards of integrity and impartiality from Victorian public employees and school councillors. These individuals must not accept gifts, benefits or hospitality from people seeking to unfairly influence their decisions. Whenever Department employees, school council employees or school councillors accept gifts, they must always act fairly and objectively and maintain public trust by being honest, open and transparent.

Aims

To protect staff and councillors from undue influence and criticism, and inform them of what they need to do when considering whether to accept gifts, benefits or hospitality.

Definition of terms:

1. **Gifts** are the free or heavily discounted items, intangible benefits or hospitality exceeding common courtesy that are offered to employees or school councillors in association with their duties and responsibilities.
2. **Benefits** are the privileged treatment, access, favours or other advantage offered to an individual such as invitations to sporting, cultural or social events, access to discounts and loyalty programs etc. Such benefits may be highly valued by the intended recipient and therefore used to influence behaviour.
3. **Hospitality** is the friendly reception and treatment of guests and can range from offers of light refreshments at a business meeting to restaurant meals and sponsored travel and accommodation.
4. **Reportable gifts** must be recorded in a gift register. These are gifts, benefits and hospitality which exceed nominal value (gifts worth more than \$100).

Implementation:

- Individuals must exercise particular care in accepting gifts, benefits or hospitality if the donor is involved in a tender process with the Department or school or the donor is in a contractual relationship with the Victorian Government or school council.
- Care must be exercised if the employee or school councillor has been offered gifts of any kind from the same donor more than once in the last year.
- Employees and school councillors may keep token gifts such as a box of chocolates, for the work they have done.
- Employees and school councillors must remember that the consequences of creating a perception that the Department's or school's impartiality can be compromised may be as damaging as an actual compromise.
- Acceptance of gifts worth more than \$100 (nominal value) must be formally registered on the school's gift register which is monitored by the Principal and annually reviewed by school council.
- In limited circumstances, employees and school councillors may be able to keep a gift worth \$100 or more, but less than \$500 subject to the documented approval of the school council.

Gifts of any value must never be accepted if:

1. Acceptance would create an obligation to the donor
2. Is likely to influence an employee or councillor in the course of their duties or cause a conflict of interest
3. The primary intent is to lobby Ministers, Members of Parliament or agencies

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4. Is an offer of money or anything readily converted to money e.g. shares
5. The organisation or individual has a connection with a tender process or a decision over which the Department or the school could be perceived to have influence

The consequence of breaching this policy may constitute a breach of:

1. Victorian Public Sector Code of Conduct
2. Public Administration Act 2004 in relation to misconduct
3. Director's Code of Conduct under the Public Administration Act 2004
4. Ministerial Order 199
5. Department Code of Conduct
6. In some circumstance may constitute a breach of sections 175-179 of the Crimes Act 1958 an indictable offence that attracts a maximum penalty of 10 years imprisonment.

Evaluation

- This policy will be reviewed as part of the school's three-year review cycle.

References

Vic Govt Schools Reference Guide - <http://www.eduweb.vic.gov.au/edulibrary/public/schadmin/environment/4-5.pdf>

Review

Version	Edited By	Endorsed By	Next Review
April, 2011	P&C Sub-committee	School Council	April, 2014
April, 2015	SD&E Sub-committee		April, 2018