

GIFTS, BENEFITS AND HOSPITALITY POLICY

Latrobe Regional Hospital values our community's diversity. We are committed to providing an inclusive, respectful, welcoming and safe service and workplace for everyone who engages with our organisation regardless of race, culture, religion, sexual preferences or identity, gender, age, or ability.

PURPOSE:

- The purpose of this policy is to support individuals and LRH to avoid conflicts of interest and maintain high levels of integrity and public trust by providing guidance on how to respond to offers of gifts, benefits and hospitality consistent with Public Sector Values, the *Workplace Conduct Policy* and the *Code of Conduct for Victorian Public Sector Employees*. This policy reflects the requirements of the Victorian Public Sector Commission and the requirements of the Standing Directions 3.4.1 made under the *Financial Management Act*.

APPLICATION:

- This policy applies to all workplace participants and extends to all persons covered by the operation of the *Workplace Conduct Policy*. This includes: all employees, Board members, Visiting Medical Officers, contractors¹, consultants and any individuals or groups undertaking activity for or on behalf of LRH.

POLICY PRINCIPLES ACCORD WITH VPSC REQUIREMENTS:

- This policy has been developed in accordance with requirements outlined in the *Minimum accountabilities for managing gifts, benefits and hospitality* issued by the Victorian Public Sector Commission set out in Appendix A.

POLICY STATEMENT:

1. All LRH employees offered gifts benefits or hospitality in the course of their LRH duties must comply with the *Minimum accountabilities for managing gifts, benefits and hospitality* issued by the Victorian Public Sector Commission (Refer to appendices).
2. Token offers, as per definition, of less than \$50 value may be accepted provided they are not:
 - 2.1 Given by a current or prospective business associate or made during a procurement or tender process by someone involved
 - 2.2 Money or convertible to money (e.g. a voucher)
3. If multiple token offers from a single source are made, then the cumulative total needs to be considered in the total value. If Employees are unsure as to whether to accept a gift they shall consult the appropriate Executive Director
4. All Non Token offers are to be reported to the Chief Executive Officer using the LRH gifts benefits and hospitality declaration form and relevant details transcribed to the LRH public gifts benefits and hospitality register.

- 5 The LRH Gifts, Benefits and Hospitality declaration form (Appendix 2) directs how a Non Token offer should be treated in alignment with the LRH Guiding Principles for Managing Gifts, Benefits and Hospitality and the VPSC Minimum accountabilities for managing gifts, benefits and hospitality (Refer to appendices).
- 6 The GM Finance is responsible for ensuring that the Register is subject to regular review and is reviewed annually by the Audit and Risk Committee and published on the LRH website.

Definitions:

- **Business associate** - an external individual or entity which the organisation has, or plans to establish, some form of business relationship, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.
- **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.
- **Conflicts of interest**
 - *Actual conflict of interest:* There is a real conflict between an employee's public duties and private interests.
 - *Potential conflict of interest:* 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 should be taken now to mitigate that future risk.
 - *Perceived conflict of interest:* the public or a third party could form the view that an employee's private interests could improperly influence their decisions or actions, now or in the future.
- **Gifts** - are free or discounted items and any item 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) and consumables (e.g. chocolates). Fundraising by public sector organisations that is consistent with relevant legislation and any government policy is not prohibited under the minimum accountabilities.
- **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.
- **Legitimate business benefit** - gifts, benefits and hospitality accepted or provided for a business purpose, in that it furthers the conduct of official business or other legitimate goals of the organisation, public sector or State.
- **Public official** - has the same meaning as under section 4 of the *Public Administration Act 2004*. This includes:
 - public sector employees;
 - statutory office holders; and
 - directors of public entities.

- **Register** - is a record, preferably electronic, of all declarable gifts, benefits and hospitality. It records the date an offer was made and by whom, the nature of the offer, its estimated value, the raising of any actual, potential or perceived conflicts of interest or reputational risks and how the offer was managed. For accepted offers, it details the business reason for acceptance and the officer approving the acceptance.
- **Token offer** - is an offer of a gift, benefit or hospitality that is offered as a courtesy or is of inconsequential or trivial value to both the person making the offer and the individual. Whilst the primary determinant of a token offer is that it would not be reasonably perceived within or outside the organisation as influencing an individual or raising an actual, potential or perceived conflict of interest, it cannot be worth more than \$50 (including cumulative offers from the same source over a 12-month period).
- **Non-token offer** - is an offer of 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 worth more than \$50 are non-token offers and must be recorded on a gift, benefit and hospitality register.

Appendices:

- [Appendix - LRH Guiding Principles for Managing Gifts, Benefits and Hospitality](#)
- [Appendix - Gifts, Benefits and Hospitality Declaration Form](#)
- [Appendix - Minimum Accountabilities - VPSC](#)

Linked P&Ps:

- [Workplace Conduct Policy](#)
- [Code of Conduct for Victorian Public Sector Employees](#) (appendix to above)
- [Grievance Disciplinary Policy](#)
- [Donations and Fundraising Policy](#)

Focus Areas:

NSQHS – Clinical Governance

Departments:

- **Hospital Wide**

Policies & Protocol Revision History:

Prompt Doc No: LRH0144815

First Issued: 25/2/2020

Last Review: 25/2/2020

Next Review: 25/2/2023

Date Issued:	25 February 2020 /A&R Committee & Board approved
Date Last Review:	25 February 2020
Date Next Review:	25 February 2023
Committee(s)	Finance Committee Corporate Quality & Risk Committee
Approved By:	Chief Executive & Board
Unit Manager:	GM Financial Services
Developing Team:	Marion Fletcher

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