| **GIFTS, BENEFITS AND HOSPITALITY POLICY** | |
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| AUTHORITY | Board |
| APPROVAL DATE | 12 February 2025 |
| LAST REVIEW DATE BY AFRCC | 29 January 2025 |
| REVIEW FREQUENCY | Annually |
| POLICY OWNER | Senior Manager - Governance & Risk |

# PURPOSE

To outline Zoos Victoria’s requirements for:

• responding to offers of gifts, benefits and hospitality (GBH)

• the appropriate provision of gifts, benefits and hospitality.

# SCOPE

This Policy applies to all employees and workplace participants (Board members, contractors, consultants and any individuals or groups undertaking an activity for or on behalf of ZV).

# POLICY STATEMENT

You must not solicit GBH for yourself or anyone else through your role at ZV.

**Responding to offers**

* The default position of ZV is to decline all offers politely: ‘Thanks is enough’
* You must decline all offers of GBH that:
* are likely to influence you, or be perceived to influence you, during your duties as an employee of ZV
* raise an actual, potential or perceived conflict of interest, such as an offer from a business associate or current supplier
* are from a person or organisation you are likely to make a decision about, such as processes involving grants, sponsorship, enforcement or licensing
* that extend to their relatives or friends
* have no legitimate business reason
* are money or similar, such as vouchers, or easily converted into money
* are issued by lobbyists
* pay for flights, accommodation or any other benefit other than when offered by a conference organiser to compensate you for presenting at a conference
* could have other implications such as fringe benefits tax, insurance and or public liability or health and safety risks
* could bring your integrity, or that of the department, into disrepute.
* Offers that can be considered for acceptance include:
* token gift offers that do not raise a conflict of interest (anything valued at $50 or above is not a token offer)
* gifts offered as part of the culture and practice of communities, such as from an overseas delegation
* thank-you gifts such as a small gift to a speaker at a conference or seminar
* offers made or sponsored by a state government department or Minister
* tickets to conferences and seminars relevant to the business of the department or where the conference organiser offers to fund travel or accommodation costs for an employee to present a paper at the conference
* when there are legitimate business reasons, it will further the business of ZV, or there is a public benefit in accepting the offer
* internal offers that promote approved ZV-initiated programs related to health and well-being or rewards and recognition
* invitations to official business events

**Unsolicited general offers or Sponsorships**

* Unsolicited offers that are made to ZV rather than an individual must be assessed carefully. If accepted, these offers must be declared
* Offers that require something from ZV in exchange may constitute a sponsorship proposition.

**Declaring gifts, benefits and hospitality**

* Approval must be obtained from your Director before accepting an offer.
* If it is not possible to seek approval beforehand, the offer must be declared as soon as it is practicable.
* You must take reasonable steps to determine the value of the offer if it is not clear.
* All offers of gifts, benefits or hospitality valued at $50 or more must be declared, even if they are declined.
* The declaration must be made within 14 days of receiving the offer.
* An offer need not be declared if:
* it does not specifically or personally target the receiver (e.g. a database-generated invitation to subscribers) and is declined
* the offer amounts to a business-as-usual benefit such as modest catering
* A register of all reportable offers (accepted and declined) is accessible to the public and is published annually on the ZV website.

**Provision of gifts, benefits and hospitality**

* You should avoid making offers of gifts, benefits and hospitality unless:
* there is a legitimate business reason to further the conduct of official business or other legitimate organisational goals, or it promotes and supports government policy objectives and priorities
* it does not raise an actual, potential or perceived conflict of interest
* Any costs must be proportionate to the benefits obtained for the State, ZV and considered reasonable in terms of community expectations.
* Gifts offered to department employees and workplace participants as rewards and recognition for excellent work should be of reasonable value and meet community expectations of the appropriate use of public funds. Items offered for this purpose must be appropriate to the workplace context and preferably without alcohol. If multiple gifts are purchased, the appropriate Director must approve rewards for the accrued value.

**Speak up!**

* The senior manager of governance and risk should be notified of instances of undeclared or inappropriately managed gifts, benefits, and hospitality. Reports can be made anonymously.
* Any attempted bribes must be reported to the Senior Manager Governance and Risk.

**Additional guidance**

Special requirements may apply to managing gifts, benefits, and hospitality offers when they arise under different circumstances, and they are outlined in the Guidance material.

# RELATED POLICY, LEGISLATION AND OTHER DOCUMENTS

**Policies and other documents**

* Code of Conduct for Directors of Victorian Public Entities [[1]](#footnote-2)
* Conflict of Interest Policy
* Delegation Policy
* Guidance for Accepting Gifts, Benefits and Hospitality
* Guidance for Providing Gifts, Benefits and Hospitality
* Procurement Policy
* Sponsorship and Partnership Policy
* The Financial Management ACT 2004
* The Public Administration Act 2004[[2]](#footnote-3)
* Victorian Public Sector Commission’s Gifts, Benefits and Hospitality Policy Guide
* Zoo Board Code of Conduct
* Zoo Board Governance Handbook
* Zoo Staff Code of Conduct

**Forms**

* Gifts, benefits and hospitality declaration
* Provision of Hospitality Approval Form (Important information required for FBT consideration)

# DEFINITION

## Business associate

An individual or body that ZV has, or plans to establish, some form of business relationship with or who may seek commercial or other advantages by offering gifts, benefits or hospitality.

## Benefits

Benefits include preferential treatment, privileged access, favours, or other advantages 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 the individual values them, they may be used to influence the individual’s behaviour.

## Ceremonial gifts

Ceremonial gifts are official gifts provided as part of the culture and practices of communities and governments within Australia or internationally. They are usually offered when conducting business with official delegates or representatives from another organisation, community, or foreign government.

Ceremonial gifts are the property of ZV, irrespective of value, and should be accepted by individuals on behalf of the public sector organisation. The receipt of ceremonial gifts should be recorded on the Register 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 should 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.

## Gifts

Gifts are free or discounted items or services and any item or service that the public would generally see as a gift. These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. a small bunch of flowers), consumables (e.g. chocolates) and services (e.g. painting and repairs). Fundraising by ZV that is consistent with relevant legislation and any government policy is not prohibited under the minimum accountabilities. Product samples for testing as part of the procurement process are not considered a gift by this Policy.

## 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.

## Legitimate business benefit

A gift, benefit or hospitality may have a legitimate business benefit if it furthers the official business or goals of ZV, the public sector or the State.

## Official business events

An official business event is when an event is hosted by an external organisation that it is in the public interest for an employee to attend. These invitations are different to gifts, benefits and hospitality offers and include seminars, conferences and working lunches

## Public official

A 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.

## Register

A gift register means ZV’s gifts, benefits and hospitality register and is a digital record of all declarable gifts, benefits and hospitality.

## Token offer

A token offer is a gift, benefit or hospitality that is inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). The minimum accountabilities state that token offers cannot be worth more than $50.

## Non-token offer

A non-token offer is a gift, benefit, or hospitality that the recipient may perceive as having more than nominal value, whether by the recipient, the person making the offer, or the wider community. All offers worth more than $50 are non-token offers and must be recorded on a gift, benefit, and hospitality Register.

|  |  |
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| **ACCEPTING GIFT BENEFITS AND HOSPITALITY GUIDANCE MATERIAL** | |
| **Approved by** | Board |
| **Board Approval Date** | 12 February 2025 |
| **Last Review by AFRCC** | 29 January 2025 |
| **Board Review Frequency** | Every four years or earlier if changes are recommended. |
| **AFRCC Review Frequency** | Annually |

ZV employees are expected to demonstrate our public sector and organisational values of integrity, impartiality, and accountability by properly managing gifts, benefits, and hospitality offers (GBH).

Good management assures the community, business partners and government that we make decisions and provide advice free of favouritism, influence and conflicts of interest. This guidance advises ZV's default position and the limited circumstances for gift acceptance.

# Declining the offer

The default position at ZV is to decline all offers.

# Offers that must be declined

Some further questions to ask yourself when deciding about an offer are:

|  |  |
| --- | --- |
| **Question** | **Further information** |
| Is the offer from a supplier? | Government suppliers are prohibited by the Victorian Government Supplier Code of Conduct from offering gifts and could breach the code if they make an offer. |
| Is the offer from an individual or organisation participating in a tender, procurement, grants or other processes? | Accepting an offer from an organisation applying for a tender, procurement or grant with ZV could influence the process. |
| Would the offer benefit me, my family, friends or associates? | Public sector employees must not benefit from their position, and this also extends to benefits that flow to family, friends and associates. |
| Is it a financial gift or easily converted to money? | If so, it must be declined. Some gift vouchers are redeemable for cash and must be declined.  Note: Gift vouchers provided by ZV for health and wellbeing programs or reward and recognition through a Zoo Victoria initiative can be accepted |

# Apply the test below if you are considering accepting the offer

When assessing an offer, consider the questions in the GIFT test below (Source: Victorian Public Sector Commission(VPSC)):

|  |  |  |
| --- | --- | --- |
| **G** | **Giver** | **Who provides the gift, benefit or hospitality, and what is their relationship with me?**   * Does my role require me to select contractors, award grants, regulate industries or determine government policies? * Could the person or organisation benefit from a decision I make? |
| **I** | **Influence** | **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 courtesy, token of appreciation, or valuable non-token offer? * Does its timing coincide with a decision I am about to make? |
| **F** | **Favour** | **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 or organisation made several offers over the last 12 months? Would accepting it create an obligation to return a favour? |
| **T** | **Trust** | **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? |

# Offers that may be accepted

There are some instances where gifts may be accepted, as outlined below:

| **Type** | **Acceptable** | **Conditions/ Examples of Approved Events** |
| --- | --- | --- |
| A token offer | Gifts of inconsequential or trivial value may be accepted, provided they do not raise a Conflict of Interest. An example is a bottle of wine or a box of chocolates valued at less than $50. | A 'Thank you' gift, such as a small gift to a speaker at a conference or seminar. |
| A ceremonial gift | Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government within Australia or internationally. It may offend to decline a ceremonial gift so these offers can be accepted. They become the property of ZV. They should be registered as per the usual process. |  |
| An offer from another government entity | Offers from the state government can be accepted without the requirement to register the offer.  Offers from local, federal or other state governments must be declared if they are valued at $50.00 or more. | Government events include attending a function organised and hosted by another government or public sector agency to gain knowledge of the public service requirements for ZV to operate in, including the need to support the minister by attending the function or event. |
| There is a legitimate business reason for accepting | Sometimes, there are legitimate business reasons for considering and accepting offers, such as:   * There is a genuine public interest in accepting (or promoting) the offer. An example is a government-supported concert to thank emergency workers.   In the declaration form, it is unacceptable to state that the reason for attending the event is for networking purposes. | Promoting ZV at a conference, workshop or seminar and the cost of flights, accommodations, meals and incidentals are paid for by the zoo sponsor, donor, partner or the event organisers, provided no conflict of interest arises from accepting the offer.  A meeting with key business leaders, philanthropic donors, trusts and foundations, etc., to seek sponsorship or donations. Meetings may be held at their place of business or private /public events.  Stakeholder engagements to leverage deeper cooperation and collaboration of activities, functions or work on programs to improve zoo programs and business opportunities.  Marketing includes promoting the business's domestic and international trade shows or familiarisation.  Reciprocal arrangements between ZV and its partners for entry to/ rights to use each other's properties, provided there is no conflict of interest.  A pre-arrange-free entry to other zoos and similar organisations as part of the reciprocal industry arrangement.  An opportunity to gain knowledge relating to a qualification, build expertise or become acquainted with industry changes.  An Opportunity to develop a deeper knowledge of the zoo industry and improve service delivery or standards.  Attend an event or function hosted by industry or community stakeholders where attendance provides a legitimate business benefit. |
| It is an official business event. | An official business event is when you are invited to an event hosted by an external organisation, and it is in the public interest for you to attend.  Official business events may be declared through the usual GBH declaration process. Official business events must meet the requirements below:   * it is for a business purpose consistent with the ZV's functions and objectives * it is in the public interest for ZV to be represented at the event * attending the event is directly related to your official duties * it is consistent with community expectations * it will not create a real, potential or perceived Conflict of Interest * you are unlikely to make any decision that the event host has a business interest in * your attendance will not bring ZV's integrity into disrepute * you attend on your own – exceptions to take a plus one need approval from your manager | Some examples include launching a project you have been working on as ZV's representative advocate or a working lunch where the hospitality is appropriate for the meeting. |

# Offers that are not gift offers

There are instances where an offer is not considered a gift offer and does not need to be declared. Some examples are:

* Where an employee is offered hospitality that qualifies as sustenance, for example, sandwiches or an official business you worked on as a zoo representative on the project.
* A generic bulk offer, such as via a subscription email, need not be registered unless accepted.

# Fringe Benefits Tax

Substantial offers may be subject to fringe benefits tax and must be referred to the ZV Finance team for further information and assessment.

# Gift disposal

ZV owns all allowable gifts you accept. Disposal options include:

* sharing a box of chocolates with colleagues
* putting a ceremonial gift in a display cabinet
* Donate the gift to a charity or hold an auction in the office for a gift hamper and donate the proceeds to charity (and advise the provider of this).
* Personal use only when approved by your manager.

# Declarations

Any offer of GBH valued at $50 or more must be declared using the declaration form provided, **even if declined.**

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| --- | --- |
| PROVIDING GIFT BENEFITS AND HOSPITALITY GUIDANCE MATERIAL | |
| **Approved by** | Board |
| **Board Approval Date** | 12 February 2025 |
| **Last review by AFRCC** | 29 January 2025 |
| **Board review frequency** | Every four years or earlier if changes are recommended. |
| **AFRCC review frequency** | Annually |

There will be instances where ZV provides gifts, benefits, and hospitality (GBH) to welcome guests, facilitate the development of business relationships, further organisational outcomes, and celebrate achievements.

You are expected to demonstrate public sector and organisation values of integrity, impartiality, and accountability by properly managing public funds when providing GBH.

1. **Management principles**

ZV manages the provision of GBH in accordance with the minimum accountabilities issued by the Victorian Public Sector Commission (VPSC).

When deciding whether to provide gifts, benefits or hospitality or what to provide, you must comply with the gifts, benefits and hospitality policy and ensure that:

* it meets a business need
* any costs are proportionate to the benefits obtained by Zoos Victoria
* A Director approves expenditures of over $150 unless specified in the Guidance.
* it would not give rise to an actual, potential or perceived conflict of interest
* it is not financial in nature nor easily convertible to money.

1. **Considerations**

When deciding to provide GBH, consider the HOST test below (Source: VPSC):

|  |  |  |
| --- | --- | --- |
| **H** | **Hospitality** | **To whom is the gift or hospitality being provided?**   * Will recipients be external business partners or individuals of the host organisation? |
| **O** | **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? |
| **S** | **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? |
| **T** | **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 that 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? |

1. **Types of GBH provided**

Further information about specific types of gifts, benefits and hospitality you may provide are outlined below:

| **Type** | **Acceptable** | **Not Acceptable** | **Conditions/ Financial Limits** |
| --- | --- | --- | --- |
| 1. Ceremonial and symbolic gifts | Ceremonial gift-giving is common among teams that deal with intergovernmental or international delegations. Consider gifts that would meet community expectations of modesty and cultural sensitivity. |  |  |
| 1. Recognising our people | We recognise and celebrate our people and achievements in many ways.  Any catering ordered as a part of recognition and award events and forums  **Approved events**  Award and recognition of service  Participation in national or international celebrations, e.g. Indigenous, Volunteer, “RUOK” awareness day or similar.  Any other similar activities | **Provision of alcohol is not allowed.** | **Financial Limits**  Catering  Between $15 to $30 per head  Gift as rewards  Not exceeding $150  Note: Gift vouchers provided by ZV for health and wellbeing programs or reward and recognition through a ZV initiative can be provided |
| 1. Flowers | Flowers may be purchased only when associated with a bereavement or serious illness, up to the financial limits. | Flowers may not be purchased for any occasion other than items shown under what is acceptable.  Paying to celebrate birthdays, marriages or the birth of a child. | **Financial Limits**  $150 for an employee or workplace participant  $100 for a partner/close relative of an employee or workplace participant |
| 1. Hosting official business events | When organising the event, consider:   * the event’s main purpose and whether it’s primarily for internal or external guests * the impact on business relationships if hospitality is not provided * whether event design and costs are proportionate to potential benefits * whether an external venue is necessary for the nature of the event * whether the event is consistent with community expectations.   **Approved events**  ZV launching zoo campaigns, opening a new facility, hosting a sponsorship/ partnership event, fundraising events, meetings, and receiving official or business delegates.  Any other similar activities | Alcohol – see the section on providing alcohol. | Arrangement for in-house catering  Staff without financial delegation can order hospitality from the in-house caterer. The invoice was presented later for approval by a delegate with the appropriate authority. |
| 1. Providing catering | Depending on the event, you might provide catering for attendees:  For longer meetings or training events, you can provide catering for staff who attend, where this is deemed appropriate if you meet the following conditions:   * it can be justified as a reasonable expense * the expenditure is modest, for example, sandwiches, fruit platters, cakes   The event should run for at least:   * 1 hour - 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   **Approved events**  Training/ workshop, meetings (or similar events) held at an appropriate venue designated for meetings, workshops or conferences and not at a public recreational or place of general hospitality/ entertainment, e.g. restaurant, pub, bistro.  Zoo Staff Christmas (Festive) Function | Provide service tips (within Australia)  We are paying for individual or individual units or departments for any outside function. Refer to 3(f) for Christmas (or similar) function.  Provide hospitality for training, meeting or workshopheld at or in a restaurant or venue designated for recreational and hospitality purposes.  **Provision of alcohol is not allowed.** | **Financial Limits**  Per attendee   * Morning or afternoon tea - $10 * Lunch - $30 * Dinner - $30   Arrangement for In-house catering  Prices charged may differ from the rate set above.  Approval is required from your director if the in-house caterer rate is above the limit set.  **Internal Catering Arrangements**  As a priority all internal catering requirements for meetings and events must be through ZV Operated Catering Services[[3]](#footnote-4) unless approved by Finance. |
| 1. Staff Christmas (or similar) Function | Function by site basis (Melbourne, Healesville, Werribee and Kyabram) basis (not by division or departmental basis)  Corporate staff can attend a function at any of the four sites. | Christmas (or similar) function for individual, divisional or departmental units or departments.  **Provision of alcohol is not allowed.** | The total cost of the function should not exceed $40 per staff attended.  Note: FBT applies to the Staff Christmas Function. At $40, the GST payable per staff is $39. Thus, the cost of the function per staff is $79. |
| 1. Providing Alcohol | Consider whether alcohol is necessary and reasonable to be provided at your event.  As the host, it is your responsibility to monitor your attendees, intervene if they’re drinking too much alcohol and ensure you meet your obligations under the Occupational Health and Safety Act 2004 and the Liquor Control Reform Act 1998. You may require a [Responsible Service of](https://www.vcglr.vic.gov.au/resources/education-and-training/responsible-service-alcohol) Alcohol Certificate.   * Avoid providing alcohol at official business events unless requested by the CEO * ensure alcohol is served for no more than two hours and cater for no more than two standard drinks per attendee * use local Victorian wine and beer and prioritise small producers, where possible * schedule events at a time to reduce the risk of attendees returning to work impaired by alcohol. For example, generally, you should only provide alcohol in the evening. |  |  |
| 1. Staff Farewell | Depending on the year of service, an event may be provided if:   * a staff member with the appropriate year of service resigned or retires * the costs are minimal to recognise the staff * the event is consistent with community expectations.   The provision of hospitality at staff farewell may involve catering or a gift.  Private collection for the event is not counted towards the limit set. | **Provision of alcohol is not allowed.** | Catering  The amount does not exceed $100 for an employee with less than ten years of service or $10 per year but does not exceed $300.  Gift  A non-cash gift and the cost for the gift should not exceed $10 per year of service and not exceed $200 |
| 1. Other External Event/ Function | Depending on the event, you might pay for staff to attend the event or function:   * the event’s main purpose and whether it’s primarily for internal or external guests * the impact on business relationships if the event is not attended * whether costs are proportionate to potential benefits * whether the event is consistent with community expectations.   **Approved events**  The event is included and associated with a conference or seminar.  Staff attending an award event or function the organisation entered related to the business activities. | Ad-hoc staff events by individual units/sections. e.g. staff BBQ etc  Paying to celebrate birthdays, marriages or the birth of a child  Paying for ad-hoc booking to attend an event not directly related to the business functions.  Bring staff to a restaurant for meals to celebrate achievements. |  |

1. Applicable to Board Members [↑](#footnote-ref-2)
2. Applicable to Board Members [↑](#footnote-ref-3)
3. This does not apply if the catering services is outsourced to an external provider. [↑](#footnote-ref-4)