

Policy – Gifts, Benefits & Hospitality

Policy Southern Rural Water business must be carried out impartially and with integrity.

Consequently a director or employee must not accept or provide gifts, benefits or hospitality that affect, may be likely to affect or could reasonably be perceived to affect, the director's or employee's conduct in the performance of SRW business.

Definitions Refer Schedule 1, clause 1.

Effective date and review date This policy takes effect on 6 February 2014.
It is due for review in February 2017.

Who is affected This policy applies to directors and employees of Southern Rural Water.

Rationale To ensure that appropriate governance arrangements relating to the acceptance and provision of hospitality are in place and that the arrangements conform with requirements as set out in Premier's Circular 2012/02

Contact For more information on this policy contact the Corporation Secretary.

Related documents Code of Conduct for the Victorian Public Sector – State Services Authority (www.ssa.vic.gov.au).
Public Sector Standards Commissioner letter of 25 June 2012 and Premier's Circular 2012/02 dated 4 April 2012
Gifts, benefits and hospitality policy framework, Revised April 2012 (www.ssa.vic.gov.au)

Communications

This policy will be made available on SRW's website.

SCHEDULE 1

1. DEFINITIONS

- a) Benefit – anything of value to a director or employee. A benefit could include special treatment, hospitality or access to events (e.g. football matches, race meetings), memberships or discounts.
- b) Gifts – articles, items or money given to a director or employee.
- c) Gifts of appreciation – gifts valued at less than \$75 that are generally given to express thanks, such as flowers, fruit, chocolates, wines, pens, ties, scarfs and mementos and the like, each of which has a value of less than \$75.
- d) Hospitality – a benefit such as dining, drinks or entertainment including social, sporting and industry events, over \$75 in value, hosted by someone who is either likely to, or has potential to, gain a reciprocal benefit (or could be reasonably seen as such by others).
- e) Gifts and Hospitality Register
 - The list of gifts, hospitality and benefits received by an SRW director or employee over \$75 in value, unless relating to a water industry networking event or a technical presentation, and
 - The list of gifts, hospitality and benefits offered by an SRW director or employee, valued at over \$75.

2. MINIMUM REQUIREMENTS

- a) Do not solicit gifts, benefits or hospitality.
 - b) Refuse all offers of gifts, benefits or hospitality that could be reasonably perceived as undermining the integrity and impartiality of SRW or the director or employee concerned.
 - c) Refuse all offers of gifts, benefits or hospitality from people or organisations with whom a director or employee is likely to make decisions involving:
 - Tender processes;
 - Procurement;
 - Enforcement;
 - Licensing; or
 - Regulation.
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- d) Refuse all offers of money or items easily converted to money, such as shares.
- e) Refuse bribes and report bribery attempts to the Managing Director and to Victoria Police. The Managing Director must refer any bribes that are reported to him/her, or are made to him/her, to the Chairperson. The Chairperson must refer any bribes that are reported to him/her, or offered to him/her, to the Audit & Risk Policy Committee Chairperson.
- f) If unsure about how to respond to an offer of a gift, benefit or hospitality of more than \$75, seek advice from a manager or other appropriate person in the organisation.
- g) Ensure that any gift, benefit or hospitality provided by SRW is provided for a business purpose so that it furthers the conduct of SRW business or other legitimate organisational goals.
- h) Ensure that costs of gifts, benefits or hospitality provided by SRW are proportionate to the benefits obtained.
- i) Ensure that when hospitality is provided by SRW that individuals hosting the event demonstrate professionalism in their conduct and uphold their obligation to extend a duty of care to other participants.

3. MINIMUM ACCOUNTABILITIES – RECEIPT OF GIFTS, BENEFITS AND HOSPITALITY

- a) Establish and regularly review policies and processes to respond to offers of gifts, benefits and hospitality, including multiple offers from the same source.
- b) Promulgate and establish awareness and compliance with gifts, benefits and hospitality policies from all members of SRW – from front line employees to directors and senior managers.
- c) Reinforce to all members of the organisation that a breach of gifts, benefits or hospitality policies could constitute a breach of binding codes of conduct and result in disciplinary actions.
- d) Ensure that records are kept of accepted gifts, benefits and hospitality of more than \$75 and that such records are subject to regular scrutiny, including annual referral to SRW's Audit & Risk Policy Committee. Significant gifts accepted on behalf of SRW should be recorded in SRW's asset register.

4. MINIMUM ACCOUNTABILITIES – PROVISION OF GIFTS, BENEFITS AND HOSPITALITY

- a) In considering whether to provide gifts or benefits the appropriateness of its cost and whether in line with community expectations must be addressed.
 - b) In considering whether to provide hospitality the following aspects should be addressed:
 - relevance of holding the proposed event;
 - judgement in ensuring the number of guests is minimised and that invitations are limited to those relevant to the occasion;
 - costs, ensuring expensive menu/drinks options are avoided,
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- whether alcohol is to be provided and measures to be taken to ensure moderation; and,
 - OHS and duty of care to guests.
- c) Officers responsible for the management of provision of gifts and hospitality:
- Board/stakeholder hospitality: Corporation Secretary
 - All other hospitality: Relevant MD Direct Reporting Manager

5. ATTESTATION

SRW's Managing Director will make an annual attestation to the Secretary of the Department of Environment and Primary Industries, in a form specified by the Secretary, to the attestation, review, promulgation and scrutiny of SRW's gifts, benefits and hospitality policy.

6. WHAT TO DO IF A GIFT, BENEFIT OR HOSPITALITY IS OFFERED

If a one-off gift, hospitality or benefit is received for appreciation and has a value of less than \$75, then the director or employee can accept. Acceptance of gifts of this nature do not need to be reported.

Gifts above \$75 in value must not be accepted unless approved by the Chairperson (in the case of directors), by the Audit & Risk Policy Committee Chairperson (in the case of the Chairperson) or by the Managing Director (in the case of employees) and recorded in the Gifts and Hospitality Register. .

If in doubt, discuss with the Chairperson (for directors) or the Managing Director (for employees) or politely decline the offer.

If offered a gift, benefit or hospitality above \$75 in value the attached disclosure notification (Form 1 attached) should be lodged (with the Chairperson in the case of directors, with the Audit & Risk Policy Committee Chairperson in the case of the Chairperson, or with the Managing Director in the case of officers) prior to accepting a gift, benefit or hospitality.

Note that Form 1 also provides for notification of an offer in those cases where the director or employee elects to decline acceptance of a gift, benefit or hospitality. Directors and officers are encouraged to make notification of those instances where offers are declined.

7. WHAT TO DO IF OFFERING A GIFT, BENEFIT OR HOSPITALITY

If considering offering a gift, benefit or hospitality please note the accountabilities outlined in section 4 above.

Prior to an offer being made a disclosure (Form 2 attached) should be lodged with the Chairperson in the case of directors, with the Audit & Risk Policy Chairperson in the case of the Chairperson, or with the Managing Director in the case of officers.

Gifts, benefits and hospitality offered by a director or employee with a value above \$75 are to be recorded in the Gifts and Hospitality Register.

8. GIFTS, BENEFITS AND HOSPITALITY REGISTER

The Corporation Secretary will maintain the Gifts, Benefits and Hospitality Register. It is to record details from the disclosure form on the acceptance, or declining, of gifts and hospitality (Form 1).

With regard to the provision of gifts, benefits or hospitality details from the disclosure notification on the proposed provision of gifts, benefits and hospitality (Form 2) is to be recorded.

9. EXCEPTIONS

Acceptance of offers of entertainment or hospitality can provide valuable opportunities for networking. As such, and provided that ethical issues are considered in each instance, the following would generally not constitute gifts or hospitality in the context of this policy and as such do not need to be declared:

- a) A hosted business meal where a topic of interest to the industry was to be discussed or where there were networking opportunities; or,
- b) Attendance at a farewell event for an industry colleague.

10. EXAMPLES

10.1 In relation to the acceptance of gifts, benefits or hospitality

Events, benefits to be declared:

- a) An invitation by a contractor to a football match, tennis tournament or the like, notwithstanding that other water industry colleagues may also be present.
- b) Attendance at a dinner funded by a contractor or consultant where no specific technical matter is formally presented.

Events, benefits that need not be declared:

- c) An invitation by another water business, a government agency or the like, to a football match, tennis tournament or the like.
- d) An invitation by a consultant to a dinner event at which a water industry project or other relevant technical matter was to be discussed would be considered a business event, rather than hospitality, and as such would not need to be declared.

10.2 In relation to the provision of gifts, benefits or hospitality

All gifts, benefits and hospitality provided by SRW and with a value of over \$75 are to be declared, apart from internal business working lunches and similar..

Disclosure Form

To be completed by SRW recipient

Date offered:

Offered to:

Name:

Role:

Offered by:

Name:

Role:

Organisation:

Reason gift was offered:

Description of gift:

Estimated value of gift:

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First time offer by this individual. or Previous offer(s) within last 12 months

Cumulative value of gifts offered by this individual within the last 12 months:

Decision regarding gift:

Declined or Retained or Transferred to organisation's Ownership

Signature of recipient:

Date:

Authorised delegate:

Date:

(Signature; name; role)

Chairperson in the case of Directors;

**Audit & Risk Policy Committee Chairperson in the case of the
Chairperson**

MD in the case of Employees)

**Gifts Register updated:
(Corporation Secretary)**

Date:

Disclosure Form

To be completed by SRW director/officer providing
a gift, benefit or hospitality

Date to be provided:

Offered to:

Name:

Role:

Organisation:

(Attach list if gift, benefit or hospitality is to be offered to several
persons, including both internal and external to SRW)

Offered by:

Name:

Role:

Reason for offering gift, benefit or hospitality:

Description of gift, benefit or hospitality:

Estimated value of gift, benefit or hospitality:

Whether a gift, benefit or hospitality been offered to this same person or
entity in the past

Decision regarding the offering of gift, benefit or hospitality:

Approved

Not Approved

Authorised delegate:

Date:

(Signature; name; role)

Chairperson in the case of Directors;

**Audit & Risk Policy Committee Chairperson in the case of the
Chairperson**

MD in the case of Employees)

**Gifts, Benefits and Hospitality Register updated
(Corporation Secretary)**

Date:



Register of Gifts, Benefits and Hospitality Offered

Date offered	Offered to (name, role)	Offered by (name, role, organisation)	Reason Offered	Description of gift	Estimated value	Decision regarding gift	Authorised by (name, role, organisation)

Register of Gift and/or Benefits Provided

Date offered	Offered by (name, SRW position)	Offered to (name, role, organisation)	Reason Offered	Description of gift	Estimated value

Register of Hospitality Provided

Date of event	Reason for event	Guests	SRW participants	Venue	Total cost	Cost per person
