

Policy – Gifts, Benefits & Hospitality

Policy

SRW employees must:

- not solicit gifts, benefits or hospitality, for themselves or anyone else, in any form.
- refuse all offers of gifts, benefits or hospitality over \$50 – with the exception of hosted business events of relevance to the industry which have been pre-approved by the Managing Director in the case of employees, and the Chairman in the case of the Managing Director.
- refuse all offers of gifts, benefits and hospitality where:
 - It is a receipt of money, or items easily converted to money such as shares and gift cards;
 - Accepting could create a conflict of interest in regard to a current or upcoming decision;
 - It could in any way create a reasonable perception that it is offered to influence the judgement of the employee;
 - It is inconsistent with community expectations;
 - It could in any other way bring their integrity, or the integrity of SRW into disrepute;
 - There is no legitimate business reason to accept; or
 - There is a high risk of conflict of interest.
- disclose all offers (whether accepted or not) of gifts, benefits and hospitality to the Corporation Secretary for appropriate record-keeping, including attendance at hosted business events of relevance to the industry.

Gifts, benefits or hospitality provided by SRW must:

- only be provided for legitimate business purposes;
- be proportionate to the benefits obtained, and in line with community expectations; and
- be recorded in SRW's gifts, benefits and hospitality register.

Bribery attempts must be refused and reported to the Independent Broad-based Anti-corruption Commission (IBAC) as a protected disclosure.

An employee that believes an employee, director, contractor or their associate has been solicited or offered a bribe which has not been reported must report the matter to IBAC as a protected disclosure.

Rationale

To ensure that Southern Rural Water business is carried out with impartiality and integrity.

Gifts, Benefits

A register of gifts, benefits and hospitality will be maintained by the Corporation

**and
Hospitality
Register**

Secretary (Attachment 1).

All offers of gifts, benefits and hospitality over \$50 in value, or of cultural, historic, or other significance offered to, or by, an employee will be recorded in the gifts, benefits and hospitality register.

The register will be published on SRW's website for the current and previous financial year, compliant with privacy obligations as detailed in SRW's privacy collection statement (Attachment 2).

**Implementation
and employee
communication**

The Corporation Secretary is accountable for the implementation of this policy in the corporation.

Employees will be advised of this policy and its use at the commencement of their employment, and reminded annually of their obligations in this policy.

**Monitoring
and reporting**

Gifts, benefits and hospitality offered to SRW, and by SRW since the previous meeting, will be reported to each board meeting.

An annual report will be made by the Corporation Secretary to the Audit, Risk and Governance Committee meeting. This statement will consider compliance by the corporation with obligations set by government and this policy

Following consideration of the annual report from the Corporation Secretary, the Audit, Risk and Governance Committee will submit an annual Gifts, Benefits and Hospitality compliance report to the board.

Breaches

Breaches will be managed in accordance with SRW's Compliance Policy.

In addition:

- Accepting or offering a gift, benefit or hospitality outside of the policy conditions is considered a breach of policy, and may result in disciplinary action.
 - Accepting an offer of a gift, benefit or hospitality that constitutes a bribe or other form of corruption, may lead to criminal prosecution.
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**Policy
availability to
public**

The following will be made available on SRW's website:

- A copy of this policy
 - A copy of the gifts, benefits and hospitality register (compliant with SRW's privacy collection statement – gift offers)
 - SRW's privacy collection statement – gift offers (Attachment 2)
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**External
stakeholders**

All contracts for supplies and external contractors must ensure that the contract can be revoked (or renegotiated) by SRW if the supplier or external contractor offers a prohibited gift to an employee.

External stakeholders must be provided ready access to information explaining this policy in information packages for prospective tenderers and suppliers.

Definitions	<p><u>Benefit</u> Anything of value to a director, employee or their associate. A benefit could include special treatment, hospitality or access to events (e.g. football matches, race meetings), memberships or discounts.</p> <p><u>Bribes</u> Are money or other inducements given or promised to employees to corruptly influence the performance of their role. Bribery or attempted bribery of a public official is a criminal offence.</p> <p><u>Gift</u> Are free or heavily discounted items exceeding common courtesy.</p> <p><u>Hospitality</u> For the purposes of this policy, hospitality refers to hospitality that exceeds common courtesy and sustenance.</p> <p><u>Employee</u> For the purpose of this policy, employee refers to SRW employees, 'in-house' contractors and consultants that work under the direction and control of SRW.</p> <hr/>
Effective date and review date	<p>This policy takes effect on 7 March 2017.</p> <p>It is due for review in 2020.</p> <hr/>
Contact	<p>For more information on this policy contact the Managing Director or Corporation Secretary.</p> <hr/>
Related documents	<ul style="list-style-type: none"> • <i>Public Administration Act 2004</i> • <i>Privacy and Data Protection Act 2014</i> • Code of Conduct for Victorian Public Sector Employees – Victorian Public Sector Commission (VPSC) (www.vpsc.vic.gov.au) • Gifts, Benefits and Hospitality Framework – VPSC (www.vpsc.vic.gov.au) • Public Sector Standards Commissioner letter of 25 June 2012 and Premier's Circular 2012/02 dated 4 April 2012 • Responding to Gift Offers – Model Policy, DELWP • Governance Policy, SRW (director responsibilities relating to gifts, benefits and hospitality) (available on SRW board portal) • Conflicts of Interest Policy (available on SRW board portal) • Board Agenda Policy, SRW (available on SRW board portal) • Privacy Collection Statement – gift offers, SRW (Attachment 1) • Compliance Policy, SRW (available on SRW board portal) <hr/>

ATTACHMENT 1 – GIFTS, BENEFITS AND HOSPITALITY REGISTERS

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

De-identified Register of Gifts, Benefits and Hospitality, SRW Website

Date offered	Offered to (include role only e.g. employee/ board member)	Offered by (include organisation type e.g. supplier/industry stakeholder)	Description of gift (e.g. lunch, Christmas hamper - don't include any identifying information)	Estimated value	Decision regarding gift (declined)

ATTACHMENT 2 – SRW PRIVACY COLLECTION STATEMENT – GIFT OFFERS

Background

This privacy collection statement is published in accordance with the Information Privacy Principles in Schedule 1 of the *Privacy and Data Protection Act 2014*.

Southern Rural Water (SRW) is part of the public sector. As such, it complies with a range of laws and related obligations, including:

- the *Public Administration Act 2004*;
- the *Minimum accountabilities for the management of gifts, benefits and hospitality* issued by the Victorian Public Sector Commission; and
- the *Privacy and Data Protection Act 2014*.

Collection, retention and use of information

As part of SRW's compliance with its obligations and with good public sector governance practice:

1. If an individual or organisation offers a gift to a board member or employee of SRW as a result of that person's role with the SRW, information about the offer will be recorded, retained, and used by SRW.
2. Details of the information that will be recorded, retained and used by SRW are set out in SRW's Gifts, Benefits and Hospitality Policy (gifts policy).
3. SRW's gifts policy is published on its website www.srw.com.au.
4. As set out in its gifts policy, SRW publishes a 'de-identified' copy of its gifts register on its website www.srw.com.au.
5. The purpose of publishing the 'de-identified' copy of SRW's gifts register on its website is to:
 - promote transparency in public sector decision making; and
 - comply with the *Minimum accountabilities for the management of gifts, benefits and hospitality*.

Viewing information

If you have offered a gift to a board member or employee of SRW as a result of that person's role with SRW you can view the information that has been recorded by contacting SRW's Corporation Secretary.

Please note that, in accordance with SRW's Gifts, Benefits and Hospitality Policy, whilst information on both 'reportable' and 'token' gifts (as defined in the policy) are recorded, retained and used by SRW:

- only information on reportable gifts is recorded in the gifts register; and
- steps have been taken to 'de-identify' personal information in the copy of the gifts register that is published on SRW's website.