

Policy Statement

The Gifts, Benefits and Hospitality Policy has been developed in accordance with the requirements outlined in the minimum accountabilities for the management of gifts, benefits and hospitality issued by the Victorian Public Sector Commission.

Lower Murray Water is committed to, and will uphold, the following principles in applying this Policy:

- **Impartiality:** individuals have a duty to place the public interest above their own private interests when carrying out their official functions. They will not accept gifts, benefits or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment. Individuals do not access offers from those about whom they are likely to make business decisions.
- **Accountability:** individuals are accountable for:
 - declaring all non-token offers of gifts, benefits and hospitality
 - declining non-token offers of gifts, benefits and hospitality, or where an exception applies under this Policy, seeking approval to accept the offer
 - the responsible provision of gifts, benefits and hospitality.

Individuals with direct reports are accountable for overseeing management of their direct reports' acceptance or refusal of non-token gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality processes.

- **Integrity:** individuals strive to earn and sustain public trust through providing or responding to gifts, benefits and hospitality in a manner that is consistent with community expectations. Individuals will refuse any offer that may lead to an actual, perceived or potential conflict of interest.
- **Risk-based approach:** Lower Murray Water, through its policies, processes and its Finance, Risk and Audit Committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. Individuals with direct reports will ensure they are aware of the risks inherent in their team's work and functions, and monitor the risks to which their direct reports are exposed.

Purpose

This Policy outlines Lower Murray Water's position on:

- responding to offers of gifts, benefits and hospitality, and
- providing gifts, benefits and hospitality.

This Policy is intended to support individuals and Lower Murray Water to avoid conflicts of interest and maintain high levels of integrity and public trust.

Scope

This Policy applies to all workplace participants. For the purposes of this Policy this includes:

- Employees
- Board members
- Executives
- Contractors
- Consultants
- Any individuals or groups undertaking activity for or on behalf of Lower Murray Water.

This Policy is consistent with, and supports obligations of, the Code of Conduct for Directors of Victorian Public Entities and the Code of Conduct for Victorian Public Sector Employees.

Any exceptions to this Policy must have the prior written approval of the General Manager Business Services.

Fundraising by Lower Murray Water that is consistent with relevant legislation and any government policy is not prohibited under this Policy.

This Policy excludes matters relating to staff reward and recognition programs, staff wellbeing initiatives, and hospitality and catering for internal events.

References

- *Public Administration Act 2004*
- Code of Conduct for Victorian Public Sector Employees
- Code of Conduct for Directors of Victorian Public Entities
- Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Guide

Definitions

Term/Abbreviation	Description
Benefits	Benefits include preferential treatment, privileged access, favours or other advantage offered to an individual. Examples 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.
Board Member	Includes: <ul style="list-style-type: none">• A Director• An Independent Delegate• An Independent Member
Business Associate	An individual or body that Lower Murray Water has, or plans to establish, some form of business relationship with or who may seek commercial or other advantage by offering gifts, benefits or hospitality
Ceremonial Gifts	Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are usually provided when conducting business with official delegates or representatives from another organisation or community.
Conflict of Interest	Conflicts may be: <ul style="list-style-type: none">• Actual: there is a real conflict between an individual's public duties and private interests• Potential: an individual 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 individual's private interests could improperly influence their decisions or actions, now or in

	the future.
EDRMS	Electronic Documents and Records Management System
Gifts	Gifts are free or discounted items or services and any item or service that would generally be seen by the public as a gift. These include items of high value (for example artwork, jewellery or expensive pens), low value (for example, a bouquet of flowers), consumables (for example, chocolates or wine) and services (for example, painting and repairs).
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 conduct of official business or other legitimate goals of Lower Murray Water, the public sector or the State.
Public Official	Public official has the same meaning as s4 of the <i>Public Administration Act 2004</i> and includes public sector employees, statutory office holders and directors of public entities
Public Register	A public register is a record of a subset of information contained in a register for publication as required by the minimum accountabilities.
Register	A register is a record of all declarable gifts, benefits and hospitality.
Token Offer	A token offer is a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). Token offers cannot be worth more than \$50.
Non-token Offer	A non-token offer is a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or the wider community, of more than inconsequential value. All offers worth more than \$50 are non-token offers and must be recorded on the gift, benefit and hospitality register.

Policy/Guidelines

Minimum Accountabilities

Schedule A sets out the binding minimum accountabilities established by the Victorian Public Sector Commission for the appropriate management of gifts, benefits and hospitality.

Offers of Gifts, Benefits and Hospitality

Conflicts of Interest and Reputational Risks

Individuals must consider whether any offer of gift, benefit or hospitality could be perceived as influencing them in the performance of their duties or lead to reputational damage.

Appendix 1 – GIFT Test may be used as a tool for individuals on receipt of an offer of a gift,

benefit or hospitality.

Requirement for Refusing Offers

Individuals are to refuse offers:

- likely to influence them or be perceived to influence them in the course of their duties
- which raise an actual, potential or perceived conflict of interest
- could bring them, Lower Murray Water or the public sector into disrepute
- made by a person or organisation about which they will likely make or influence a decision, particularly offers:
 - made by a current or prospective supplier
 - made during a procurement or tender process by a person or organisation involved in the process
- likely to be a bribe or inducement to make a decision or act in a particular way
- that extend to their relatives or friends
- of money, or used in a similar way to money, or something easily converted to money
- where, in relation to hospitality or events, the organisation will already be sufficiently represented to meet its business needs as determined by the General Manager Business Services in consultation with other members of the executive leadership team
- where acceptance could be perceived as endorsement of a product or service, or acceptance would unfairly advantage the sponsor in future procurement decisions
- made by a person or organisation with the primary purpose to lobby Ministers, Members of Parliament or public sector organisations, or
- made in secret.

If an individual considers they have been offered a bribe or inducement, the offer must be reported to the General Manager Business Services, who will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission (IBAC).

Token Offers

A token offer is an offer of a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the individual. It may include promotional items such as pens and notepads, and modest hospitality that could be considered as a basic courtesy, such as light refreshments during a meeting.

The minimum accountabilities state that token offers cannot be worth more than \$50.

Individuals may generally accept token offers without approval or declaring the offer on the Lower Murray Water Gifts, Benefits and Hospitality Register, as long as the offer does not create a conflict of interest or lead to reputational damage.

Non-token Offers

Individuals can only accept non-token offers if they have a legitimate business benefit. All accepted non-token offers must be approved in writing by the individual's manager or the General Manager Business Services, recorded in the Gifts, Benefits and Hospitality Register and be consistent with the following requirements:

- It does not raise an actual, potential or perceived conflict of interest or have the potential to bring the individual, Lower Murray Water or the public sector into disrepute, and
- There is a legitimate business reason for acceptance – that is, it is offered in the course of the individual's official duties, relates to the individual's responsibilities and has a benefit to Lower Murray Water, the public sector or the State.

Individuals may be offered a gift or hospitality where there is no opportunity to seek written approval from their manager prior to accepting. For example, they may be offered a wrapped gift they later identify as being a non-token gift. In these cases, the individual must seek approval from their manager within 5 business days.

Where the gift has the potential to bring the individual or the organisation into disrepute, the gift should be returned. If it represents a conflict of interest for the individual, Lower Murray Water will return the gift or transfer ownership to the organisation to mitigate this risk.

Recording Non-token Offers of Gifts, Benefits and Hospitality

All non-token offers, whether accepted or declined, must be recorded in Lower Murray Water's Gifts, Benefits and Hospitality Register. The business reason for accepting the non-token offer must be recorded in the register with sufficient detail to link the acceptance to the individual's work functions and benefit to Lower Murray Water, the public sector or the State.

Access to the register is restricted to relevant persons within Lower Murray Water.

Lower Murray Water's Finance, Risk and Audit Committee will receive a report at least annually on the administration and quality control of this Policy, associated processes and the register. The report will include some analysis of Lower Murray Water's gifts, benefits and hospitality risks (including multiple offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

The public register will contain a subset of the information detailed in Lower Murray Water's internal register.

Ownership of Gifts Offered to Individuals

Non-token gifts with a legitimate business benefit that have been accepted by an individual for their work or contribution may be retained by the individual where the gift is not likely to bring them or Lower Murray Water into disrepute, and where their manager or organisational delegate has provided written approval.

Individuals must transfer official gifts, or any gift of cultural significant or significant value, to Lower Murray Water.

Repeat Offers

Receiving multiple offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence an individual. Individuals should refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage.

Ceremonial Gifts

Ceremonial gifts are the property of the organisation, irrespective of value, and should be accepted by individuals on behalf of Lower Murray Water.

The receipt of ceremonial gifts must be recorded on Lower Murray Water's register but does not need to be published online.

Hospitality Provided by Victorian Public Sector Organisations

Victorian public sector organisations may provide hospitality to stakeholders as part of their functions. When offered hospitality by a Victorian public sector organisation, individuals should consider the requirements of the minimum accountabilities.

Accepted hospitality offered by a Victorian public sector organisation as part of official business does not need to be declared or reported, where the reason for the individual's attendance is consistent with Lower Murray Water's functions and objectives and with the individual's role.

Provision of Gifts, Benefits and Hospitality

Requirements for Providing Gifts, Benefits and Hospitality

Gifts, benefits and hospitality may be provided when welcoming guests, to facilitate the development of business relationships, further public sector business outcomes and to celebrate achievements.

When deciding whether to provide gifts, benefits and hospitality or the type of gift, benefit or hospitality to provide, individuals must ensure:

- any gift, benefits or hospitality is provided for a business reason that furthers the conduct of official business or other legitimate organisational goals or promotes and supports government policy objectives and priorities.
- any costs are proportionate to the benefits obtained for the State and would be considered reasonable in terms of community expectations.
- it does not raise an actual, potential or perceived conflict of interest.

Appendix 2 – HOST Test may be used as a tool to assess management of the provision of gifts, benefits and hospitality.

Containing Costs

Individuals should contain costs involved with providing gifts, benefits and hospitality wherever possible and should comply with the financial probity and efficient use of resources guidance outlined in the Code of Conduct for Victorian Public Sector Employees and the Code of Conduct for Directors of Public Entities. Consideration should be given to the following:

- whether the cost of providing the gift, benefit or hospitality is proportionate to the potential benefits
- whether an external venue is necessary or whether the organisation has the facilities to host the event
- whether the proposed catering is proportionate to the number of attendees
- whether the size of the event and number of attendees align with intended outcomes
- whether the gift is of symbolic, rather than financial, value
- whether providing the gift, benefit or hospitality will be viewed by the public as excessive.

Breaches

Breaches of this Policy may result in disciplinary action, up to and including termination/ This includes where an individual fails to avoid wherever possible, or identify, declare and management a conflict of interest related to gifts, benefits and hospitality in accordance with Lower Murray Water's Conflict of Interest Policy.

Actions inconsistent with this Policy may constitute misconduct under the *Public Administration Act 2004*, which includes:

- breaches of the binding Code of Conduct for Victorian Public Sector Employees and the Code of Conduct for Directors of Public Entities, such as sections of the Code covering conflict of interest, public trust and gifts and benefits, and
- individuals making improper use of their position.

Lower Murray Water will communicate this Policy to contractors, consultants and other business associates. Those identified as acting inconsistently with this Policy may be subject to contract re-negotiation, including termination.

Reporting

Individuals who consider that gifts, benefits and hospitality or conflict of interest within

Gifts, Benefits and Hospitality Policy

Governance Policy
CTD/003177



Lower Murray Water may not have been declared or is not appropriately managed are encouraged to notify their manager or the General Manager Business Services. Individuals who believe they have observed corrupt conduct in their colleagues may also make a public interest disclosure directly to the Independent Broad-based Anti-corruption Commission (IBAC).

Supporting Documentation

Doc ID	Title
CTD/003163	Conflict of Interest Policy
CTD/003037	Public Interest Disclosure Procedure
CTD/004224	Staff Recognition Program Procedure
CTD/001792	Gifts Register - Internal

Roles and Responsibilities

Position	Responsibility
Workplace Participants (as defined)	<ul style="list-style-type: none">Ensure familiarity with, and adherence to, this Policy as amended from time to time including the disclosure of all non-token offers of gifts, benefits and hospitality
Managers and Supervisors	<ul style="list-style-type: none">Management of their direct reports' acceptance or refusal of non-token gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality processesAwareness of the risks inherent in their team's work and functions and monitor the risks to which their direct reports are exposed.
General Manager Business Services	<ul style="list-style-type: none">Review of all proposed decisions and/or actions in relation to non-token offers of gifts, benefits and hospitalityAnnual report to the Finance, Risk and Audit Committee in accordance with this PolicyEnsuring systems and processes are in place for the communication and distribution of this Policy, including any amendments, to all workplace participants

Document History and Review

This Policy is subject to the organisation's Information Management Policy, which outlines the procedures for creating, storing, and managing records at Lower Murray Water and the responsibilities of all staff members in effective records management. Refer to the [CTD/000005 - Information Management Policy](#) for detailed guidance.

It is the responsibility of the Custodian of this policy to ensure it is reviewed as per the review due date listed in the table below and the controlled document metadata within the Electronic Documents and Records Management System (EDRMS).

Version	Date Approved	Review Due Date	Review Notes
E	Mar 2024	Mar 2026	

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F	Apr 2025	Apr 2026	Incorporate changes to Staff Recognition Program Incorporate changes to minimum accountabilities set out in VPSC Gifts, Benefits and Hospitality Framework
G	Mar 2026	Mar 2028	Updated.

Policy users are requested to notify the Custodian if amendments are required prior to the scheduled review date. Please note that only Custodians or their delegates are authorised to make changes, and all amendments must be approved by the designated Approver before being distributed to LMW.

Refer to the 'Notes' section of the controlled document in the EDRMS to view amendments made during reviews, and if applicable, to access earlier versions.

Custodian	Approver
General Manager Business Services	Board of Directors
Subject Matter Experts	Endorsed By (if applicable)
Manager Corporate Services	NA

Location of Document

- Electronic Documents and Records Management System
- Intranet
- Internet