Rationale:
- The giving and receiving of gifts are common place in schools, however, both need to be managed sensitively, both need to comply with Australian taxation laws, and neither must compromise the good name of the school. Hospitality may be provided to welcome guests, facilitate relationships or to celebrate achievements.

Aims:
- To ensure that the giving and receiving of gifts result in positive experiences that enhances the school and its relationships with others.
- The high standards of integrity and impartiality from Victorian public sector employees and school councillors are maintained in respect of gifts benefits and hospitality
- Department employees, school council employees or school councillors accept or offer gifts and hospitality they must always act fairly and objectively and maintain public trust by being honest, open and transparent.

Implementation:
Gifts and Benefits:
- Gembrook Primary School gives gifts to recognise the contributions of volunteers.
- Gifts given by Gembrook Primary School are generally of little monetary value and usually consist of bouquets of flowers, small school mementoes, or other inexpensive items of sentimental value.
- The school may collect donations from the community to purchase a gift for a retiring staff member of considerable service.
- Providing gifts to staff
  On occasions, the school may wish to recognise significant staff achievements and provide token gifts as part of:
  - reward and recognition programs or events; and
  - celebrating length of service milestones and/or retirements.
  - A token, such as a card and/or flowers, may also be sent to family members to acknowledge an employees’ contribution to the workplace in the event of their death. Doing so can also assist their colleagues with their bereavement.
  - Gifts given in celebrations of events such as birthdays, marriages or the birth of children should not be funded using public monies

- The acceptance of gifts or donations by the school will be considered on a case-by-case basis as to the appropriateness of each offer.
- In limited circumstances, employees and school councillors may be able to keep a gift worth $100 or more, but less than $500, subject to the documented approval of their Deputy Secretary or school council. The Secretary, Deputy Secretary or school principal may also consider offering the employee or school councillor the option of purchasing the gift at market value.
- Gifts worth $500 or more must be surrendered to the State or school under all circumstances. Employees and school councillors may purchase a gift worth more than
$500 from the State or school, with the Secretary’s or school council’s written approval, provided that no other public entity (e.g. Museums Victoria) has expressed interest in retaining the gift.

- Official gifts, namely gifts intended for the Department, school or the Victorian Government rather than the individual recipient(s), remain the property of the Department, school or State.

**Hospitality**

- Authorised officers may consider providing hospitality for the purposes of:
  - receiving guests (for example a visiting delegation from another jurisdiction, or hosting a meeting held over lunch time);
  - facilitating relationships between third party organisations that are in the interests of the State (for example, an event where community sector organisations can meet business organisations to establish partnerships);
  - celebrating the opening of an event, exhibition, or the establishment of a new public body; or launching an initiative (for example, the launching of a new community awareness campaign).

- **Catered functions for staff**

  For a range of reasons, catered activities may be occasionally provided for employees. These may include:
  - As part of a larger staff-related event, for example a training course, workshop, planning day seminar or conference; and
  - To recognise an organisational or individual staff achievement (for example the successful completion of a project or the retirement of a long-standing member of staff).

- **Working Meals in a Business Meeting**
  - Working meals involve participation of persons outside the organisation.
  - The provision of working meals should normally occur:
    - at an ordinary Departmental or school-based meeting location
    - on non-regular occurrences, except where particular meetings are planned to continue without break for the convenience of Departmental or school-based timetables.

- **Working meals may be accepted when:**
  - there are organisational efficiencies in continuing the meeting through the normal meal break; or
  - there is no reasonable alternative date and time to conduct the meeting expect through a normal meal period.
  - Any hospitality including the venue chosen for the meal should be in accordance with the significance of the purpose of the meeting and the status of the persons/participants.
  - Effort should be undertaken to avoid meetings between 12.00noon and 2.00pm, unless absolutely necessary.

- An employee is not permitted to claim a reimbursement or allowance for meals or beverages where the meal/entertainment has been provided as part of hospitality. The appropriate senior authorising officer must determine if any catered function for staff would be considered reasonable and must take into consideration community expectations in relation to expenditure by public officials.

- The **minimum requirements for individuals for accepting gifts, benefits and hospitality are that they:**
  - do not solicit gifts, benefits or hospitality;
  - refuse all offers of gifts, benefits or hospitality that could be reasonably perceived as undermining the integrity and impartiality of their organisation or themselves;
- refuse all offers of gifts, benefits or hospitality from people or organisations about which they are likely to make decisions, i.e. tender processes, procurement, licensing or regulation, etc;
  - refuse all offers of money or items easily converted to money, such as shares; and
  - refuse bribes and report bribery attempts to their manager/principal.
- Gifts of excessive value should not be accepted. The only exception to this is when failure to accept the gift, benefit or hospitality is likely to cause embarrassment or insult to the donor.
- seek advice from their manager/principal or other appropriate delegate if unsure about how to respond to an offer of a gift, benefit or hospitality of more than nominal value.
- Benefits and hospitality in relation to for-profit organisations sponsoring conferences or industry tours will be declined, unless reasons why there is no conflict of interest or apparent conflict of interest or improper influence can be demonstrated.
- the donor or reasonable observer would perceive that acceptance would create an obligation to the donor, particularly if the value of the gift is disproportionate to the circumstances in which it is offered.
- the gift is likely to influence an employee or school councillor in the course of their duties or where acceptance could cause a conflict of interest.
- the organisation’s primary purpose is to lobby Ministers, Members of Parliament or agencies.
- the organisation or individual has a connection with a tender process or a decision over which the Department or the school could be perceived to have influence.

- The **minimum requirements for individuals when providing gifts, benefits or hospitality are that they:**
  - ensure that any gift or hospitality is provided for a business purpose in that it furthers the conduct of official business or other legitimate organisational goals, or promotes and supports government policy objectives and priorities;
  - ensure that any costs are proportionate to the benefits obtained for the State, and would be considered reasonable in terms of community expectations; and
  - ensure that when hospitality is provided, individuals demonstrate professionalism in their conduct and uphold their obligation to extend a duty of care to other participants

- In order to provide some consistency and clarity in the giving of gifts, School Council will develop a guide that describes the type of gift that will be given at any particular occasion, and a monetary value. For example, the value of gifts for staff members leaving the school will roughly correlate the period of service the staff members have dedicated to our school.
- Any Fringe Benefits Tax implications of any gift or donation must be fully explored and reported to the Australian Taxation Office.
- All gifts and donations will be reported recorded in a registry for this specific purpose and reported to school council. Acceptance of token gifts or reasonable hospitality does not need to be formally registered. For school-based employees and school councillors, acceptance and offers of a gift worth more than $100 (nominal value) **must** be formally registered on the school’s gift register.
- In the case of an international delegation offering ceremonial gifts on behalf of their country to an individual, school or the Department, these gifts (dependent on the nominal value) are to be recorded on the gift register and become the property of the Department or school.

Ratified in 2014
The school will use the DEECD provided form to register gifts or donations to the school.

- The gift register is monitored by the principal and annually reviewed by the school council.
- This policy is to be read in conjunction with the school’s Sponsorship policy.

**Evaluation:**
The giving and receiving of gifts, benefits and hospitality at Gembrook Primary school is transparent, recorded, compliant with DEECD policy and conforms to expectations of the school and wider community.
This policy will be reviewed as part of the three year cycle unless otherwise stated.

**References:**


Gifts, Benefits and Hospitality Policy for Department Employees, Teaching Service Employees, School Council Employees and School Councillors
*Revised March 2013*

Public Administration Act 2004, the Code of Conduct for Victorian Public Sector Employees

School Council Code of Conduct.

State Services Authority Gifts Benefits and Hospitality Policy Framework April 2012.