

Gifts, Benefits, Hospitality, Food and Beverages Procedure

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Purpose

This Procedure sets out principles to give effect to the University's commitment to integrity, impartiality, and good administrative conduct in the context of Gifts, Benefits, Hospitality, Food and Beverages.

Members of the University community must ensure that their personal interests do not conflict with their responsibilities to the University. A balance must be struck between the responsible use of University resources and the benefits that may be delivered to the University and its community and stakeholders.

Scope

This Procedure applies to all members of the University community as defined below.

Legislative Context

- [Federation University Australia Act 2010](#) (Vic.)
- Financial Management Act 1994
- Protected Disclosure Act 2012
- Public Administration Act 2004

- Federation University Australia Statute 2021
- Federation University Australia (Operations) Regulations 2022

Definitions

Term	Definition
Conflict of interest	<p>A conflict of interest is a conflict between the public duty of a member of the University's community to act in the best interests of the University and that person's private interests. In other words, a conflict arises whenever a Member of the University's community has competing interests.</p>
Gifts and Benefits	<p>means free or substantially discounted items, hospitality or intangible benefits exceeding common courtesy that are offered to members of the University community in conjunction with their association with the University. It includes enduring items such as works of art and plaques, consumables such as chocolates or wine, invitations to corporate events, or sponsored travel and accommodation.</p> <p>The term 'Gifts and Benefits' does not include the receipt of:</p> <ul style="list-style-type: none"> • standard promotional material distributed by an organisation or business, free of charge, equally to all, where its primary purpose is to promote the organisation or business; • a gift or token of nominal value or gesture of goodwill (e.g. a key-ring or pen printed with a company logo handed out to all delegates at a conference, or a box of sweets given to celebrate a cultural event) that could not reasonably be deemed as an inducement to act in a particular way or a conflict of interest; • light refreshments offered, for example in the course of a business meeting at the organisation's premises or at an opening event or conference, which are proportionate to the occasion and intended as a courtesy and to make guests feel welcome.
Gift Register	<p>means the University-wide register of gifts and benefits maintained by the Legal Office which records such information as the nature of the gift, the date received, the estimated value, the purpose of the gift and how it was</p>

	handled. The Gift Register may be reviewed by the University's internal and external auditors, members of the University's Council and its Committees and authorised personnel.
Members of the University Community	means: <ul style="list-style-type: none"> • staff members; • members of the University's Council and its Committees; • office-holders; • Visiting, Honorary and Adjunct appointments, Companions and Fellows of the University; and • students.
Office-holders	• means members of any board, committee or other body or entity established by or constituted under the Federation University Australia Act 2010 (Vic.), Federation University Australia Statute 2021 or its Regulations.
Senior Management	means a member of the Vice-Chancellor's Senior Team, an Executive Dean, Dean or Director.
Staff member	means any other person employed by the University as a full-time, part-time, sessional or casual staff member, or a contracted staff member.
Student	means any person enrolled as a student of the University; this includes full-time, part-time, block-mode or distance education students.

Procedure Statement

The University expects that members of the University community will consistently demonstrate integrity, impartiality and good administrative conduct, consistent with the University's values. Members of the University community should use University resources responsibly and wisely and must ensure that their private activities and interests do not conflict with their obligations to the University or its community or stakeholders.

Members of the University community must not use their position to seek an undue advantage for themselves, family members or other personal associates and they must decline gifts and benefits which might reasonably be perceived to influence their ability to exercise independent judgment on behalf of the University.

The University requires that all gifts and benefits, other than token gifts or minor gestures of goodwill (as defined above) be declared on the Gift Register.

A. Principles: Gifts and Benefits

a) Gestures of Goodwill and Tokens of Celebration

The University does not encourage the proffering or acceptance of gifts in the workplace. However, members of the University community may give or accept a gift or benefit which is offered as part of a social, cultural or ceremonial practice or which could reasonably be considered to be a gesture of goodwill or a token of celebration in the circumstances.(for example a box of sweets).

A gift which reasonably could be considered to be a token gift or a gesture of goodwill may be accepted without it being notified on the Gift Register.

b) Other Proposed Gifts or Benefits

Members of the University community must not seek or accept gifts or benefits which could be perceived as inducing them to act in a certain way or influencing them to make decisions on behalf of the University, or which might reasonably be perceived to create a conflict of interest in that member.

Where particular situations and relationships with donors may give rise to an increased risk (or perception) of being compromised, members of the University community should not seek or accept gifts or benefits in those situations, in particular from people or organisations about whom they are likely to make decisions in the near future involving:

- Tender processes;
- Procurement;
- Recruitment or other selection;
- Enforcement (contractual or otherwise);
- Licensing;
- Regulation; or
- Student enrolment/University entry procedures.

If a member of the University is unsure how to respond to an offer of a gift or benefit, they should seek advice from their supervisor or a member of Senior Management.

Note: Members of the University community should respond respectfully and appropriately to offers of gifts or benefits, including when travelling overseas on University business.

(c) Money

Gifts of money may not be accepted in any circumstances. If a member of the University community is offered a bribe, the incident must be reported to Senior Management immediately.

(d) Event Tickets and Vouchers

Event tickets or monetary equivalents such as vouchers may be accepted provided that:

- The value of the gift does not exceed \$AUD 100;
- The acceptance of the gift is not likely to create an endorsement or conflict of interest (actual, potential or perceived);
- The appropriate member of Senior Management is notified as soon as reasonably possible; and
- The ticket or voucher is recorded promptly in the Gift Register.

Gifts received by staff members and office-holders as part of a social, cultural or ceremonial practice as a result of their role as a University staff member/office-holder, will remain the property of the University and in the possession of the University.

(e) Guidelines for Evaluating a Proposed Gift or Benefit: the GIFT Test

The GIFT test below is helpful when deciding whether to accept or decline a gift: -

		Consideration
G	Giver	Who is proposing to give me a gift and what is their relationship to me? Does my role require me to select tenderers or award contracts or grants or scholarships or audit external providers?

		Could the person or organisation benefit from a decision I make?
I	Influence	Are they seeking to influence my decisions or actions? Has the gift been offered to me publicly or privately? Does its timing coincide with a decision I am about to make? Is it a token of appreciation or a courtesy, or something more valuable?
F	Favour	Are they seeking a favour in return for the gift? Has the gift been offered honestly? Has the person/organisation made several offers over the past 12 months? Would accepting it create an obligation to return a favour?
T	Trust	Would accepting the gift diminish community trust in the University? How would I feel if the gift became public knowledge? What would my colleagues, family, friends or associates think

(f) Gift Value Limits

Under no circumstances should a gift exceeding a value of approximately \$AUD \$100 be accepted.

(g) Giving Gifts or Benefits

- i. With the approval of a Deputy Vice-Chancellor or the Vice-Chancellor, gifts may be given on behalf of the University to welcome guests, facilitate the development of business relationships or outcomes and celebrate achievements. Examples include receiving a delegation from overseas, an event for other organisations to establish partnerships with the University or celebrating the opening of an exhibition. Any gift proffered should be reasonably seen as a gesture or token of goodwill in the circumstances and should be in line with community expectations and standards in terms of cost, scale, modesty and suitability.
- ii. Significant achievements, such as a length of service milestone, or celebrating retirement of staff members, office-holders or other members of the University community may be, where appropriate, recognised with a gift from the University in line with community expectations and standards in terms of cost, scale, modesty and suitability.
- iii. In the event of the death of a staff member, office-holder or other member of the University community, a small gift from the University such as flowers and a card may be sent to family members of the deceased person, in acknowledgement of the deceased person's relationship with and contribution to the University.
- iv. University resources must NOT be used to purchase celebratory gifts for events such as birthday and marriages.

(g) Gift Register

The University maintains a Gift Register located in the Legal Office. Subject to the exceptions of token gifts or gestures of goodwill, members of the University community (excluding students) who are in receipt of a gift or benefit must complete a [Declaration of Gift form](#) and forward it to legaloffice@federation.edu.au promptly. The completed Declaration of Gift Form must include the following information:

- The nature of the benefit or gift received;

- The date received;
- The donor;
- The purpose;
- The estimated value;
- How the gift was handled;
- Approval by supervisor; and
- Any other relevant information.

B. Principles: Hospitality, Food & Beverages

All members of the University community are accountable for the efficient and effective use of University funds and resources. Members of the University community are expected to use University funds and resources in an appropriate manner and report any instances of misuse or misappropriation.

The Principles are as follows:

1. Members of the University are not entitled to food and beverages free-of-charge from the University's Conference and Catering Services, food or beverage outlets or external food and beverage providers contracted by the University.
2. External food and beverage providers may choose to provide food and beverages to members of the University community free of charge, provided this cost is not passed on to the University and the provision could not be perceived as inducing them to act in a certain way or influencing them to make decisions on behalf of the University, or creating what might reasonably be perceived to be a conflict of interest.
3. At meetings or functions of staff members held on or off-campus, University funded food and beverages are not to be served, unless approved by senior management. However, light refreshments may be provided, if this is consistent with the length of the meeting or function and an appropriate use of University resources.
4. Where non-staff members are in attendance at a formal meeting or function of the University and there is a need to provide food and beverages at this meeting or function, approval from the relevant member of senior management is required. When determining the type of food and beverages to be offered at a University meeting or function, a balanced judgment should be made between the costs incurred and the potential benefits to the University. Regard should also be had as to whether the proposed hospitality is in line with community expectations and standards in terms of cost, scale, modesty and suitability.
5. Members of the University community should at all times consider the taxation consequences (Fringe Benefits Tax) of providing food and/or beverages at University meetings or functions and should seek advice and assistance from the University's Finance Office when in doubt as to the taxation consequences before providing food or beverages. Where Fringe Benefits Tax applies, the cost of the expenditure on food and beverages will almost double and the cost of the taxation will be charged to the cost centre responsible for the meeting or function.
6. As a general rule, alcohol should not be served at University meetings or functions during normal work hours. Alcohol should only be provided at University functions marking significant occasions, subject to approval by a member of the Vice Chancellor's Senior Team. Where alcohol is served at a University function or meeting, the provisions of the University's [Alcohol and Other Drugs Procedure](#) should be adhered to. At no time is an alcohol-only function permitted.

C. Breaches of this Procedure and Complaints

Any person, whether or not a member of the University community, who on reasonable grounds believes that a member of the University community has breached this Procedure, may make a complaint in accordance with the University's [Protected Disclosures Procedure](#).

Associated Documents

- [Corporate Governance Policy](#)
- [Operations Governance Policy](#)
- [Alcohol and Other Drugs Procedure](#)
- [Asset Management - Operations Manual](#)
- Code of Conduct for Victorian Public Sector Employees
- [Managing Conflicts of Interest Procedure](#)
- [Delegations - Contract, Financial, Staffing and Tender Procedure](#)
- [Fraud & Corruption Control Procedure](#)
- [Finance Governance Procedural Manual - Procurement of Goods & Services, Corporate Purchasing Card, Travel, and Motor Vehicles](#)
- [Protected Disclosures Procedure](#)
- [Staff Code of Conduct](#)

Forms.

- [Gift Register Form](#) (DOCX 34.8kb)

Responsibility

All members of the University community share responsibility for the implementation of this Procedure and for ensuring compliance with this document.

Implementation

The [Gifts, Benefits, Hospitality, Food and Beverages Procedure](#) will be implemented throughout the University via:

1. Information for both staff and students on the University website.
2. Announcement notices via FedNews as to the stages of implementation of this Procedure.