

Gifts, Benefits and Hospitality Procedure

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Purpose

This procedure applies to the offering and acceptance of gifts, benefits and hospitality by members of the Federation University Australia community.

Scope

This procedure applies to all members of the University community.

This procedure does not apply to philanthropic gifts to Federation University Australia and the Federation University Australia Foundation which are covered by the [Philanthropic Donations Procedure](#).

Legislative Context

- [Federation University Australia Act 2010](#) (Vic.)
- Financial Management Act 1994
- Protected Disclosure Act 2012
- Public Administration Act 2004
- Income Tax Assessment Act 1997
- Federation University Australia Statute 2021
- Federation University Australia (Operations) Regulations 2022

Definitions

Term	Definition
Conflict of interest	A conflict of interest arises when a Member of the University's community may have competing interests between their public duty to act in the University's best interests and their private interests. Conflicts of interest can be categorised as: • Actual: The conflict exists in fact. • Potential: A conflict might arise under certain circumstances. • Perceived: The public could reasonably believe a conflict exists or might arise.
Gifts, Benefits and Hospitality	Refers to any item of monetary value, advantage, or privilege arising from a business-related relationship with the University. Examples include restaurant dinners, event tickets, hospitality or travel offers, items for religious or cultural celebrations, or gifts upon reaching an agreement with a supplier.
Gifts, Benefits and Hospitality Register	Refers to the University-wide register of gifts, benefits and hospitality 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 handled. The Register may be reviewed by the University's internal and external auditors, members of the University's Council and its Committees and authorised personnel.
Senior Management	Refers to either a member of the Vice-Chancellor's Senior Team (VCST), Dean, Director or Senior Manager.
Staff member	Refers to any other person employed by the University as a full-time, part-time, sessional or casual staff member, or a contracted staff member.
Stakeholders	Refers to anyone with an interest in the University, which includes but not limited to; staff members, members of University's Council and Committees, office-holders, students, any person authorised to act on behalf of the University, relevant communities and businesses.

Procedure Statement

At Federation University, we prioritise integrity, fairness and transparency regarding gifts, benefits, and hospitality offered by or to members of the University community. Members of the University community must avoid using their position for personal gain and decline gifts that could influence their judgment.

This procedure outlines the guidelines for staff regarding the acceptance or offering of gifts, benefits, and hospitality, as well as the processes for purchasing and reporting gifts.

1. Receiving offers of gifts, benefits and/or hospitality

All members of the University community who are acting under this procedure must act lawfully, ethically, and properly, avoiding the use of their position to seek gifts or benefits from third parties. Gifts, benefits and hospitality received in the course of employment are considered gifts to the University and must be disclosed and delivered accordingly.

1.1 Declaring all non-token gifts

Staff must declare all non-token offers of gifts (valued at \$50 AUD or more), whether accepted or declined, through the [Gifts, Benefits and Hospitality Register](#). Offers of any amount must also be reported where the offer may give rise to an actual, potential or perceived conflict of interest; seen as a bribe or inducement; or tarnish public trust and community expectation.

Members of the University community (excluding students) who are in receipt of a gift or benefit must complete a Declaration of Gift form and submit via the Legal Office [ServiceNow portal](#) within two weeks of the offer. Details to be provided to the Register are:

- Date received;
- Name and title of recipient;
- Value (known or estimated);
- Giver's details (name, company, etc.);
- Reason for receiving the gift, benefit and/or hospitality;
- Name and title of person who the gift, benefit and/or hospitality has been disclosed to; and
- Action taken by recipient.

The [Gifts, Benefits and Hospitality Register](#) is maintained by the Legal Office and reported to the Vice-Chancellor annually.

1.2 Acceptance of gifts

Members of the University community may give or accept a token 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. A token gift may be accepted without it being notified on the [Gifts, Benefits and Hospitality Register](#).

Non-token offers of gifts may require approval from a senior manager or executive, depending on the estimated value of the offer. If an accurate value cannot be determined, the staff member must obtain an estimated value from the giver or determine the average market value.

Value	Classification	Conditions of acceptance	Disclosure requirements
Less than \$50	Token	Subject to the GIFT test (see below)	Disclosure to manager encouraged but not required
\$50 - \$200	Reportable	Subject to the GIFT test	Disclosure to manager and register via Gifts, Benefits and Hospitality Register
\$200-\$500	Reportable	Subject to the GIFT test and approval by senior leader (member of the Extended Leadership Team (ELT) or above). Note:Members of the ELT and Vice-	Disclosure to senior leader and register via Gifts, Benefits and Hospitality Register

		Chancellor's Senior Team (VCST) may be required to participate in external engagements involving hospitality for legitimate business purposes. Members of ELT and VCST are expected to use their judgement in determining whether to accept such offers and follow the disclosure requirements.	
>\$500	Reportable	Subject to the GIFT test and approval by VCST member, or Vice-Chancellor, where appropriate.	Disclosure to VCST member and register via Gifts, Benefits and Hospitality Register .

The GIFT test 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

1.3 Refusal of gifts, benefits and/or hospitality

The following gifts, benefit and/or hospitality offered to staff or associated stakeholders as part of University business must not be accepted under any circumstances:

- A gift of cash;
- Where acceptance places an obligation on the University or a member of staff;
- Where the gift, benefit and/or hospitality relates to a procurement process with a current or potential suppliers; or
- Where the gift, benefit and/or hospitality may create or be perceived by a reasonable person to create a conflict of interest.

2. Offering gifts, benefits and/or hospitality

A gift, benefit and/or hospitality may be provided to external parties to welcome guests, support business relationships and to celebrate achievements. Staff members who offer a gift on behalf of the University are required act in the best interests of the University and to exercise reasonable judgement, with decisions on giving gifts made in accordance with the following:

The decision to offer a gift is justified and defensible and complies with the principles for gift activity. The giving of the gift must uphold the reputation and values of the University.

The gift is being offered to further the conduct of official University business, support University priorities, or contribute to staff wellbeing and/or workplace satisfaction.

The cost of the gift is reasonable and consistent with appropriate expenditure as set out in the University's Delegation framework.

University staff should discuss gift purchases with their senior manager/relevant member of VCST to obtain approval prior to purchase, in line with the [University Delegations framework](#).

2.1 Purchasing gifts, benefits and/or hospitality

The process the Federation University staff must follow when purchasing a gift, benefit and/or hospitality is as follows:

- Identify the need for the gift, benefit and/or hospitality;
- Obtain the value of the gift;
- Ensure the value of the proposed gift is within approved budget;
- For a gift, benefit and/or hospitality that may exceed \$50 AUD in value, written approval must be received by an ELT member or above (with the exception of VCST members who are expected to use their judgement in determining what is appropriate);
- Record and report on details of the gift, benefit and/or hospitality; and
- Present gift, benefit and/or hospitality to the desired recipient ensuring that if requested, information pertaining to the cost can be provided.

2.2 Gifts to staff

Gifts may be considered for acknowledging staff on significant occasions, including bereavement, serious illness, service anniversaries, and farewells. University resources must not be used to purchase celebratory gifts for personal milestones such as birthday and marriages.

3. Principles: Hospitality, Food and Beverage

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 to use University funds and resources in an appropriate manner and report any instances of misuse or misappropriation.

The Principles are as follows:

3.1. University members are not entitled to receive free food and beverages from the University's Conference and Catering Services, food or beverage outlets, or any external providers contracted by the University.

3.2. 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.

3.3. 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.

3.4. 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. Consider whether the proposed hospitality aligns with community expectations and standards regarding cost, scale, modesty, and suitability.

3.5. 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.

3.6. 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.

Supporting Documents

- [Corporate Governance Policy](#)
- [Operations Governance Policy](#)
- [Asset Management - Operations Manual](#)
- Code of Conduct for Victorian Public Sector Employees
- [Managing Conflicts of Interest Procedure](#)
- [Delegations of Authority Guideline](#)
- Fraud & Corruption Control Procedure
- [Finance Governance Procedural Manual - Procurement of Goods & Services, Corporate Purchasing Card, Travel, and Motor Vehicles](#)
- [Health and Safety Operations Manual](#)
- [Philanthropic Donations Procedure](#)
- [Protected Disclosures Procedure](#)
- [Staff Code of Conduct](#)

Forms.

- [Gifts, benefits and hospitality register](#) (DOCX 61.3kb)

Responsibility

- Chief Operating Officer (as the Approval Authority) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- Head of Legal (as the Document Owner) is responsible for maintaining the content of this procedure as delegated by the Approval Authority.

Implementation

This procedure will be implemented throughout the University via:

1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
2. Staff induction sessions.
3. Training sessions.