

## Gifts, Benefits and Hospitality

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### Key Words

gifts – benefits – hospitality – conflict of interest – integrity – offer – declaration – register – private – token – present – prize – presenter – door – contribution – reward – charity – bonus – donation – giveaway – grant – endowment – souvenir – subsidy – tribute – favor – allowance – free – goodie – profit – aid – asset – perk – gain – extras – cordial – generous – accommodation – entertainment – event – hospitableness – welcome – oblige – protocol – function – speech – address – grateful

### Preamble

This business rule supports CFA's *Integrity Policy – Gifts, Benefits and Hospitality* and aims to ensure that CFA staff, volunteers and CFA Board members are aware of and able to comply with their obligations, responsibilities and duties associated with the gifts, benefits and hospitality framework in the course of their CFA duties.

### Introduction

#### 1 Definitions

(Note: Commonly defined terms are located in the CFA Policy Dictionary)

**Benefits** means preferential treatment, privileged access, favours or other advantages offered to an individual. This may include invitations to sporting, cultural or social events, access to discounts and loyalty programs (that are not part of a corporate scheme), 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.

**Business Associate** means an external individual or entity which CFA has, or plans to establish, some form of business relationship, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.

**CFA funds** means all moneys held by CFA. This includes moneys held by brigades.

**CFA staff** means a person who is directly employed by CFA, including those employees on a fixed term or casual employment contract, consultancy or contractor and also includes members of the Authority (the Board).

**CFA volunteer** means an officer or member who receives no remuneration for their services in relation to a brigade, but does not include an officer or member of an industry brigade.

**Conflict of interest** *Actual Conflict* means there is a real conflict between an employee's public duties and private interests whilst *Potential Conflict* means an employee has a private interest 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 and *Perceived Conflict* means the public or a third party could form the view that an employee's private interests could improperly influence their decisions or actions, now or in the future.

**Consultancy** means an arrangement where an individual or organisation is engaged by CFA to:

- Provide expert analysis and advice which facilitates decision making;
- Perform a specific one off task or set of tasks;
- Perform a task involving skills or perspectives which would not normally be expected to reside within CFA.

To be classified as a consultancy, an arrangement must meet all of the above criteria

**Contractor** means (in contrast to consultancy) the engagement by CFA of an individual or organisation to:

- Provide goods, works or services which implement a decision;
- Perform all or part of a new existing ongoing function to assist CFA carry out its defined activities and operational functions;
- Perform a function involving skills or perspectives which would normally be expected to reside within CFA but which CFA has determined to outsource.

The following examples are regarded as contracting out or casual employment arrangements as they fail to meet one or more of the criteria for consultancy:

- An information systems contractor on a 12 month contract to provide general maintenance programming and support to CFA's computer system;
- An organisation engaged to conduct a training session or program.
- An accounting firm engaged to perform certain routine accounting tasks.
- A media consultant on a three year contract to provide media related services including public relations and advertising

**Gift/s** means free or discounted items and any item that would generally be seen by the public as a gift. These include items of high value (e.g. artwork or jewellery), low value (e.g. a small bunch of flower) or consumables (e.g. chocolate). This does not impact on the ability of CFA to fundraise, fundraising that is consistent with legislation and policy is not prohibited.

**Hospitality** means 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** means gifts, benefits and hospitality accepted or provided for a business purpose, in that it furthers the conduct of official business or other legitimate goals in CFA, the public sector or the State.

**Offer** means any expression or advancement of a gift, benefit or hospitality to CFA career staff, volunteers or a CFA Board member in their capacity as a representative of CFA by an internal or external individual or organisation. All offers, including internal offers (e.g. an invitation to a Brigade Dinner or token gift for presenting at a CFA event), must be declared using the declaration form.

**Register** means a central record of all declarable gifts, benefits and hospitality. It records the date an offer was made and by whom, the nature of the offer, its estimated value, the raising of any actual, potential or perceived conflicts of interest or reputational risks and how the offer was managed. For accepted offers, it details the business reason for acceptance and the officer approving the acceptance

**Token offer** means an offer of a gift, benefit or hospitality that is offered as a courtesy and is of inconsequential or trivial value to both the person making the offer and the individual. The primary determinant of a token offer is that it would not be reasonably perceived within or outside CFA as influencing an individual or raising an actual, potential or perceived conflict of interest, it cannot be worth more than \$50. If token offers are made often by the same person or organisation, the cumulative value of the offers, or the perception that they may influence the recipient, may result in the offers becoming non-token

**Non-token offer** means an offer of a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value

## 2 Purpose

The purpose of this business rule is to provide procedural information to support CFA's *Integrity Policy - Gifts, Benefits and Hospitality* which outlines associated CFA staff and volunteer obligations, accountabilities and requirements.

This Business Rule has been developed in support of the Victorian Public Sector Commission's (VPSC) *Gifts, Benefits and Hospitality Framework*.

CFA is committed to and will uphold the following principles in relation to gifts, benefits and hospitality:

**Public Interest:** CFA staff, volunteers and CFA Board members have a duty to place the public interest above their private interests when carrying out their official functions. Such identified individuals (and groups) must not accept gifts, benefits or hospitality that could potentially raise a perception of, or actual, bias or preferential treatment as a result of their association with CFA. Individuals must not under any circumstances accept offers from parties about whom they are likely to have influence over or make a business decision (e.g. tender management).

**Accountability:** CFA staff, volunteers and CFA Board members are accountable for:

- (a) Declaring all offers of gifts, benefits and hospitality;
- (b) Declining all non-token offers of gifts;
- (c) Declining all non-token offers of benefits or hospitality, or, where an exception applies under this policy, seeking approval to accept;
- (d) The responsible provision of gifts, benefits and hospitality; and

**Risk-based approach:** CFA, through its policies, processes and audit committee, will ensure that gifts, benefits and hospitality risks are appropriately identified, assessed and managed. CFA staff, volunteers and CFA Board members with direct reports must ensure that 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.

### **3 Who does this Business Rule apply to?**

This business rule applies to all CFA staff, including consultants, contractors, and staff on fixed term or casual employment contracts, volunteers and CFA Board members.

### **4 Roles and responsibilities of officers administering this Business Rule**

The Gifts Officer is responsible for the management and implementation of the *Integrity Policy - Gifts, Benefits and Hospitality* and this business rule. CFA's Gifts Officer is also responsible for raising awareness of the relevant obligations relating to gifts, benefits and hospitality imposed upon CFA staff, volunteers and CFA Board members and is also responsible for the management and review of CFA's Gifts Register. The Gifts Officer is also obliged to prepare an annual Gifts attestation for the CEO and Finance Audit and Risk Board Committee.

### **5 Parent CFA policy document/s**

- (a) Integrity Strategic Policy
- (b) Gifts, Benefits & Hospitality CFA Policy

### **6 When this Business Rule applies**

- (a) This business rule applies to all CFA staff and volunteers acting in their official capacity whilst engaged, interacting in or in association with members of the public, private businesses and/or non-CFA staff or volunteers, or using CFA funds, including funds held by brigades.

### **7 When this Business Rule does not need to apply**

- (a) This business rule does not apply to CFA staff or volunteers acting outside the scope of their CFA employment or association/duties with CFA.

## **Offers of Gifts, Benefits and Hospitality**

**8** CFA staff, volunteers and CFA Board members who are not directly involved in procurement activities must register and may accept token offers of gifts, benefits or hospitality. All non-token offers of gifts must be declined. Non-token offers of benefits and hospitality may be accepted where an exception applies under this business rule. All offers, whether accepted or declined, must be registered.

**9** CFA staff and volunteers directly involved in procurement activities must decline and register all offers. This is regardless of where an offer or benefit is of token or non-token value.

- 10 CFA staff, volunteers and CFA Board members must decline all offers (*with the exception of token hospitality, such as coffee or sandwiches over a lunchtime meeting*) made:
- (a) by a current or prospective supplier; or
  - (b) during a procurement or tender process by a person or organisation involved in the process (*whether past or presently involved*).
- 11 CFA staff, volunteers and CFA Board members must without exception, decline all offers of non-token benefits and hospitality:
- (a) with no legitimate business benefit;
  - (b) which is likely to influence them, or be perceived to influence them, in the course of their duties or that raise an actual, potential or perceived conflict of interest (refer to CFA's *Integrity Policy - Conflict of Interest and Private Interests* for further information);
  - (c) by a person or organisation about which they will likely make a decision;
  - (d) that extends to relatives or friends;
  - (e) of money, or used in a similar way to money, or something easily converted to money;
  - (f) where, in relation to hospitality and events, CFA will already be sufficiently represented to meet its business needs and additional CFA staff, volunteer or CFA Board member's attendance would not enhance the legitimate business benefit to CFA;
  - (g) where acceptance could be perceived as endorsement of a product or service, or would unfairly advantage the sponsor in a future procurement decision;
  - (h) made by a person or organisation with a primary purpose to lobby Ministers, Members of Parliament, or public sector agencies; or
  - (i) made in secret.
- 12 CFA staff, volunteers and CFA Board members must not under any circumstances or by any means directly or indirectly, solicit offers of gifts benefits or hospitality.
- 13 CFA staff, volunteers and CFA Board members should be alert to repeated offers of gifts, benefits and hospitality from a single source. This awareness is critical in monitoring the accumulated value of token offers within a 12 month period (multiple token offers can easily exceed the token value). When accepting offers become a habit, or even an expectation, it is likely a breach of the relevant Code of Conduct.

## Accepting Offers

- 14 The GIFT test may be helpful in determining if it is appropriate to accept an offer:

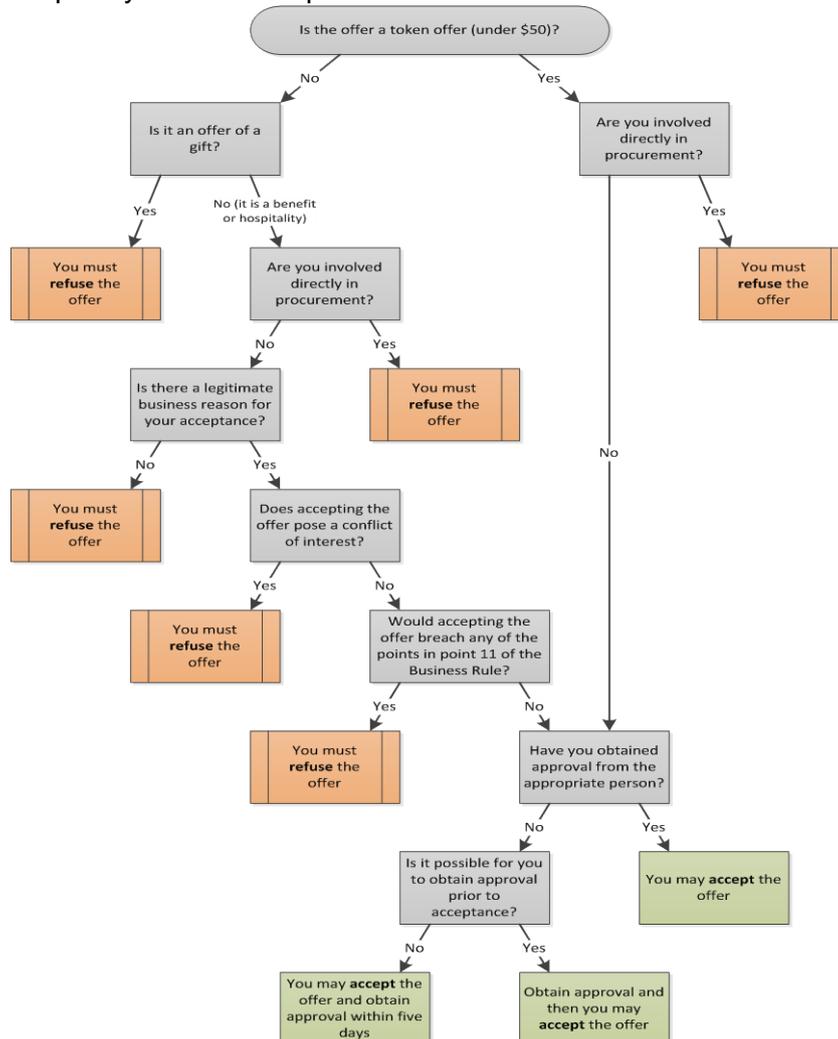
<b>G</b>	Giver	<p><b>Who is providing the gift, benefit or hospitality and what is their relationship to me?</b></p> <p>Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?</p>
<b>I</b>	Influence	<p><b>Are they seeking to gain an advantage or influence my decisions or actions?</b></p> <p>Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy or a token of appreciation or a valuable non-token offer? Does its timing coincide with a decision I am about to make or endorse a product or service?</p>
<b>F</b>	Favour	<p><b>Are they seeking a favour in return for the gift, benefit or hospitality?</b></p> <p>Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers over the last 12 months?</p> <p>Would accepting it create an obligation to return a favour?</p>
<b>T</b>	Trust	<p><b>Would accepting the gift, benefit or hospitality diminish public trust?</b></p> <p>How would the public view acceptance of this gift, benefit or hospitality? What would my colleagues, family, friends or associates think?</p>

15 Accepted non-token offers must be consistent with the following requirements:

- (a) Written approval, via the *Gifts, Benefits and Hospitality Declaration Form* (refer to Appendix A), is sought by the CFA staff, volunteer or Board member prior to acceptance. Where this is impractical or where there is no reasonable opportunity to seek approval prior to acceptance, written approval must be retrospectively sought – within five business days of the offer - via the *Gifts, Benefits and Hospitality Form* as per below:
  - i. In the case of CFA staff, their manager
  - ii. In the case of a volunteer, the Brigade Captain
  - iii. In the case of a volunteer at an Integrated Brigade, the Officer in Charge
  - iv. In the case of a CFA Board member, the CFA Board Chair
  - v. In the case of the CFA Board Chair, the Chair of the Finance, Risk and Audit Board Committee
- (b) There are of course legitimate business reason for the acceptance of an offer. This can occur when there is an offer in the course of the individual's official duties, related to the individual's responsibilities and has a legitimate work-related benefit to CFA, the public sector and/or the State; and
- (c) The acceptance of an offer does not raise an actual, potential or perceived conflict of interest or have the potential to bring CFA staff, volunteers, a CFA Board member, CFA or the public sector into disrepute.

16 General Counsel may make a final determination as to the suitability of the acceptance of an offer by CFA staff, volunteers or a CFA Board member at any time.

17 The following flowchart may be helpful in determining if an offer of a gift, benefit or hospitality can be accepted. Please note this flowchart should only be used as a guide.



## Declining Offers

- 18 When declining an offer, care should be taken to ensure that no offence is caused to the individual or organisation making the offer.
- 19 CFA staff, volunteers or CFA Board members may use the suggested wording in Schedule C of this business rule to return gifts that have been delivered to their office or workplace.
- 20 CFA staff, volunteers and CFA Board members should explain the constraints of CFA's gifts, benefits and hospitality obligations to event organisers when accepting an offer/invitation to ensure that the event hosts are aware that non-token gifts of appreciation for CFA attendance or presentations on the day must not be offered.

### Scenario 1: Conference presentation

Matthew has spent the past week composing and then rehearsing his presentation for the international conference on sustainable development. As Matthew makes his closing remarks, the audience applauds and the MC steps forward to thank him for an engaging presentation, and presents him with a modest box of chocolates.

#### What should Matthew do?

The MC is presenting Matthew with chocolates to say thank you for his presentation. The value of the gift and the circumstances mean it is a token offer, and Matthew may accept them. Matthew should complete a Gift Declaration Form and, as there was no reasonable opportunity to seek approval prior to acceptance, Matthew should seek approval from his manager within five days, and then submit the form to be included on the gifts, benefits and hospitality register.

## Registering Offers

- 21 CFA staff, volunteers and CFA Board members must declare all offers of gifts, benefits and hospitality, including token offers (*excluding token hospitality, such as coffee or sandwiches over a lunchtime meeting*), whether the offer is accepted or declined. The declaration must be made by completing the *Gifts, Benefits and Hospitality Declaration Form* (Declaration Form).
- 22 Where non-token offers are accepted, the business reason for acceptance must be detailed on the Declaration Form by the CFA staff, volunteer or CFA Board member accepting the offer. Sufficient details must be provided on the Declaration Form to link the acceptance of the offer to the individual's work functions and benefit to CFA, the public sector and/or the State. The following examples of appropriate grounds for accepting an offer should be considered when completing the Declaration Form:
  - (a) "Individual is responsible for evaluating and reporting outcomes of CFA's sponsorship of Event A. Individual attended Event A in an official capacity and reported back to CFA on the event."
  - (b) "Individual attended Event B in an official capacity to receive an award on behalf of CFA. Individual accepted the award and delivered the award to CFA following the event."
- 23 The completed Declaration Form should be forwarded to [gifts@cfa.vic.gov.au](mailto:gifts@cfa.vic.gov.au) for inclusion on the Gifts Register within 14 days of the offer being made (not of the offer being accepted/declined).
- 24 The Gifts Officer will maintain a separate Gifts Register for recording CFA staff and CFA Board member declarations, and a Gifts Register for recording volunteer declarations.

- 25 CFA's Finance, Risk and Audit Board Committee will receive a report at least annually (generated by the Gifts Officer) pertaining to the administration and quality control of CFA's *Integrity Policy - Gifts, Benefits and Hospitality Policy* and associated processes. This report will also include the actual Gifts Register for CFA staff and CFA Board member declarations. The report will provide an analysis of CFA'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 to the existing approach/process employed by CFA to meet VPSC's overarching obligations. CFA's Gifts Register for staff and Board member declarations will be provided to CFA's Finance Team annually to aid in compliance with CFA's fringe benefit tax (FBT) obligations. In some instances, gifts, benefits or hospitality may be subject to FBT (a tax paid by CFA) depending on the particular facts and circumstances of the individual situation.
- 26 CFA's *Integrity Policy - Gifts, Benefits and Hospitality, Gifts, Benefits and Hospitality Business Rule* and the Gifts Register recording CFA staff and CFA Board member declarations will be published and made available on CFA's website. The Gifts Register will include information pertaining to the current and previous financial year, and will be updated periodically. All data will be de-identified to ensure that appropriate privacy obligations and responsibilities are met.

### Scenario 2: A day at the tennis

Pam is responsible for her organisation's marketing and promotions team, including for approving sponsorship funding for local events. While attending an event that her organisation sponsored, Pam was invited by the event organiser to attend the upcoming Australian Open tennis tournament.

#### What should Pam do?

It was appropriate for Pam to attend the event her organisation sponsored so that she could report back to her employer on the outcome. However, it would not be appropriate for Pam to attend the Australian Open event, as there is no business benefit for the organisation in her attending. It could also raise a perceived conflict of interest, as the person making the offer could be seeking to influence Pam's future sponsorship decisions. She should decline the invitation and record the offer of the Australian Open tickets on her organisation's gifts benefits and hospitality register.

## CFA Providing Gifts, Benefits and Hospitality

- 27 All CFA funds, regardless of how such funds are obtained, are public money. Therefore these gifts, benefits and hospitality obligations apply to all CFA funds, including, but not limited to, funds held by brigades. Therefore, all references to CFA in the following section are intended to include brigades and groups.
- 28 CFA staff, volunteers and CFA Board members must 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 (refer also to section 39).
- 29 When deciding whether to provide gifts, benefits or hospitality, and what type to provide, CFA must ensure that:
- (a) It is provided for a legitimate business reason;
  - (b) Any costs are proportionate to the benefits obtained by CFA, the public sector and/or the State; and
  - (c) It would not give rise to an actual, potential or perceived conflict of interest.

- 30 The HOST test may be helpful in determining whether the provision of gifts, benefits or hospitality meets the above requirements:

<b>H</b>	Hospitality	<p><b>To whom is the gift or hospitality being provided?</b> Will recipients be external business partners, or individuals of the host organisation?</p>
<b>O</b>	Objectives	<p><b>For what purpose will hospitality be provided?</b> Is the hospitality being provided to further the conduct of official business? Will it promote and support government policy objectives and priorities? Will it contribute to staff wellbeing and workplace satisfaction?</p>
<b>S</b>	Spend	<p><b>Will public funds be spent?</b> What type of hospitality will be provided? Will it be modest or expensive, and will alcohol be provided as a courtesy or an indulgence? Will the costs incurred be proportionate to the benefits obtained?</p>
<b>T</b>	Trust	<p><b>Will public trust be enhanced or diminished?</b> Could you publicly explain the rationale for providing the gift or hospitality? Will the event be conducted in a manner which upholds the reputation of the public sector? Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?</p>

- 31 CFA may undertake reward or recognition programs, however this should only occur in limited circumstances and any reward or recognition beyond a commemorative plaque or certificate imparted by CFA should not exceed \$50 in value, unless authorised by the CEO. Cash money however is not appropriate under any circumstance, although gift cards are acceptable. All gifts, benefits or hospitality provided by CFA and received by CFA staff, volunteers or CFA Board members as part of a reward or recognition program must be declared and included on the Gifts Register by the recipient.
- 32 Celebrations such as retirement, transfers, birthdays, marriages, the birth of a child, condolences for illness or bereavement, must not be funded using CFA funds.
- 33 Where CFA is providing catering for an event or function, please refer to CFA's *Catering and Healthy Choices Business Rule*.
- 34 If an event is significant in duration, and extends over usual meal times, it is generally considered a basic courtesy to provide token hospitality such as tea, coffee or a light meal. Wherever possible, a sufficient break in proceedings should be encouraged to enable participants to seek their own refreshments if available within the vicinity. Where possible, internal meetings should not be scheduled to conflict with meal times. Informal internal events, such as staff meetings or welcoming new staff members, should not be catered using CFA funds.
- 35 CFA may provide hospitality for CFA staff, volunteers and CFA Board members for a range of reasons, including catering as part of a large CFA related event, such as a training course, workshop, planning day, seminar or conference. In determining whether CFA will fund all, some, or none of the costs associated with the event, consider:
- (a) The extent to which the event will contribute to organisational objectives by, for example, reinforcing particular values or motivating staff;
  - (b) Whether there have been multiple recent events that would result in perceptions of excess should further events be funded; and
  - (c) The need to balance the positive benefits of public recognition with community expectations in relation to modest expenditure by public officials.
- 36 CFA may partially or fully fund events for the purposes of organisational recognition, such as dinners for medal presentations.

- 37** Costs involved in the provision of gifts, benefits and hospitality should be contained wherever possible. The following questions may be useful to assist individuals to decide the type of gift, benefit or hospitality to provide:
- (a) Will the cost of providing the gift, benefit or hospitality be proportionate to the perceived benefits?
  - (b) Is an external venue necessary or does CFA have facilities to host the event?
  - (c) Is the proposed catering or hospitality proportionate to the number of attendees?
  - (d) Does the size of the event and number of attendees align with intended outcomes?
  - (e) Will providing the gift, benefit or hospitality be viewed by the public as excessive?
- 38** Informal social events, such as birthday events or staff end of year functions, must not be funded using CFA funds.
- 39** Decisions relating to the provision of alcohol should be made on a case-by-case basis. Staff must not be impaired by alcohol or exceed 0.05 blood alcohol content whilst in the workplace or representing CFA. Please refer to CFA's *Drugs and Alcohol Procedure* for further information.
- 40** CFA staff, volunteers and CFA Board members should refer to the following policies and Acts for further information:
- (a) Financial Code of Practice
  - (b) Financial Authorisations Policy
  - (c) Internal Financial Management and Reporting Policy
  - (d) Reward and Recognition Policy
  - (e) Drugs and Alcohol Procedure
  - (f) Financial Management Act 1994
- 41** General Counsel may make a final determination as to the suitability of CFA providing gifts, benefits or hospitality at any time.

## **Breaches**

- 42** Disciplinary action may be taken where CFA staff, volunteers or a CFA Board member fails to comply with this policy. This includes where CFA staff, volunteers or a CFA Board member fails to avoid wherever possible or identify, declare and manage a conflict of interest related to gifts, benefits and hospitality in accordance with CFA's *Integrity Policy - Conflict of Interest and Private Interests*.
- 43** Actions inconsistent with this policy may constitute misconduct under the *Public Administration Act 2004*, which includes:
- (a) Breaches of the binding *Code of Conduct for Victorian Public Sector Employees*, such as section 3.7 – Conflict of Interest, section 3.9 – Public Trust, and section 4.2 – Gifts and Benefits; and
  - (b) Individuals making improper use of their position.
- 44** Where relevant, CFA will communicate its policy on the offering and provision of gifts, benefits and hospitality to its business associates. CFA staff, volunteers and CFA Board members may use the suggested wording in Schedule B of this business rule to communicate to new (or existing) business associates CFA's position on the offering of gifts, benefits and hospitality, and/or include details of CFA's *Integrity Policy - Gifts, Benefits and Hospitality* or this business rule in contracts and corporate documents as required or considered necessary business associates identified as acting inconsistently with this policy may be subject to contract re-negotiation, including termination.

## Speak Up

- 45** Where CFA staff, volunteers or a CFA Board member considers that they have or may have been offered a bribe or inducement, the offer must be registered and reported to Victoria Police of the Independent Broad-based Anti-corruption Commission. The CFA staff, volunteer or CFA Board member may report the bribe or inducement directly, or may report it to CFA General Counsel, who will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission. Protected disclosures must be made directly to the Independent Broad-based Anti-corruption Commission.
- 46** CFA staff, volunteers or a CFA Board member who consider that gifts, benefits and hospitality or conflicts of interest within CFA may not have been declared or are not being appropriately managed should *speak up* and notify their manager or the Gifts Officer as soon as possible.
- 47** CFA will take decisive action, including possible disciplinary action, against individuals who discriminate or victimise those who *speak up* in good faith.

## Contacts for Further Information

- 48** CFA staff, volunteers or a CFA Board member who require more information, explanation or are unsure about any of the points raised under this business rule should ask their manager or send an enquiry to [gifts@cfa.vic.gov.au](mailto:gifts@cfa.vic.gov.au) for advice.

## Business Rule Approvals & Administration Features

### **49 Business Rule Status**

- This business rule was approved on 14 June 2017.
- This business rule is effective from 14 June 2017.
- This business rule was approved by: Bruce Russell, General Counsel.

### **50 Modification and Review**

- This business rule is due for review or revocation on 14 June 2018.
- The Gifts Officer is responsible for reviewing this Business Rule.

### **51 Advice**

- The Gifts Officer has advised and provided a copy for upload via CFA's Intranet of the approved Business Rule to:
  - The defined audience of this Business Rule; and
  - CFA's Policy Unit.

### **52 Further Information**

- Contact the Gifts Officer for further information at [gifts@cfa.vic.gov.au](mailto:gifts@cfa.vic.gov.au).



## Gifts, Benefits and Hospitality Declaration Form (page 1 of 2)

This declaration form supports CFA's *Gifts, Benefits and Hospitality Policy*. Employees must declare all offers of gifts, benefits and hospitality (whether accepted or declined). All offers of non-token gifts must be declined. Employees must seek written approval from their manager to accept any non-token offer of a benefit or hospitality.

<b>Individual to complete</b>	
1. Declaration date	
2. Name, position and unit/division	
<b>Details of the gift, benefit or hospitality</b>	
3. Date offered	
4. Describe the gift, benefit or hospitality offered	
5. Estimated or actual value	
6. Offered by (name of individual and organisation making the offer)	
7. Is the person or entity making the offer a business associate of the organisation (Y/N)? (If yes, describe the relationship between them and the organisation. If no, describe the relationship between you and the person or organisation making the offer)	
8. I accepted the offer <span style="float: right;"><b>YES / NO</b></span>	Signature:  Date:
<b>Individual to complete if offer accepted (point 10 to be completed if declined offer raises a conflict of interest)</b>	
9. Reason for making the offer (Please provide sufficient detail, comments such as "networking" or "relationship building" are not adequate)	
10. Would accepting the offer: a) create an actual potential or perceived conflict of interest exist (Y/N); or b) bring you, the organisation or the public sector into disrepute (Y/N)? (If either is answered YES, then the offer must be declined in accordance with the minimum accountabilities)	Detail of conflict of interest:

## Gifts, Benefits and Hospitality Declaration Form (page 2 of 2)



<p>11. Is there a legitimate business benefit to the organisation, public sector or State for accepting the offer, does it meet the following:</p> <ul style="list-style-type: none"> <li>a) it was offered during the course of the your official duties (Y/N); and</li> <li>b) it relates to your official responsibilities (Y/N); and</li> <li>c) it has a benefit to the organisation, public sector or State (Y/N).</li> </ul> <p>(If NO then offer must be declined, and if YES then the business benefit must be detailed, in accordance with the minimum accountabilities)</p>	<p><i>Detail of business benefit:</i></p>
<b>Manager to complete</b>	
1. Name, position and department/directorate	
2. Relationship to employee	
<b>Complete if individual declined offer</b>	
3. I have reviewed this declaration form and submitted it for inclusion on the organisation's gifts, benefits and hospitality register.	<p><i>Signature:</i></p> <p><i>Date:</i></p>
<b>Complete if individual accepted offer</b>	
<p>4. I have reviewed this declaration form and, confirm that, to my knowledge, accepting this offer:</p> <ul style="list-style-type: none"> <li>a) does not raise an actual, potential or perceived conflict of interest for the individual or myself; <b>and</b></li> <li>b) will not bring the individual, myself, the organisation or the public sector into disrepute; <b>and</b></li> </ul> <p>will provide a clear business benefit to the organisation, the public sector or the State.</p>	<p><i>Signature:</i></p> <p><i>Date:</i></p>
5. Detail decision regarding ownership of tangible offers (e.g. specify whether employee retained gift; transferred to organisation's ownership; returned to offer or; donated to charity etc.)	
<p style="color: red;"><i>Completed form to be sent to <a href="mailto:gifts@cfa.vic.gov.au">gifts@cfa.vic.gov.au</a> for inclusion on CFA's Gifts, Benefits and Hospitality Register</i></p> <p style="color: red;"><i>Please attach any supporting documentation</i></p>	

## Schedule B – letter template for notifying business associates of CFA’s Integrity Policy

Patron: Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

**Legal & Insurance Services Headquarters**  
8 Lakeside Drive Burwood East Vic 3151  
T: 9262 8444



30 June 2017

Mr J Smith  
Production Manager  
XYZ Truck Company  
123 Yellow Brick Road  
**Melbourne Vic 3000**

Dear Mr Smith,

### **CFA’S INTEGRITY POLICY - GIFTS, BENEFITS AND HOSPITALITY**

As a statutory authority, CFA has public sector obligations to act in the public interest with impartiality, integrity, transparency and accountability.

As an organisation, CFA takes these obligations and responsibilities very seriously, and therefore prohibits CFA employees and volunteers from accepting any gift that may be perceived as having consequential value, or any item valued over \$50.

Any offer within the token \$50 value limit must be assessed and may be returned to the offering individual/organisation, transferred to the ownership of the CFA staff or volunteer or withheld by CFA.

CFA’s *Integrity Policy - Gifts, Benefits and Hospitality* is available at [www.cfa.vic.gov.au](http://www.cfa.vic.gov.au) – please refer to this document prior to making any offers to CFA employees or volunteers.

We appreciate your understanding and cooperation in this important matter.

Kind regards,

Jane Doe  
**Executive Manager**

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Protecting lives and property

[cfa.vic.gov.au](http://cfa.vic.gov.au)

## Schedule C – letter template for returning gifts delivered to CFA

Patron: Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

**Legal & Insurance Services Headquarters**  
8 Lakeside Drive Burwood East Vic 3151  
T: 9262 8444



30 June 2017

Mr J Smith  
Production Manager  
XYZ Truck Company  
123 Yellow Brick Road  
**Melbourne Vic 3000**

Dear Mr Smith,

### **CFA'S INTEGRITY POLICY - GIFTS, BENEFITS AND HOSPITALITY**

Thank you for sending *insert description of gift* to *CFA staff/volunteer/Board member/location*. Whilst the generosity in your offer of appreciation and recognition is accepted, CFA's *Integrity Policy - Gifts, Benefits and Hospitality* prohibits the acceptance of gifts of this value and/or nature.

As a statutory authority, CFA has a responsibility and obligation to act in the public interest with impartiality, integrity, transparency and accountability.

As an organisation, CFA takes these accountabilities and responsibilities very seriously, and therefore prohibits CFA employees and volunteers from accepting any gift that may be perceived as having consequential value, or any item valued at over \$50.

CFA's *Integrity Policy - Gifts, Benefits and Hospitality* is available at [www.cfa.vic.gov.au](http://www.cfa.vic.gov.au) – please refer to this document prior to making any offers to CFA employees or volunteers.

We appreciate your understanding and cooperation in this important matter.

Kind regards,

Jane Doe  
**Executive Manager**