


Gifts, Benefits and Hospitality

Policy

This policy outlines the requirements for schools when responding to offers of and providing gifts, benefits and hospitality.

Summary

- School staff must follow this policy and guidance when responding to offers of and when providing gifts, benefits and hospitality.
- This policy supports school staff to avoid conflicts of interest and maintain high levels of integrity and public trust.
- Schools must also comply with all of the requirements in the detailed chapters on the [Guidance tab](http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance) <<http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance>> . This includes information relating to management of offers of, and provision of, gifts, benefits and hospitality, breaches of requirements and the minimum accountabilities for all staff working in the public sector including in schools.
- The default position of the department is to politely decline all offers. The 'GIFT' test can be used as a guide to the appropriateness of accepting a gift. There are specific requirements in relation to when offers must be refused and when they must be declared. There are also specific requirements in relation to gifts of appreciation given to school staff by students and their families – refer to detailed information in the Guidance chapter: [Management of offers of gifts, benefits and hospitality](http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/management-of-offers-of-gifts-benefits-and-hospitality) <<http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/management-of-offers-of-gifts-benefits-and-hospitality>> .
- Online learning is available for all school staff by searching for 'gifts, benefits and hospitality' in the LearnED section of [eduPay](https://edupay.eduweb.vic.gov.au/)  <<https://edupay.eduweb.vic.gov.au/>> .

Details


This policy applies to all school staff – which includes members of the teaching service, school councillors, school council employees and contractors – who are bound by this policy and the [minimum accountabilities](http://www2.education.vic.gov.au/pal/gifts-benefits-and-) <<http://www2.education.vic.gov.au/pal/gifts-benefits-and->

hospitality/guidance/minimum-accountabilities> . This policy refers to these cohorts of people collectively as 'school staff'.

This policy also applies to gifts, benefits or hospitality offered to school staff's immediate family members, if the offer is linked to the school staff member's role with or in relation to the department, as these offers may be made to influence their public duties.

This policy does not apply to gifts, benefits or hospitality offered to school staff in a context that has no connection with their professional responsibilities or role.

School councils monitor and oversee offers and provision of gifts, benefits and hospitality within schools, and must annually review the register for compliance with this policy. School councils may request a copy of the register for their school at any time via gifts@education.vic.gov.au <mailto:gifts@education.vic.gov.au>

Compliance with this policy by schools and school councils will be evidenced through the [schools certification checklist](https://www2.education.vic.gov.au/pal/finance-manual/guidance/section-18-end-financial-year-reporting-30-june#185-schools-certification-checklist)  <https://www2.education.vic.gov.au/pal/finance-manual/guidance/section-18-end-financial-year-reporting-30-june#185-schools-certification-checklist> and end-of-financial year attestation, returned by schools to the department in July of each year.

Policy principles

This policy and guidance has been developed in accordance with requirements outlined in the [minimum accountabilities](http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities) <http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/minimum-accountabilities> for the management of gifts, benefits and hospitality issued by the Victorian Public Sector Commission.

The department is committed to upholding the following principles in applying this policy.

Impartiality

School staff have a duty to place the public interest above their private interests when carrying out their official functions. They must:

- not accept gifts, benefits or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment
- not accept offers from those about whom they are likely to make business decisions which includes awarding contracts, grants, accepting sponsorships,

applying regulations, and making enforcement or licencing decisions.

Accountability

School staff are accountable for:

- declaring all [non-token offers](http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance/definitions) (valued at \$50 or more) 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.

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

Integrity

School staff should strive to earn and sustain public trust through providing or responding to offers of gifts, benefits and hospitality in a manner that is consistent with community expectations. School staff must refuse any offer that may lead to an actual, perceived or potential conflict of interest.

Risk-based approach

The department, through its policies, processes and audit committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. School staff 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.

Definitions

Definitions are provided in the [Guidance tab](http://www2.education.vic.gov.au/pal/gifts-benefits-and-hospitality/guidance) .

Related policies

- [Alcohol at School Events](http://www2.education.vic.gov.au/pal/alcohol-school-events/policy)

- [Complaints, Misconduct and Unsatisfactory Performance](http://www2.education.vic.gov.au/pal/complaints-misconduct-and-unsatisfactory-performance/policy-and-guidelines)
<http://www2.education.vic.gov.au/pal/complaints-misconduct-and-unsatisfactory-performance/policy-and-guidelines>
- [Conflict of Interest](http://www2.education.vic.gov.au/pal/conflict-interest/policy) <http://www2.education.vic.gov.au/pal/conflict-interest/policy>
- [Finance Manual – Financial Management for Schools](http://www2.education.vic.gov.au/pal/finance-manual/policy)
<http://www2.education.vic.gov.au/pal/finance-manual/policy>
- [Fraud and Corruption Control](http://www2.education.vic.gov.au/pal/fraud-and-corruption-control/policy) <http://www2.education.vic.gov.au/pal/fraud-and-corruption-control/policy>
- [Sponsorship](http://www2.education.vic.gov.au/pal/sponsorship/policy) <http://www2.education.vic.gov.au/pal/sponsorship/policy>
- [Travel](http://www2.education.vic.gov.au/pal/travel/policy) <http://www2.education.vic.gov.au/pal/travel/policy>
- [Values – Department and VPS Values for School Employees](http://www2.education.vic.gov.au/pal/values-department-values-schools/overview)
<http://www2.education.vic.gov.au/pal/values-department-values-schools/overview>

Relevant legislation

- [Education and Training Reform Act 2006 \(Vic\)](https://www.legislation.vic.gov.au/in-force/acts/education-and-training-reform-act-2006) 
<https://www.legislation.vic.gov.au/in-force/acts/education-and-training-reform-act-2006>
- [Liquor Control Reform Act 1998 \(Vic\)](https://www.legislation.vic.gov.au/in-force/acts/liquor-control-reform-act-1998)  <https://www.legislation.vic.gov.au/in-force/acts/liquor-control-reform-act-1998>
- [Occupational Health and Safety Act 2004 \(Vic\)](https://www.legislation.vic.gov.au/in-force/acts/occupational-health-and-safety-act-2004) 
<https://www.legislation.vic.gov.au/in-force/acts/occupational-health-and-safety-act-2004>
- [Public Administration Act 2004 \(Vic\)](https://www.legislation.vic.gov.au/in-force/acts/public-administration-act-2004)  <https://www.legislation.vic.gov.au/in-force/acts/public-administration-act-2004>
- [Standing Directions of the Minister for Finance 2018](https://www.dtf.vic.gov.au/financial-management-government/standing-directions-2018-under-financial-management-act-1994) 
<https://www.dtf.vic.gov.au/financial-management-government/standing-directions-2018-under-financial-management-act-1994>

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Scope

- Schools
- School councils

Contact

Procurement Division

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