



2. Integrity Suite

Integrity Suite: executive policies

- 2.1 Integrity, Fraud and Corruption Control *executive policy*
- 2.2 Conflicts of Interests & Private Interests *executive policy*
- 2.3 Gifts, Benefits & Hospitality *executive policy***
- 2.4 Air Travel and Conference Attendance *executive policy*
- 2.5 Code of Conduct for CFA Staff *executive policy*

Gifts, Benefits and Hospitality

Objective:

This Policy aims to ensure that CFA staff, volunteers and CFA Board members are aware of, comply with and manage their defined obligations, responsibilities and duties associated with the gifts, benefits and hospitality arrangements in the course of their official CFA duties and when representing CFA.

This Policy establishes the parameters of the obligations and responsibilities of CFA staff, volunteers and CFA Board members to appropriately:

- a) respond to, deal with and manage offers of gifts, benefits and hospitality; and
- b) provide gifts, benefits and hospitality,

within the limitations imposed by the Victorian Public Sector Commission Gifts Benefits & Hospitality Framework (VPSC Framework).

This Policy also provides clear direction to CFA staff, volunteers, CFA Board members and the broader CFA organisation to avoid *real* or *percieved conflicts of interest* and maintain high levels of integrity and public trust.

This Policy reaffirms CFA's commitment to:

- a) support CFA staff behaviours which are consistent with the *Code of Conduct for Victorian Public Sector Employees*. Pursuant with Clause 1.2 of the Code, all CFA staff are required to comply with this Policy; and
- b) support CFA volunteer behaviours which are consistent with the *CFA Volunteer Code of Conduct*.

Statement:

1. CFA will establish appropriate and clear guidelines/procedures to ensure compliance with the Victorian Public Sector Commissioner's (VPSC) *Gifts, Benefits and Hospitality Framework* and *Minimum Accountabilities*.
2. This Policy applies to all CFA staff, including consultants, contractors or career staff on fixed term or casual employment contracts, volunteers and CFA Board members.
3. This Policy applies to CFA staff 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. This Policy does not apply to CFA staff acting outside the scope of their employment or association with CFA.
4. This Policy applies to CFA volunteers acting in their official CFA 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. This Policy does not apply to CFA volunteers acting outside the scope of their association with and/or representation of CFA.



business rules & processes

Provision of Gifts, Benefits & Hospitality - business rule

Responding to Gifts Benefits & Hospitality business rule

Fraud Corruption & Other Losses business rule

Integrity Policy (Conflict of Interests and Private Interests)

Integrity Policy (Staff Code of Conduct)

CFA's Volunteer Code of Conduct

CFA's Organisational Values

additional guidance

Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Framework

Public Administration Act 2004

Code of Conduct for Victorian Public Sector Employees 2015

Code of Conduct for Victorian Public Sector Directors 2016



5. In accordance with the VPSC Framework, a breach of the gifts, benefits and hospitality obligations may constitute a breach of the aforementioned binding Codes and may constitute criminal or corrupt conduct, and may result in disciplinary action.
6. CFA's Gifts, Benefits & Hospitality Policy and Register must be published and made available via CFA's website and intranet.

Minimum Accountabilities

7. VPSC has established minimum accountabilities for the appropriate management of gifts, benefits and hospitality for public sector agencies (*refer to Schedule A for the Minimum Accountabilities applicable across CFA*). These minimum accountabilities are binding on all public officials.
8. All CFA staff, volunteers and CFA Board members are bound by CFA policies and procedures relating to gifts, benefits and hospitality, including where these policies and procedures exceed the VPSC minimum accountabilities.

Contacts for Further Information

Individuals who are unsure about anything under this policy should ask their manager or send an enquiry to gifts@cfa.vic.gov.au for advice.

Definitions:

(Note: Commonly defined terms are located in the CFA Policy Dictionary. Any defined terms below are specific to this document)

Benefits means preferential treatment, privileged access, favours or other advantages offered to an individual. May include invitations to sporting, cultural or social events, access to discounts and loyalty programs, 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.

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.

Gifts 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 flowers) or consumables (e.g. chocolate). 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 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

Policy Office Use Only

Policy owner	Doc Authority	Review date
General Counsel	CFA Executive	06/2019

Revision history				
Approved	Reviewed	Amended	Revoked	Date
x				30/06/17

Schedule A – VPSC Minimum Accountabilities

Minimum accountabilities for gifts, benefits and hospitality:

1. Do not, for themselves or others, seek or solicit gifts, benefits and hospitality.
2. Refuse all offers of gifts, benefits and hospitality that:
 - Are money, items used in a similar way to money, or items easily converted to money;
 - Give rise to an actual, potential or perceived conflict of interest;
 - May adversely affect their standing as a public official or which may bring their public sector employer or the public sector into disrepute; or
 - Are non-token offers without a legitimate business benefit.
3. Declare all non-token offers of gifts, benefits or hospitality (whether accepted or declined) on the register, and seek written approval from their manager or organisational delegate to accept any non-token offer of a benefit or hospitality.
4. Refuse bribes or inducements and report inducements and bribery attempts to General Counsel who will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission.

Minimum accountabilities for CFA providing gifts, benefits and hospitality

5. Ensure that any gift, benefit or hospitality is provided for a legitimate business purpose in that it furthers the conduct of official business or other legitimate organisational goals, or promotes and supports CFA policy objectives and priorities.
6. Ensure that any costs are proportionate to the benefits obtained for the State, and would be considered reasonable in terms of community expectations.
7. 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.

Minimum accountabilities for heads of public sector organisations

8. Establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality that comprehensively address these minimum requirements and accountabilities.
9. Establish and maintain a register for gifts, benefits and hospitality offered to public officials that, at a minimum, records sufficient information to effectively monitor, assess and report on these minimum accountabilities.
10. Communicate and make clear within the organisation that a breach of the gifts, benefits and hospitality policies or processes may constitute a breach of binding codes of conduct and may constitute criminal or corrupt conduct, and may result in disciplinary action.
11. Establish and communicate a clear policy position to business associates on the offering of gifts, benefits and hospitality to CFA staff, including possible consequences for a business associate acting contrary to the organisation's policy position. This must take into consideration any whole of Victorian Government supplier codes of conduct.
12. Report at least annually to the organisation's audit committee on the administration and quality control of its gifts, benefits and hospitality policy, processes and register. This report must include analysis of the organisation's gifts, benefits and hospitality risks (including repeat offenders from the same source and offers from business associates), risk migration measures and any proposed improvements.
13. Publish the organisation's gifts, benefits and hospitality policy and register on the organisation's public website. The published register should cover the current and previous financial year.