Policy

Gifts, Benefits and Hospitality

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1. Purpose

This policy sets out the requirements of V/Line personnel regarding:

- Responding to offers of gifts, benefits and hospitality.
- Providing gifts, benefits and hospitality.

This policy supports V/Line personnel to maintain high levels of integrity and public trust by avoiding conflicts of interest and reinforces the values of impartiality and integrity outlined in V/Line's Code of Conduct

2. Scope

The policy applies to:

- employees of V/Line, and
- contractors, consultants and labour hire employees engaged by V/Line.

For ease of reading, in this policy we use the term 'personnel' to cover anyone the policy applies to, as set out above, regardless of their employment or engagement status.

3. Minimum Accountabilities

The Victorian Public Sector Commission issues minimum accountabilities for the management of gifts, benefits and hospitality. The minimum accountabilities are binding under the Instructions supporting the *Standing Directions of the Minister for Finance 2018*.

This policy is supports the minimum accountabilities

4. Definitions, acronyms and abbreviations

Definitions, acronyms and abbreviations commonly used throughout this document are provided in the table below.

Table 1 – Definitions, acronyms and abbreviations used in this policy

Benefits	**Preferential treatment, favours or other advantage. For example, invitations to sporting, cultural or social events, access to discounts, or the promise of a new job.**
Bribe	An inducement given or promised to influence decisions, actions or performance.
Business associate	An individual, group or organisation that V/Line has, or plans to have, a business relationship with or who may seek commercial or other advantage. For example, a V/Line supplier.

<table>
<tr><td>Conflict of Interest (COI)</td><td>A conflict of interest exists if a person has a private interest that could influence, or reasonably be seen to influence, how they perform their public duties.

A conflict of interest may be:<table><tr><td>An actual conflict of interest:</td><td>There is a conflict of interest between a person's private interests and public duties.</td></tr><tr><td>A potential conflict of interest:</td><td>A person has a private interest that could foreseeably conflict with their public duties in the future.</td></tr><tr><td>A perceived conflict of interest:</td><td>It is reasonable for people to believe that a person's private interests could influence their public duties, now or in the future.</td></tr><tr><td>A conflict of duty</td><td>A conflict between a person's public duties and their duty to another organisation or group.</td></tr></table></td></tr>
<tr><td>Gifts</td><td>Items or services that are free, discounted, or would generally be seen by the public as a gift.
For example, items such as vouchers, gift cards, artwork, chocolates or flowers; services such as car repair.
The monetary value of a gift is the estimated monetary value of the item if it were not being provided either free or discounted. Gift cards and vouchers must be treated the same as money under the minimum accountabilities and must not be accepted.</td></tr>
<tr><td>Hospitality</td><td>The 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.</td></tr>
<tr><td>IBAC</td><td>The Independent Broad-based Anti-Corruption Commission</td></tr>
<tr><td>Legitimate business reason</td><td>Gifts, benefits and hospitality accepted or provided for a business purpose, in that it furthers the conduct of official business or other legitimate goals of V/Line, the public sector or State.</td></tr>
</table>

	For an offer to realise a legitimate business reason it must provide at least one of the following outcomes: • **Business leveraging**: opportunities to advance V/Line's interest, and as such the State's, through connecting with third parties interested in trade and investment, alliances, and other collaboration opportunities. • **Funded service delivery**: opportunities to observe that funded programs are delivered effectively and in accordance with agreements between V/Line, the State and/or other recipients. • **Stakeholder engagement**: opportunities to maintain and develop effective relationships and networks with persons and organisations currently engaged in V/Line's activities. • **Sector knowledge**: opportunities to develop and maintain a broad and deep knowledge of industry sectors, to inform the quality of the advice given to the government and assist to identify opportunities to improve sector outcomes. • **Professional knowledge**: opportunities to develop and maintain knowledge relating to a role or qualification, build expertise or understanding in relation to a technical business or industry related area
Official Gifts and Items	Includes: • official gifts • official items (items with cultural, ceremonial, religious, historic, or other significance) Accepted or given on behalf of V/Line as part of business with official delegates or representatives of a community group, organisation, or government.
Personnel	In this policy, personnel include V/Line employees, and contractors, consultants or labour hire employees engaged by V/Line.
Internal Register	The official record of all declarable offers of gifts, benefits and hospitality made to V/Line or its personnel, whether accepted or declined.
Public Register	The official record of information made public from V/Line's internal register. It is published online on V/Line's website.
Token Offer	The offer is worth less than $50.
Non-token offer	The offer is worth $50 or more.

VPSC	Victorian Public Sector Commission

5. Roles and responsibilities

Table 2 – Roles and responsibilities

Role	Responsibilities
Chief Executive Officer	has the overall responsibility for promoting compliance with this policy and fulfilling their obligations under the minimum accountabilities.
General Counsel	is responsible for maintaining awareness of this policy and obligations to comply with the policy.
Managers and Supervisors	are responsible for ensuring that this policy is adhered to, including: • overseeing their direct reports' compliance with this policy • being aware of the gifts, benefits and hospitality risks inherent in their direct reports' roles • modelling good practice • promoting awareness of this policy to their teams.
Personnel	responsible for adhering to the requirements of this policy when: • offered gifts, benefits or hospitality • providing gifts, benefits or hospitality
Director Integrity	is responsible for ensuring practices are in place to: • review offers declared by V/Line personnel • maintain the Internal Register and presenting it to the Audit and Risk Committee on an annual basis, or as requested • publish the Public Register in accordance the minimum accountabilities.
Audit and Risk Committee	responsible for reviewing, at least annually, V/Line's administration and quality control of its gifts, benefits and hospitality policy, processes and Internal Register.

6. Management of offers of gifts, benefits and hospitality

This section sets out the policy for accepting or declining offers of gifts, benefits and hospitality. As a starting point, V/Line personnel should politely decline offers of a gift, benefit and hospitality to avoid the appearance of impropriety**.** V/Line's aim is to move to a culture in which offers are not accepted even if they are permitted under this policy.

Additionally, the GIFT test at Appendix A provides guidance for deciding whether to accept

or decline offers of gifts, benefits and hospitality.

6.1 Do not solicit offers

Consistent with the minimum accountabilities, personnel must not solicit (seek) any gift, benefit or hospitality, for themselves or others.

6.2 Offers that must be refused – Integrity test

Consistent with the minimum accountabilities, personnel must always refuse a gift, benefit or hospitality (token or non-token), if any of the following apply.

For further information, you can refer to the flowchart on the Integrity Team's Engine Room page.

6.2.1 Money or similar

You must refuse the offer if it is money, used in a similar way to money, or easily converted to money, such as vouchers or loans.

6.2.2 Conflict of interest

You must refuse the offer if it gives rise to a conflict of interest (actual, potential or perceived). This means you must refuse the offer if it could influence, or reasonably be seen to influence, how you perform your public duties. This includes an offer for your personal enjoyment or for your relative or friend.

For more information, please see V/Line's policy *COPO-3800 – Conflict of Interest*.

An example of an offer which creates a conflict of interest

Sally is involved in managing a tender for a major contract. Part of doing so involves interviewing each applicant.

One applicant offers to host Sally at their office for the interview and provide her with food.

Even if the value of the meal was well below $50, it would be reasonable for people to believe that this could influence how Sally performed her public duty of impartially awarding the contract. This is because Sally is providing one applicant a different treatment to other applicants and may unconsciously view this applicant more favourably because of its hospitality. Sally must refuse and notify her manager and the Integrity team of the offer.

All employees must refuse the offer if it is from a member of the community or an organisation, you're likely to make or influence a decision about in the foreseeable future.

6.2.3 Public trust

You must refuse the offer if it could compromise the public's trust that you'll perform your job in an impartial manner or the public's trust in the impartiality of V/Line or the public

sector.

6.2.4 Non-token offer without a legitimate business reason

You must refuse a non-token offer unless there is a legitimate business reason to accept. It must further the conduct of official business or other legitimate goals of V/Line, the public sector or the State.

An example of an offer without a legitimate business reason

James is required to meet with a supplier to conduct business. The supplier invites James to meet him at a corporate box during a sporting event (at no cost to James but at a cost to the supplier). There is no legitimate business reason for the meeting to take place in this way. There is a risk of familiarity forming that may impact James' impartiality. James must refuse and declare the offer.

6.2.5 Community expectations

You must refuse the offer (token or non-token) if it is not consistent with community expectations, including but not limited to involving illegality or undermining the Victorian Public Sector Code of Conduct values.

6.2.6 Bribe

You must refuse the offer if it could reasonably be seen as a bribe or other inducement and report it to V/Line's Integrity team immediately. This includes offers made in secret. They will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission in accordance with applicable fraud and corruption policies.

6.2.7 Repeat offers that cause a conflict of interest

Repeat offers are multiple offers from the same person, group or organisation. Their combined effect can sometimes lead to the perception that they have been made to influence you.

V/Line personnel should maintain awareness of repeated offers, including repeated token offers, made by the same person or organisation. The cumulative value of such offers should be considered in deciding whether they could be seen as an attempt to influence you or otherwise damage V/Line's reputation.

Refuse the offer if it is a repeat offer (token or non-token) that could reasonably be seen as creating a conflict of interest.

An example of repeated offers causing a conflict of interest

Rachael is responsible for managing a relationship with one of our suppliers. She often meets with the supplier's representative at a café because it's a convenient place for both parties to meet.

The supplier has offered to pay for Rachael's coffee. It may be appropriate for Rachael to accept the offer a single time or perhaps occasionally. However, the supplier offers every or most times.

It would not be appropriate for Rachael to accept each time or more than occasionally, because it could create the perception of influence. A member of the public could reasonably infer that Rachel expects suppliers to pay for her food and drink when they meet and that this may influence her decision making.

6.2.8 Decisions you are likely to make or influence

Refuse the offer if it is from a person, group or organisation you are likely to make or influence a decision about in the foreseeable future. This could reasonably be seen as a conflict of interest.

6.2.9 Offers by suppliers or contractors

Offers from suppliers for free or discounted goods or services that they were not engaged to provide must be refused.

V/Line personnel may accept development opportunities from suppliers where there is a legitimate business reason, attendance meets community expectations and any risk of conflict of interest can be appropriately managed. If the provision of development opportunities is embedded into a supplier contract, then such opportunities are not considered offers and do not need to be declared.

6.2.10 Endorsement

Refuse the offer if accepting it could reasonably be seen as endorsing a product or service.

6.2.11 Advantage to a supplier or sponsor

Refuse the offer if accepting it could reasonably be seen as advantaging a supplier or sponsor in a future procurement.

Guidance

Mark has identified a great industry conference for his team members to attend. Mark knows his team is about to make a number of a procurement related decisions at that some of the bidding suppliers are likely to be at the conference. The conference includes a gala dinner and Mark makes arrangements for V/Line to purchase several individual tickets for his team members. Mark should take steps to ensure that his team are not positioned on the table with any of the bidding suppliers and that they are appropriately briefed on the importance of maintaining professional distance on the night.

Joan is attending the conference as part of her work.

In addition to maintaining appropriate professional distance to potential suppliers that she may make a decision about in the foreseeable future, Joan should avoid accepting offers from the sponsors of the conference or any exhibitors. A member of the public

might see this as an attempt by the offeror to make Joan more favourable to them in the future.

6.2.12 Sufficient attendees

For hospitality and events, refuse the offer if V/Line will already be sufficiently represented to meet its business needs.

6.2.13 Your own judgement

Refuse the offer if accepting it would breach your obligations under the Code of Conduct for Victorian Public Sector Employees. This is a broad test that you can use to protect yourself if you are still unsure about accepting an offer. If uncertain, you can seek advice from your manager or a member of the Integrity team.

6.3 Offers that may be accepted

Offers of gifts, benefits or hospitality may only be accepted if they comply with the following principles:

- it is not an offer that must be refused as outlined in section 6.2 of this policy,
- it does not unduly influence, or have the potential to influence you, create a business obligation on you or V/Line, compromise or appear to compromise your integrity and impartiality or create a conflict of interest or perception of a conflict of interest,
- it is not related to advice or decisions about activities such as inspections, or giving approvals or selection or engagement of contractors or suppliers; and
- it does not involve time away from your official duties (unless approved by your manager or supervisor).

Offers of gifts, benefits or hospitality must only be accepted where there is a legitimate business reason for accepting the offer.

6.4 Declining offers

Where an offer must be refused, personnel should decline it at the time the offer is made to them.

Sometimes this can be difficult, for example:

- The offer may have been delivered to by mail or dropped off at your work location without you being present, making declining difficult.
- Declining the offer may cause cultural offence or be unsafe for the personnel being offered it.
- There may be some other reason why, in the moment, you are unable to decline the offer.

In such circumstances, you should decline the offer as soon as is reasonably practicable.

6.4.1 Gifts

Difficulties in declining offers most commonly occur with gifts. In the case of gifts, declare the offer as normal and make it clear to your manager or the Integrity team that you were unable to decline the offer, and although you have taken possession of the item, you have not accepted it.

In such cases, V/Line will return or dispose of the gift, and an explanation and rejection will be sent to the offeror where appropriate.

6.4.2 Benefits and hospitality

It is unusual for a situation to arise where an offer of a benefit or hospitality cannot be declined. The most likely, but still extremely unlikely, scenario is that refusing would offend the offeror in a way that would make you feel unsafe.

If you feel unsafe you should accept the offer and in your declaration outline that you could not decline it and provide an explanation why. This will help determine how the situation can be considered and where appropriate, secure, return and / or dispose of the gift.

V/Line will act to ensure personnel are not placed in situations where they feel unsafe.

6.5 Alliance Events

Events outside of normal business hours organised by an Alliance are deemed to be offers of a gift, benefit or hospitality and should not be accepted.

Given that V/Line is a member of an Alliance, offers of light refreshments during ordinary business hours, such as the provision of food / lunch to employees on site during ordinary business or site inspections, are treated as though the lunch is provided by V/Line. These arrangements do no need to be declared.

All other events organised by an Alliance within normal business hours are deemed and can be accepted if:

- it is a token offer of hospitality, such as light refreshments at an Alliance organised meeting, or
- there is a legitimate business reason to attend (i.e. Business Leveraging, Funded Service Delivery, Stakeholder Engagement, Sector Knowledge and / or Professional Knowledge).

Alliance Events that are primarily for the purpose of hospitality must be declined. V/Line will not contribute public funds to hospitality-only events.

7. Recording offers of Gifts, Benefits and Hospitality

7.1 Token offers

Offers valued less than $50 are deemed to be token offers. Where you receive a token offer you must:

- Decline the offer if it is an offer you must refuse (see section 6.2) and notify your manager and the Integrity team.

If a token offer is not an offer you must refuse (see section 6.2), you can accept it and:

- You do not need to declare the offer.
- You do not need a legitimate business reason or approval from your manager.
- You are the owner of the token gift, benefit or hospitality.

However, consider whether you should accept the offer, even if allowed to do so.

7.2 Non-token offers

Offers valued at $50 or more are non-token offers. Where you receive a non-token offer you must:

- Consider whether you should accept the offer, even if you have a legitimate business reason.
- Declare the offer, even if you refuse it.
- Decline the offer if it is an offer you must refuse (see section 6.2).

You may accept the offer if:

- The offer complies with the principles set out in section 6.3, **and**
- You have a legitimate business reason to accept the offer.

Approval to accept a non-token offer is provided by your manager and the Integrity team through the online gifts, benefits and hospitality declaration form.

If you accept the offer, you do so on behalf of V/Line. It is not usually yours to keep. Some exceptions exist, but you will need to apply to see if you qualify in the circumstances. For more information see section 11.3 Ownership of gifts.

The offer will be recorded in the internal register regardless of whether it is accepted or declined. Certain information will also be recorded in a public register which is published on V/Line's external website.

7.3 How to declare an offer

To declare an offer:

- Use the online gifts, benefits and hospitality declaration form.
- If you accept the offer, record the legitimate business reason on the form in enough detail to link it with your duties and the benefit to V/Line, the public sector or the State.
- Submit the form for review. Your manager and the Integrity team will consider your decision related to the offer and make a final decision, which will be recorded in the form.
- The offer and outcome will be recorded in the internal register.

7.3.1 Internal register and public register

Access to the internal register is restricted to relevant people within V/Line. Certain information from the internal register is published online in the public register.

The public register will contain a subset of the information detailed in V/Line's internal register. Non-token offers will be reported in both V/Line's internal register and the public register.

7.3.2 Reporting to the Audit and Risk Committee

The Director, Integrity will provide the Audit and Risk Committee a report, at least annually, on the administration and quality control of the gifts, benefits and hospitality policy and register.

8. Official gifts and items

If you accept the following you do so on behalf of V/Line:

- official gift
- official item (item with cultural, ceremonial, religious, historic, or other significance).

Regardless of its monetary value, an official gift or official item:

- must be declared,
- will be recorded in the internal register,
- will not usually be published in the online public register,
- belongs to V/Line, not you.

However, if an official item was given to you specifically in recognition of your work or contribution, it may be retained by you only if the following applies:

- it is the express wish of the giver,
- it benefits V/Line's relationship with the giver,
- it is appropriate given the significance and value of the item,
- it would be consistent with community expectations,
- it is unlikely to bring you or V/Line into disrepute, and
- your manager or, depending on the gift, an appropriate member of the senior leadership team gives written approval.

You cannot retain the official item unless it meets all the above requirements.

9. Offers to V/Line

It is possible that offers are made to V/Line itself, for example, offers of equipment or discounted hospitality.

In deciding whether to accept such an offer, the personnel receiving the offer on behalf of

V/Line must:

- consult with the Integrity team and their manager,
- consider whether it is an offer that must be refused (see section 6.2),
- carefully scrutinise:
    - the motivation of the people or organisation making the offer,
    - the nature and circumstances of the offer,
    - the level of public benefit if the offer is accepted.

The personnel receiving the offer on behalf of V/Line will refuse any offer that is not consistent with community expectations.

If an offer made to V/Line is accepted, it will be transferred to V/Line's ownership and may be used for reward and recognition purposes after considering the above.

9.1 Official items

If an offer of an official item is accepted by V/Line personnel, it becomes V/Line's property, with some exceptions (see section 8 above). V/Line will decide what to do with each official item.

10. Provision of Gifts, Benefits and Hospitality

Gifts, benefits and hospitality may be provided by V/Line when welcoming guests, to facilitate the development of business relationships, further public sector business outcomes and to celebrate achievements.

When deciding whether to provide gifts, benefits or hospitality V/Line personnel must ensure:

- any gift, benefit or hospitality is provided for a business reason that furthers the conduct of official business or other legitimate organisational goals or promotes and supports government policy objectives and priorities,
- that any costs are proportionate to the benefits obtained for V/Line or the State, and would be considered reasonable in terms of community expectations,
- it does not raise an actual, potential or perceived conflict of interest.

These are legitimate business reasons for V/Line to provide and accept hospitality. This includes where it does not raise a conflict of interest, is proportionate in costs, and is consistent with community expectations.

Examples of instances that may not meet community expectations include using public money to buy personal gifts to celebrate personal milestones such as birthdays or using corporate credit cards on incidental hospitality for everyday meetings.

Additional guidance is provided below:

Guidance

Mandatory Meetings: V/Line is running a workshop for all staff, with mandatory attendance. It is an all-day event and V/Line has organised catering to provide lunch for all attendees.

This is a legitimate business reason for V/Line to provide hospitality. It does not raise a conflict of interest, it is proportionate in costs, and it is consistent with community expectations.

Hosting: Hosting a simple lunch to recognise a completed project with an Alliance Partner may be appropriate where it supports a clear business purpose, such as acknowledging shared outcomes, maintaining relationships or making provisions for staff on site. The event should take place during business hours, with reasonable costs aligned to community expectations. Activities like competitions or prizes funded by public money should not be included, as they are not necessary for achieving business objectives.

Internal gifts - Using a corporate credit card to buy a gift for an employee's life event (e.g. birthday or parental leave) is not appropriate, as it is not a valid business expense. It does not provide a clear benefit to the State, may be seen as unreasonable by the community, and could create perceptions of favouritism or conflict of interest. These occasions should instead be recognised through non-corporate or voluntary means to ensure proper use of public funds

Purchase of incidental hospitality: Using a corporate credit card to buy small items for employees, such as coffee, is generally not appropriate as it does not have a clear business purpose. It provides little benefit to the State, may be seen as unreasonable by the community, and could create perceptions of unfairness or misuse. These purchases should be avoided to ensure public funds are used responsibly and trust is maintained, with employees using their own money for items such as coffee.

10.1 Containing costs

V/Line personnel must contain costs when providing gifts, benefits and hospitality. The following questions may assist V/Line personnel to decide on the type of gift, benefit or hospitality to provide:

- Will the cost of providing the gift, benefit or hospitality be proportionate to the potential benefits?
- Is an external venue necessary or does the organisation have facilities to host the event?
- Is the proposed catering or hospitality proportionate to the number of attendees?
- Does the size of the event and number of attendees align with intended outcomes?
- Is the gift symbolic, rather than financial, in value?
- Will providing the gift, benefit or hospitality be viewed by the public as excessive?

The HOST Test in Appendix A provides additional guidance on the appropriateness of providing gifts, benefits or hospitality.

10.2 V/Line Personnel Functions

V/Line may provide catered activities for V/Line personnel, including:

- training courses, workshops, planning days,
- recognition of achievements, such as project completion or retirement of long-

standing personnel.

In supporting these events, V/Line will consider the contribution to organisational objectives and the need to balance benefits with community expectations and cost.

10.3 Providing gifts to V/Line Personnel

V/Line recognises significant V/Line personnel achievements through events such as length of service milestones. On these occasions, V/Line may choose to provide hospitality to celebrate the event. Venues and catering should reflect the nature of the activity and be aligned with V/Line's objectives. Luxurious venues must be avoided.

Where meetings extend over mealtimes, modest hospitality may be provided. It is recommended that meetings are scheduled to avoid the need to provide catering.

Token gifts such as cards or flowers may be sent following personnel, or their immediate family members', death. In the case of a personnel's death, V/Line management will consider:

- approving catering expenses associated with a staff memorial, and
- facilitating personnel representation at the funeral, where this appropriate and in accordance with the family's wishes.

Celebrations such as birthdays, marriages or the birth of children must not be funded at V/Line's expense. Unnecessary gratuities, such as coffees, must not be purchased for personnel on a V/Line corporate credit card.

10.4 Provision of Alcohol

V/Line's policy position is that all personnel must report fit for work and with a 0.00 Blood Alcohol Concentration. V/Line will not provide alcohol at any events.

10.5 Conduct when providing hospitality

When hospitality is provided you must ensure that participants:

- demonstrate professionalism in their conduct
- uphold their obligation to extend a duty of care to other participants.

If you are a participant who is accepting hospitality, you must also comply with these standards.

10.6 Providing official gifts and items

Before providing an official gift or item, make reasonable enquiries to ensure it will be appropriate to do so.

10.7 Donations or gifts given on V/Line's behalf

Individuals or businesses associated with V/Line may make donations or gifts to third parties, such as charities, in V/Line's name without prior approval. While these actions may be well-intentioned, they pose reputational risks, such as appearing to favour one

organisation over another or affecting public trust in the Victorian Government.

There are also broader risks, including implications for future procurement or business dealings.

V/Line expects all business associates to understand that donations or gifts made on V/Line's behalf must not occur without formal prior approval. If a gift or donation is made without approval, it must be declared and recorded in the Internal Register, noting that V/Line had no opportunity to approve or refuse the donation or gift.

Guidance

Third parties making charitable donations on behalf of V/Line can be seen as preferencing one charitable organisation over another and can impact the perception of and trust in the Victorian Government as a whole. Similar to offer which can seen as an endorsement, offers of charitable donations on behalf of V/Line should be declined or discouraged.

If a donation or gift is nevertheless made, the commercial partner should be informed that no gift or donation should be made on V/Line's behalf in future without a formal offer and approval.

Where a gift or donation has been made without prior approval, that gift or donation should be listed on the gifts, benefits and hospitality register, noting that there was no opportunity to accept or refuse.

Guidance

A contractor working with V/Line completes a project and, as a goodwill gesture, donates to a local charity using V/Line's name in a public announcement or social media post without notifying or seeking approval. As V/Line had no opportunity to approve or decline, the employee records the donation in the register and advises the partner that future donations must not be made on V/Line's behalf without prior approval.

11. Additional Guidance

11.1 Offers made by Victorian public sector organisations

Offers of gifts, benefits or hospitality from a Victorian public sector organisation as part of official business do not need to be declared or reported, where the reason for the personnel's attendance is consistent with:

- the minimum accountabilities,
- their role, and
- V/Line's functions and objectives.

11.1.1 Non-token offer from a government department

Personnel may be offered a non-token gift, benefit or hospitality by:

- a Victorian government department or administrative office, or
- the VPSC.

If this occurs you can accept the offer, and it does not need to be declared.

However, if the offer is an offer that must be refused (see section 6.2) it must be refused and declared.

11.1.2 Non-token offer from a public entity or other public sector organisation

Personnel may be offered a non-token gift, benefit or hospitality by another Victorian public sector organisation, such as a public entity.

For example, you might be offered free tickets to an event where V/Line:

- has sponsored the event, or is involved in a sponsorship capacity,
- has helped to organise the event,
- otherwise actively supports the event or the organisation.

If this occurs you can accept the offer, unless it is an offer that must be refused (see section 6.2). The offer must be declared.

Where V/Line is an event or organisation sponsor, complimentary tickets will be distributed according to section 11.4 'Events/Tickets' below.

11.1.3 Non-token offers of uncertain origin

If you receive an offer via a work colleague or business associate and you believe they may be offering it on behalf of a third party with the possible intention of influencing you, you must:

- refuse the offer and declare it, and
- report it to your manager or the Integrity team

11.1.4 Offers from an interstate or Commonwealth public sector organisation

Offers from public sector organisations that are part of a different state or part of the Commonwealth public sector should be treated the same as any other organisation that is not a Victorian public sector organisation.

11.2 Unsolicited, spam and bulk offers

Personnel may receive generic offers of non-token gifts or benefits, such as:

- emails targeting personnel with offers to attend seminars or webinars at a discounted rate,

- SPAM email.

You do not need to declare generic non-token offers if you refuse them.

If you want to accept them, the provisions of section 6.2 'Offers that must be refused' and 6.3 'Offers that may be accepted' must be applied.

11.2.1 Targeted email blasts

Generic offers may appear personalised by being addressed to you directly or using generative language tools that can quickly and believably personalise the body of emails while still sending them to many people.

If you receive an email and you are unsure if it is a generic offer, talk to your manager or the Integrity team to determine if you need to declare it. If you are unsure ask yourself:

- Do I have a relationship with the person who sent the email?
- Do I have a relationship with the organisation who sent the email?
- Is the offer related to my work or the work of my area of the organisation?

If the answer to all the above is 'no' then it is likely a generic offer.

11.3 Ownership of gifts

Usually, a non-token gift belongs to the organisation. However, if the gift was given to you specifically in recognition of your work or contribution, you may retain it provided that:

- it is not an official gift (see section 8 Official gifts and items)
- it is unlikely to bring you or V/Line into disrepute, and
- it would be consistent with community expectations

Token gifts that have been accepted in compliance with this policy may be retained by the individual offered it. Where gifts are official gifts or items, or are given to personnel on behalf of V/Line, the gift must be transferred to V/Line.

Guidance

An offer may be made to V/Line by a visiting delegation from a Queensland government department. This offer should be treated like any other offer. It should be subject to the integrity test (section 6.2), and declarations should be made if necessary.

11.4 Tickets/Events

Regardless of value, complimentary tickets that V/Line receives as an event or organisation sponsor will only be distributed:

- to V/Line's community and government partners,
- via a ballot to staff, or
- to V/Line's Executive, External Affairs team or others specifically invited or for the

purposes of maximising whole-of-organisation stakeholder engagement.

Tickets received where V/Line is an event or organisation sponsor do not need to be declared, where the offer is made as part of a sponsorship agreement.

Where tickets are offered that are not part of a sponsorship agreement, the offer must be considered in accordance with the provision of this policy.

11.5 Offers made in a personal capacity

Offers of gifts, benefits and hospitality made to you in your personal life can be accepted, provided you believe on reasonable grounds that the offers are made in a personal capacity and not because of your official role.

If you are unsure whether an offer is being made to you in a personal capacity or because of your role, consider the GIFT questions (Appendix A) and follow this policy as you would in your professional capacity.

12. Contraventions of this Policy

If you believe this policy has been breached, inadvertently or otherwise, notify your manager and seek advice from the Integrity team promptly. This enables V/Line to assess how best to mitigate the risk, for example, arranging to return the gift.

V/Line will take a graduated approach. Our response will be fair, reasonable and proportionate. In some instances, no action will be taken. In others, V/Line will deal with the matter:

- on an informal basis, for example, through education or counselling
- through a performance management process or similar, or
- if other methods are not appropriate, through a misconduct or disciplinary process.

A finding of misconduct may amount to a breach of the code of conduct. Serious misconduct can result in termination of employment or contract. If a criminal offence may have occurred, Victoria Police may investigate and prosecute.

13. Bribes and Speak Up

If V/Line personnel consider:

- they have been offered a bribe or inducement; or
- that there is potential for the offer of a gift to be perceived as being a bribe; or
- that the acceptance of a gift may place them or V/Line in a compromising position

they must politely decline the offer and must report the offer to the Integrity team or to V/Line's Speak-up Service.

If V/Line personnel become aware of another V/Line personnel who has been offered and accepted a bribe, it must be immediately reported to the Integrity team or V/Line's Speak-

up Service.

If V/Line personnel considers that offers of gifts, benefits or hospitality have not been declared, or are not being properly managed, they should speak up and notify their manager, the Integrity team or V/Line's Speak up Service:

- P. 1300 304 550
- E. speakup@stopline.com.au
- W. https://vline.stoplinereport.com/

V/Line will take decisive action, including possible disciplinary action, against V/Line personnel who discriminate against or victimise those who speak up in good faith.

Criminal or corrupt conduct will be reported to Victoria Police or IBAC.

14. Reference documents

This policy should be read and applied in conjunction with the following documents:

14.1 V/Line documents

Table 3 – Related V/Line documents

Document ID	Title
HRPO-34	Code of Conduct
LEST-4	Fraud and Corruption Control Framework and Risk Management Plan
COPO-3800	Conflict of Interest
COPR-3890	Fraud and Corruption Management
CPPR-2467	Engagement of V/Line Personnel
FIPO-17	Fraud, Corruption and Other Losses Risk Management
LEPR-5	Public Interest Disclosure

14.2 Document history

Table 4 – Document history

Rev	Prepared/Revised by		Date	MoC
01	Hugh Robinson, Director Integrity		August 2025	N/A
	Change description: New policy to replace LEPR-3.			
02	Amanda Wilczynski, Director Integrity	October 2026	N/A	
	Change description: Removal of 'Additional requirements;' inclusion of examples and information about provision of food to Alliance staff in ordinary hours.			

Appendix A: The GIFT and HOST Test

A.1 Guidance on whether to accept or refuse

You can use the following GIFT questions to help assess whether to accept or refuse a particular gift, benefit or hospitality.

GIFT is an acronym that stands for: giver, influence, favour and trust.

Questions to prompt your thinking

Giver

- Who is providing the gift, benefit or hospitality and what is their relationship to me?
- Does my role require me to select suppliers, award grants, regulate industries or determine government policies?
- Could the person, group or organisation benefit from a decision I make?

Influence

- Are they seeking to gain an advantage or influence my decisions or actions?
- Has the gift, benefit or hospitality been offered to me publicly or privately?
- Is it a basic courtesy or token of appreciation or is it a non-token offer?
- Does its timing coincide with a decision I'll be making in the foreseeable future?

Favour

- Are they seeking a favour in return for the gift, benefit or hospitality?
- Has the gift, benefit or hospitality been offered honestly?
- Has the person, group or organisation made several offers over the last 12 months?
- Would accepting create an obligation, or feeling of obligation, to return a favour?

Trust

- Would accepting the gift, benefit or hospitality diminish public trust?
- How would the public view acceptance of this gift, benefit or hospitality?
- What would my colleagues, family, friends or associates think?

A.2 Guidance on whether to provide gifts, benefits or hospitality to others

You can use the following HOST questions to help you assess if providing a particular gift, benefit or hospitality would comply with this Policy.

HOST is an acronym that stands for: hospitality, objectives, spend and trust.

Questions to prompt your thinking

Hospitality

- To whom is the gift or hospitality being provided?

- Will recipients be external business associates, our personnel, or a mixture of both?

Objectives

- What is the business reason for providing the hospitality?
- Will it 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?

Spend

- Will the cost be proportionate to the benefits obtained?
- What type of hospitality will be provided?
- Will the hospitality be modest or expensive?
- If alcohol is to be provided, why? Would it be a courtesy or an indulgence?
- Is an external venue necessary or can our organisation host the event?
- Is the catering or hospitality proportionate to the number of attendees?
- Does the size of the event and number of attendees align with the intended outcomes?
- If a gift is to be given, is it symbolic rather than financial in value?

Trust

- Will public trust be enhanced or diminished?
- Will the gift, benefit or hospitality be proportionate to public expectations or seen as excessive?
- Is there a conflict of interest?
- Could you publicly explain the rationale for providing the gift, benefit 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?