

Gifts Benefits Hospitality Policy

1. Purpose of Policy

This policy states Alpine Resorts Victoria's (ARV) position on:

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

This policy is intended to support ARV Board members, employees, and contractors to avoid conflicts of interest and maintain high levels of integrity and public trust.

ARV has issued this policy to support behaviour consistent with the Code of Conduct for Victorian Public Sector Employees, and the Board Integrity Framework (consolidated Code of Conduct).

2. Scope

This policy sets out ARV's procedures for responding to, and recording, gift offers. It also sets out restrictions in relation to providing gifts and hospitality, and incurring travel and out of pocket expenses. This policy applies to all Board members and employees (for the purpose of this policy, an employee includes senior executives, contractors and labour hire employees) at all times in the performance of their duties.

3. Objective

Board members and employees must act in accordance with their respective obligations and with public sector governance practice, including:

- The establishing Act, being the *Alpine Resorts (Management) Act 1997 (ARM Act)*.
- The *Public Administration Act 2004* ('PAA');¹ Binding codes and accountabilities issued by the Victorian Public Sector Commission, in particular:
 - The Board Integrity Framework (Code of Conduct)
 - Code of Conduct for Victorian Public Sector Employees; and
 - Minimum accountabilities for managing gifts, benefits, and hospitality;²
- Any directions, guidelines, and/or statements of obligation or expectation issued by the Minister.
- Government policy; and
- All other laws and obligations that bind the organisation.³

4. Policy Principles

This policy has been developed in accordance with requirements outlined in the minimum accountabilities for the management of gifts, benefits, and hospitality issued by the Victorian Public Sector Commission and complies with the ARV Policy Framework.

¹ In particular:

- s 7: public sector values (i.e. integrity, impartiality, accountability, respect, responsiveness, human rights, leadership);
- s 79: 'duties of directors' (Board members)
- s 13A: requirement to provide information to the Secretary of DEECA.
- s 81(1)(b): duty to inform the minister and the Secretary of DEECA of major risks to agency.
- s 81(1)(g): requirement to have an adequate gifts policy in place for Board members.

² The minimum accountabilities are incorporated into DEECA's model policy, which this agency's policy is consistent with.

³ Instructions supporting the Standing Directions of the Minister for Finance 2016 – see Instruction 2.1(i) and Direction 3.4(e)

ARV is committed to and will uphold the following principles in applying this policy:

Impartiality - individuals have a duty to place the public interest above their private interests when carrying out their official functions. They will not accept gifts, benefits, or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment. Individuals do not accept offers from those about whom they are likely to make business decisions.

Accountability - individuals are accountable for:

- Declaring all non-token offers 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; and
- The responsible provision of gifts, benefits and hospitality.

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

Integrity: individuals 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. Individuals will refuse any offer that may lead to an actual, perceived or potential conflict of interest.

Risk-based approach: ARV through its policies, processes and audit committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. Individuals 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.

5. Minimum Accountabilities

Under the Instructions supporting the Standing Directions under the *Financial Management Act*, the Victorian Public Sector Commission has set binding minimum accountabilities for the appropriate management of gifts, benefits, and hospitality. These can be found at Appendix A.

6. Definitions

Business associate - An individual or body that the public sector organisation has, or plans to establish, some form of business relationship with, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.

Benefits - include preferential treatment, privileged access, favours, or other advantage offered to an individual. They 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.

Discounted goods which are publicly available are not a benefit under this policy.

Bribe - A Bribe is an offer of money or other inducement that is made with an intention to corruptly influence a Board member or employee in the performance of their duties. Bribery or attempted bribery of a public official is a criminal offence punishable by up to 10 years imprisonment under the *Crimes Act 1958*.

Ceremonial gifts - are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are usually provided when conducting business with official delegates or representatives from another organisation, community, or foreign government.

Ceremonial gifts are the property of the public sector organisation, irrespective of value, and should be accepted by individuals on behalf of the public sector organisation. The receipt of ceremonial gifts should be recorded on the register, but does not need to be published online.

Conflict of interest - may be:

- **Actual:** There is a real conflict between a Board member or an employee's public duties and private interests.
- **Potential:** A Board member or an employee has private interests 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.
- **Perceived:** The public or a third party could reasonably form the view that a Board member or an employee's private interests could improperly influence their decisions or actions, now or in the future.
- **Direct or indirect** - A gift may be offered directly or indirectly. It may be offered directly to a Board member or employee or offered indirectly via an offer to their relative or close associate, including:
 - a member of their immediate family
 - a regular member of their household
 - another close associate.

Gifts - are free or discounted items or services, and any item or service that would generally be seen by the public as a gift. It includes hospitality or benefits that exceed common courtesy. A gift may be enduring (e.g., a work of art) or consumable (e.g. a box of chocolates) and may be offered for a range of reasons.

These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. small bunch of flowers), consumables (e.g. chocolates) and services (e.g. painting and repairs). Fundraising by public sector organisations that is consistent with relevant legislation and any government policy is not prohibited under the minimum accountabilities.

Hospitality - is 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.

Legitimate business benefit - A gift, benefit, or hospitality may have a legitimate business benefit if it furthers the conduct of official business or other legitimate goals of the public sector organisation, the public sector, or the State.

Public official - has the same meaning as section 4 of the PAA and includes public sector employees, statutory office holders, and directors of public entities.

Public register - is a record, preferably digital, of a subset of the information contained in a register, for publication as required by the minimum accountabilities. Guidance regarding the information that should be published is provided in the Victorian Public Sector Commission Policy Guide.

Token offer - A token offer is a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the recipient (such as basic courtesy). The minimum accountabilities state that token offers cannot be worth more than \$50.

Non-token offer - A non-token offer is 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. All offers worth more than \$50 are non-token offers and must be recorded on a gift, benefit, and hospitality register.

7. Management of offers of gifts, benefits and Hospitality

This section sets out the process for accepting, declining, and recording offers of gifts, benefits and hospitality. Any exceptions to this process must have the prior written approval of the relevant organisational delegate, the CEO.

Ban on soliciting gifts

Board members and employees must not solicit gifts for themselves or anyone else, in any form, in their role as a Board member or an employee. To do so may constitute misuse of their position; a breach of this policy and/or a breach of the relevant code of conduct, and may result in disciplinary action. It may also constitute corruption and lead to criminal prosecution.

Conflict of interest and reputational risks

When deciding whether to accept an offer, individuals should first consider if the offer could be perceived as influencing them in performing their duties or lead to reputational damage. The more valuable the offer, the more likely that a conflict of interest or reputational risk exists.

Requirement for refusing offers

Individuals should consider the GIFT test at Figure 1 and the requirements below to help decide whether to refuse an offer.

Figure 1. GIFT test

G	Giver	<p>Who is offering the gift, benefit or hospitality, and what is their relationship to me?</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>
I	Influence	<p>Are they seeking to gain an advantage or influence my decisions or actions?</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 my endorsement of a product or service?</p>
F	Favour	<p>Are they seeking to favour in return for the gift, benefit or hospitality?</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 my endorsement of a product or service?</p>
T	Trust	<p>Would accepting the gift, benefit or hospitality?</p> <p>How would the public view acceptance of this gift, benefit or hospitality? What would my colleagues, family, friends or associates think?</p>

Individuals are to refuse offers:

- 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
- could bring them, ARV, or the public sector into disrepute
- made by a person or organisation about which they will likely make or influence a decision (this also applies to processes involving grants, sponsorship, regulation, enforcement, or licensing), particularly offers:
 - made by a current or prospective supplier;
 - made during a procurement or tender process by a person or organisation involved in the process; or
 - made by a commercial sponsor or commercial operator of ARV
- likely to be a bribe or inducement to make a decision or act in a particular way;
- that extend to their relatives or friends;
- of money, or used in a similar way to money, or something easily converted to money;
- where, in relation to hospitality and events, the organisation will already be sufficiently represented to meet its business needs;
- where acceptance could be perceived as endorsement of a product or service, or acceptance would unfairly advantage the sponsor in future procurement decisions;
- made by a person or organisation with a primary purpose to lobby Ministers, Members of Parliament, or public sector organisations; or
- made in secret.

If an individual considers they have been offered a bribe or inducement, the offer must be reported to the Chief Executive Officer, ARV or their delegate, who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-Corruption Commission (IBAC).

Token offers

A token offer is an offer of a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the individual. It may include promotional items such as pens and note pads, and modest hospitality that would be considered a basic courtesy, such as light refreshments during a meeting.

Light refreshments such as tea or coffee offered in the course of a business meeting at the organisation's premises may be accepted. These will have been offered as a courtesy and to make the guest feel welcome. Similarly, light refreshments such as finger food at an opening ceremony or sandwiches at a conference may be accepted.

The minimum accountabilities state that token offers cannot be worth more than \$50.

Individuals may generally accept token offers without approval or declaring the offer on ARV's register, as long as the offer does not create a conflict of interest or lead to reputational damage.

Discounted coffees (other than on a publicly available reward program), employee meals promotions (including discounts or one-off complimentary offers), opening promotions, or market promotions from a service provider, including commercial operators and ski lift company promotions, are to be assessed by the individual in line with the GIFT and approval sought by the respective resorts Chief Operating Officer.

Non-token offers

Individuals can only accept non-token offers if they have a legitimate business benefit. All accepted non-token offers must be approved in writing by the individual's manager or organisational delegate, recorded in the gifts, benefits and hospitality register, and be consistent with the following requirements:

- it does not raise an actual, potential, or perceived conflict of interest or have the potential to bring the individual, ARV or the public sector into disrepute; and
- there is a legitimate business reason for acceptance. It is offered in the course of the individual's official duties, relates to the individual's responsibilities, and has a benefit to ARV, public sector, or the State.

Individuals may be offered a gift or hospitality where there is no opportunity to seek written approval from their manager prior to accepting. For example, they may be offered a wrapped gift that they later identify as being a non-token gift. In these cases, the individual must seek approval from their manager within five business days.

Where the gift would likely bring you or the organisation into disrepute, the organisation should return the gift. If it represents a conflict of interest for you, the organisation should either return the gift or transfer ownership to the organisation to mitigate this risk.

ARV allows conference organisers to pay the costs for a staff member to present at a conference in their area of expertise, including flights, accommodation, meals and conference admission.

Recording non-token offers of gifts, benefits and hospitality

All non-token offers, whether accepted or declined, must be recorded in ARV's gifts, benefits and hospitality register. The business reason for accepting the non-token offer must be recorded in the register with sufficient detail to link the acceptance to the individual's work functions and benefit to ARV, public sector, or State. Individuals should consider the following examples of acceptable and unacceptable levels of detail to be included in ARV's register when recording the business reason:

Unacceptable

- "Networking"
- "Maintaining stakeholder relationships"

Acceptable

- "Individual is responsible for evaluating and reporting on the outcomes of ARV's sponsorship of Event A. Individual attended Event A in an official capacity and reported back to ARV on the event."
- "Individual presented to a visiting international delegation. The delegation presented the individual with a cultural item worth an estimated \$200. Declining the gift would have caused offence. The gift was accepted on behalf of ARV."

The relevant [declaration form](#) is found on the Governance & Risk intranet site.

Access to the register is restricted to relevant persons within ARV.

ARV's Finance, Risk and Audit Committee (FRAC) will receive a report at least annually on the administration and quality control of the gifts, benefits and hospitality policy, processes, and register. The report will include analysis of ARV'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. Appendix B provides more detail on this FRAC report.

The public register will contain a subset of the information detailed in ARV's internal register.

Ownership of gifts offered to individuals

Non-token gifts with a legitimate business benefit that have been accepted by an individual for their work or contribution may be retained by the individual where the gift is not likely to bring them or ARV into disrepute, **and** where their manager or organisational delegate **has provided written approval**. Employees must transfer to Alpine Resorts Victoria's official gifts or any gift of cultural significance or significant value.

Repeat offers

Receiving multiple offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence you. Individuals should refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage.

Ceremonial gifts

Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. Ceremonial gifts are the property of the organisation, irrespective of value, and should be accepted by individuals on behalf of ARV. The receipt of ceremonial gifts should be recorded on ARV's register, but this information does not need to be published online.

8. Management of the provisions of Gifts, Benefits, and Hospitality

This section sets out the requirements for providing gifts, benefits, and hospitality.

Hospitality provided by Victorian public sector organisations

Victorian public sector organisations may provide hospitality to stakeholders as part of their functions. When offered hospitality by a Victorian public sector organisation, individuals should consider the requirements of the minimum accountabilities.

Accepted hospitality offered by a Victorian public sector organisation as part of official business does not need to be declared or reported, where the reason for the individual's attendance is consistent with ARV's functions and objectives and with the individual's role.

An official business event is when an event hosted by an external organisation that it is in the public interest for an employee to attend. These invitations are different to gifts, benefits, and hospitality offers and include seminars, conferences and working lunches.

Official business events need to have a tangible connection to an employee's role and be directly related to the agency's work.

Most official business events fall under five categories:

- *funded service delivery* – opportunities to observe the delivery of programs funded by state government grants
- *stakeholder engagement* – opportunities to develop networks with people interested in the department's activities
- *sector knowledge* – opportunities to develop a deeper knowledge of the industry and to improve government programs
- *business leveraging* – opportunities to network with partners interested in investment and collaboration
- *professional knowledge* – opportunities to maintain knowledge relating to a qualification (e.g. CPD points), build expertise in a technical field or become acquainted with industry changes.

In addition to those five categories, there are situations where it is in the public interest for the public service to be represented in some capacity. Those include:

- *state functions* – attending an event or function hosted by the Government or the Governor
- *accompanying the Minister* – supporting a government spokesperson (including Ministers and Parliamentary Secretaries) in the execution of their duties
- *government events* – attending a function organised and hosted by another government agency or public sector entity
- *industry stakeholders* – attending an event hosted by industry or community stakeholders where attendance provides a legitimate business benefit.

Employees are required to declare their attendance at official business events. Employees can attend an official business event when:

- the invitation was extended by the event host rather than a third party
- the event is directly related to their official duties at the agency
- it is for a business purpose consistent with the agency's functions and objectives
- it is in the public interest and the best interests of the agency to be represented at the event
- the activities and level of hospitality at the event are consistent with community expectations
- there is no conflict of interest (real, potential, or perceived) for the employee to attend
- attending the event will not bring the employee, the agency, the department, or the public service into disrepute
- the host does not have an interest in any business decision the employee is likely to make or influence as part of their official duties.

Before an official business event invitation is accepted, consider:

- whether the employee is the most appropriate person to attend
- the number of people from the agency attending
- what the employee's purpose to attend is – to present, develop work skills or purely out of interest
- if the event is a gift offer rather than official business event attendance

Events that provide a personal benefit or are limited to providing hospitality and serve no business purpose can be regarded as an official business event only if non-attendance would bring the agency into disrepute.

To report attendance at an official business event, Board members and employees must:

- sign and lodge an **official business events attendance form** (Appendix C within fourteen working days), and
- email the declaration to ea@alpineresorts.vic.gov.au.

Figure 2. HOST test

H	Hospitality	<p>To whom is the gift or hospitality being provided? Will recipients be external business partners or individuals of the host organisation?</p>
O	Objectives	<p>For what purpose will hospitality be provided? 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>
S	Spend	<p>Will public funds be spent? 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>
T	Trust	<p>Will public trust be enhanced or diminished? 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>

Requirements for providing gifts, benefits and hospitality

Gifts, benefits and hospitality may be provided 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, or the type of gift, benefit or hospitality to provide, individuals 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 the State, and would be considered reasonable in terms of community expectations (the 'HOST' test at Figure 2 is a good reminder of what to think about in making this assessment); and
- it does not raise an actual, potential or perceived conflict of interest.

For example, light refreshments such as tea or coffee offered in the course of a business meeting at the organisation's premises may be provided. These will have been offered as a courtesy and to make the guest feel welcome. Similarly, light refreshments such as finger food at an opening ceremony or sandwiches at a conference may be offered. In all cases, the hospitality should be proportionate to the occasion. Modest hospitality offered as part of official business is not a reportable gift.

Containing costs

Individuals should contain costs involved with providing gifts, benefits and hospitality wherever possible, and should comply with the financial probity and efficient use of resources guidance outlined in the [Code of Conduct for Victorian Public Sector Employees](#), and the [Code of Conduct for Directors of Public Entities](#). The following questions may be useful to assist individuals in deciding 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?

Staff Reward and Recognition Program

P&C may operate a centrally controlled all-ARV reward and recognition program:

- The Head of P&C will, in consultation with the CEO and GMCS, design and implement this program including selection of the type and value of gifts and/or benefits (if any).
- The total value of this program must be established through the annual budget process.

GMs may operate a resort/department specific reward and recognition program:

- The GM will, in consultation with the Head of P&C, design and implement this program.
- Program design should follow the VPSC 'thanks is enough' approach: [Reward and Recognition](#).
- In exceptional circumstances gifts may be included:
 - Gifts should celebrate the Resort or the Alpine/High Country (ie local products, etc).
 - May include appropriate gift cards, but must not include cash nor exceed \$50 per person
- The total value of this program must be established through the annual budget process.

Births/adoptions and deaths may be recognised in exceptional circumstances and in accordance with the following direction:

- Alternative fundraising (individuals and social clubs, etc) for gifts should be pursued in the first instance
- Marriages, birthdays, or other significant milestones must not utilise ARV funds
- GM approval is required
- Gifts should be appropriate to the event, but must not include cash nor exceed \$50 per person

All staff reward and recognition must:

- Align with the ARV:
 - EA
 - Employee Benefits Policy
- Be coded in the finance system using the staff reward and recognition GL code.

All gifts, benefits or hospitality must:

- Be declared as provided on the GBH Register, regardless of value. This declaration may be done at the aggregate level. There is **no** requirement for the staff member to record or declare their receipt of the GBH.
- Be assessed in accordance with section 8 of this Policy to ensure integrity, business reason, no conflict of interest, proportionate costs, and consistency with community expectations.
- Not be provided for personal celebrations, including birthdays, marriages, births/adoptions, etc

Maximum expenditure on unbudgeted gifts

ARV, consistent with DEECA, has set a nominal limit of \$150 for the maximum expenditure on gifts to others, where the expenditure has not been explicitly budgeted for. This nominal limit is a total for a discrete, unbudgeted gift. It is not per person or an annual total.

Providing catering and alcohol for external events

Catering is provided at functions for external guests subject to the following criteria:

- there is a real benefit to the department,
- the expenditure is modest and proportionate to the benefit,
- it is not excessive,
- it is not too frequent, and
- it is consistent with community expectations.

Alcohol may be purchased with public funds to serve at functions for external guests based on the following:

- provision of alcohol would be relatively uncommon and be associated with a meal,
- any event where alcohol is served should be held at a time that minimises the risk of employees returning to work impaired by alcohol (e.g. if standard office hours are worked, the event should be held in the late afternoon or early evening),
- events with alcohol service do not exceed two hours in duration,
- no more than two standard drinks per person are provided, and
- the provision of alcohol should be incidental to the overall level of hospitality provided.

Providing alcohol at internal events

ARV, consistent with DEECA, does not permit the purchase of alcohol with public funds for internal events. Having non-employees, guests, or stakeholders at an event does not necessarily mean it is not an internal event.

Further, staff/Board may not consume alcohol when in uniform or when donning identifiable badges or clothing.

ARV practice, consistent with DEECA, for recognition events is that the business unit funds a modest meal and soft drinks. Staff purchase alcohol if they choose.

Providing catering at internal events

ARV, consistent with DEECA, provides modest catering for employees for events such as annual recognition events or marking the completion of a major project based on the following considerations:

- the extent to which the event will contribute to organisational objectives by, for example, reinforcing particular values or motivating staff,
- whether there have been multiple recent events that would result in perceptions of excess, or
- the need to balance the positive benefits of public recognition with community expectations in relation to modest expenditure by public officials.

Celebrations of events such as birthdays, marriages or the birth of a child are not catered with public funds.

ARV, consistent with DEECA practice, is that meetings are scheduled to avoid conflict with mealtimes. Where that is not possible, a break is encouraged to enable participants to seek their own refreshments. If an event or meeting extends over mealtimes, modest hospitality can be provided.

As a guideline, provide refreshments when meetings exceed these times:

- 2 hours - for morning or afternoon tea
- 3 hours - for lunch
- 5 hours - for lunch and either morning or afternoon tea
- 7 hours - for lunch, morning tea and afternoon tea

Internal catering is considered a business decision and is neither ARV providing a gift, benefit or hospitality nor the staff member accepting it, and as such does not need to be declared.

9. Key Related policies and other documents

- *Minimum accountabilities for the management of gifts, benefits and hospitality Instructions Supporting the Standing Directions of the Minister for Finance*
- *Alpine Resorts Victoria's Conflict of Interest Policy*
- *Public Administration Act 2004*
- *Crimes Act 1958 (Vic)*
- *Code of Conduct for Victorian Public Sector Employees*
- *Code of Conduct for Victorian Public Sector Employees of Special Bodies*
- *Code of Conduct for Directors of Victorian Public Entities*
- *Integrity Framework (Code of Conduct)*
- *Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Guide*
- *Fraud and Corruption Control*

10. Breaches

Disciplinary action consistent with the relevant industrial instrument and legislation, including dismissal, may be taken where an individual fails to adhere to this policy. This includes where an individual fails to avoid wherever possible or identify, declare, and manage a conflict of interest related to gifts, benefits and hospitality in accordance with Alpine Resorts Victoria's Conflict of Interest and Duty Policy.

Actions inconsistent with this policy may constitute misconduct under the PAA, which includes:

- breaches of the binding Code of Conduct for Victorian Public Sector Employees, Code Of Conduct for Victorian Public Sector Employees of Special Bodies/or the Code of Conduct for Directors of Public Entities, such as sections of the Code covering conflict of interest, public trust and gifts and benefits; and
- individuals making improper use of their position.

For further information on managing breaches of this policy, please contact the Head of Governance & Risk.

Alpine Resorts Victoria will communicate its policy on the offering and provision of gifts, benefits and hospitality to contractors, consultants, and other business associates. Those identified as acting inconsistently with this policy may be subject to contract re-negotiation, including termination.

Disputes associated with this policy can be addressed through the mechanisms described in the ARV Dispute Resolution policy.

11. Promoting and improved compliance

To promote and improve compliance with this policy:

Business rules

The CEO must have suitable business rules, processes, and record-keeping requirements in place for the practical implementation of this policy.

Induction and refresher training – Board members and employees

The Chair (for Board members and the CEO) and the CEO (for employees) must ensure that all Board members and employees receive induction training and annual refresher training, including:

- information about the aim, principles, accountabilities, and requirements of this policy
- practical guidance on how to comply with it (e.g where to obtain gift offer declaration forms, how to refuse a gift without giving offence, etc.); and
- advice that a breach of this policy may constitute a breach of a binding code of conduct and may result in disciplinary action and, in the case of corrupt conduct, criminal prosecution.

A copy of the Board's policy and related practical guidance must be provided to each Board member and employee when they commence their term of appointment/employment. Updates to the policy and related guidance must be provided as soon as practicable after they occur.

Gifts hub – Board members and employees

The CEO must designate an employee position whose occupant manages (or acts as) a 'Gifts hub' to provide responsible persons and other Board members and employees with a central point from which to obtain expert advice and guidance materials.

Contracts for 'in-house' contractors and consultants

All contracts for 'in house' contractors and consultants (including those engaged through an employment agency) must explicitly state that the contractor or consultant is bound by this policy and by the Code of Conduct for Victorian Public Sector Employees.

External stakeholders (tenderers, suppliers, external contractors, etc.)

All contracts for suppliers and external contractors must ensure that the contract can be revoked (or renegotiated) by the agency if the supplier or external contractor offers a prohibited gift to a Board member or employee.

The CEO must have processes in place to ensure that external stakeholders have ready access to information that explains the prohibitions and restrictions in this policy. This includes ensuring that an up-to-date copy of this policy is published on the agency's external website; and suitable guidance material is included in information packages for prospective tenderers and suppliers, provided directly to all suppliers and external contractors, with regular reminders thereafter; and published on the agency's website.

Remedial action

The CEO must have processes in place to ensure that patterns of frequent or prohibited gift offers are identified and, where appropriate, remedial action is taken - e.g. a letter is sent to the source of the offers explaining why such offers must not be made.

Culture of integrity

It is essential that Board members, employees, and external stakeholders are supported to raise queries and issues about gift offers, including queries and issues relating to their own conduct or that of others.

12. Speak up

Individuals who consider that gifts, benefits and hospitality or conflict of interest within ARV may not have been declared or is not being appropriately managed should speak up and notify their manager or the CEO. Individuals who believe they have observed corrupt conduct in their colleagues may also make a protected disclosure directly to the Independent Based-based Anti-corruption Commission (IBAC).

ARV will take decisive action, including possible disciplinary action, against individuals who discriminate against or victimise those who speak up in good faith.

13. Contact for further information

A conflict of interest resulting from the acceptance of a gift, benefit or hospitality is not always clear to those who have them. Individuals who are unsure about accepting a gift, benefit or hospitality, or the application of this policy, should ask their manager or the Head of Governance & Risk for advice. This does not abrogate the individual's responsibility to make the right decision.

Document Reference	ARV-CORP-G&R-0026	Owner:	Board
Approved By:	Board	Approval Date:	
Last Amended:	Oct 2025	Next Review Date:	Oct 2027
Comments:	This policy replaces all Gifts, Benefits & Hospitality Policies within all Victorian Alpine Resorts from the date of Board approval 11/11/2022.		

- promotes and supports government policy objectives and priorities.
1. You must ensure that the cost of providing a gift, benefit or hospitality is:
 - proportionate to the benefits obtained for the State
 - would be considered reasonable in terms of community expectations.
 2. You must ensure that you do not provide a gift, benefit or hospitality unless:
 - no conflict of interest exists (actual, potential or perceived), or
 - you declare a conflict and ARV develops a management plan that explicitly allows you to provide it.
 3. You must ensure that when hospitality is provided, participants (including yourself, if participating):
 - demonstrate professionalism in their conduct
 - uphold their obligation to extend a duty of care to other participants.

Part D – ARV CEO:

4. You must model good practice and foster a culture of integrity.
5. You must establish, implement and review ARV policies and processes for the effective management of gifts, benefits and hospitality that:
 - comprehensively address these minimum accountabilities.
 - actively support and protect employees who speak up in good faith about a possible breach of the policy
 - take decisive action, including possible disciplinary action, against anyone who discriminates against or victimises an employee who speaks up in good faith
 - respond in a constructive manner to the information provided.
6. You must ensure that the ARV policy and related processes are communicated effectively to employees. Including that a breach of the policy may constitute:
 - a breach of the VPS code of conduct and, where appropriate, may result in disciplinary action
 - criminal or corrupt conduct.
7. You must establish and communicate a clear policy position to business associates / vendors on the offering of gifts, benefits and hospitality to employees, including possible consequences for a business associate / vendor acting contrary to ARVs policy position. This must take into consideration any whole of Victorian Government supplier codes of conduct.
8. You must 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 offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.
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. Publish the organisation's gifts, benefits and hospitality policy and register on the organisation's public website (applies only to organisations with an established website). The published register should cover the current and the previous financial year.

