

TARGET AUDIENCE

Northern Health (NH) Board of Directors, all employees and anyone acting on behalf of NH.

PURPOSE AND SCOPE

The general principle outlined in the Code of Conduct for Victorian Public Sector Bodies is that gifts or favours from anyone who would benefit from providing the gift or favour should be refused.

This Guideline adopts the minimum accountabilities, as set out in the Victorian Public Sector Commission's *Gifts, Benefits and Hospitality Policy Framework*.

The purpose of this guideline is to inform staff of NH as to what constitutes a gift, benefit or hospitality and to provide guidance on dealing with situations involving offers of gifts, benefits or hospitality. The objective is to reinforce the Victorian public sector values of impartiality and integrity.

DEFINITIONS

Gratuity is a gift or reward, usually in the form of money, given in return for service.

Gift is something given voluntarily without payment in return, as to show favour toward someone, honour an occasion, or make a gesture of assistance; a present.

Benefit is something that is advantageous or good; an advantage.

Hospitality is the friendly reception and entertainment of guests. This may range from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation.

Reportable Gift is defined as any gift with a monetary value above \$50.

Gifts, benefits, and favours of insignificant monetary value which would be viewed as socially acceptable norms of behaviour (i.e. a box of chocolates given by a patient to a member of staff out of gratitude for service rendered during the patient's stay in hospital) are not reportable gifts.

Significant Gift is defined as any gift with a monetary value above \$1,000.

GUIDELINES

Staff should not directly or indirectly solicit or accept an unsolicited gift of any kind from any third party transacting with NH (including but not limited to patients and suppliers or potential future patients and suppliers) that could be reasonably perceived as influencing actions or decision making. For example, gifts or benefits from current or potential suppliers, contractors and consultants must not be accepted if they might reasonably compromise (or reasonably be seen to compromise) the integrity of the purchasing process.

Staff must refuse all offers that are money, items used in a similar way to money, or items easily converted to money. Staff must also refuse any gifts or benefits that could be considered a gratuity.

Staff offered a gift which they believe may be reportable (i.e. \$50 or greater in value) should report this on the **Reportable Gifts and Benefits Notification Form (Appendix 1)** and present this to their Manager who will advise whether or not it is appropriate to accept. Reportable gifts must be authorised by the staff member's Manager and the Chief Executive Officer / Chief Financial Officer before being accepted. It is important to note that multiple gifts/benefits from the same person/company over a period of time might be considered to be part of a single series of gifts or benefits which together might become reportable. Where the Chief Executive is offered a gift that may be reportable this must be approved by the Board Chair or Board Finance Committee Chair before being accepted.

All reportable gifts that are accepted must be recorded in the **NH Gifts Register**. The format of the register is set-out in **Appendix 2**. The NH Gifts Register is maintained by the Financial Controller and is subject to regular scrutiny, including review by Internal and External Audit.

Significant gifts will be regarded as the property of NH and are to be recorded on the NH Assets Register. Staff should consider each time they are offered a gift or benefit by the same person or company.

Staff must immediately report to the Chief Executive Officer and/or Chief Legal Officer any attempt to bribe them or their colleagues with money or any other gift.

Staff must immediately report to their Manager any colleague who tries to solicit a bribe.

Breaches of the guideline will constitute a breach of the NH Code of Conduct and result in disciplinary action.

At the end of each Fringe Benefits Tax (FBT) year the Financial Controller will review the NH Gifts Register to assess the FBT implications of any reportable gifts.

At the end of each Financial Year the Chief Financial Officer and Financial Controller will prepare a report for the Audit and Risk Committee on the basis for an attestation that NH has transparent reporting of accepted gifts, benefits and hospitality, and there is no evidence of attempts to improperly influence the decisions or actions taken by its employees. The Chief Executive Officer will sign-off on the attestation on behalf of NH once endorsed by the Audit and Risk Committee.

A staff member who receives a bribe, receives a corrupting benefit or abuses a public office may be guilty of an offence under the *Criminal Code Act 1995* (Cth) or under the *Crimes Act 1958* (Vic). In addition involvement in suspect conduct exposes Directors and employees to scrutiny by the Independent Broad-based Anti-Corruption Commission (IBAC).

Examples of the application of the guideline

A staff member receiving a small gift of appreciation such as a box of chocolates from a client for the work they have done. This type of gift is generally acceptable if the appreciation is being shown for a service provided (also, declining the gift could cause embarrassment).

A staff member receiving an offer of sponsored travel and/or accommodation to attend a conference or to participate in an industry familiarisation tour. Such offers should generally be declined because of the potential for a conflict of interest. However, if the offers are accepted, they must be approved by the staff member's Manager and recorded in the Gifts Register.

A staff member attending a function in an official capacity receives a gift. As the staff member is representing NH any benefits accruing from the staff member's activities belong to NH.

A delegation offering an employee a ceremonial gift on behalf of their company or country: This is similar to the situation immediately above in that the gift belongs to NH.

Service-orientated gifts such as teaching aids provided by a supplier for use by a department could be considered acceptable although the guidelines must be applied and each circumstance needs to be considered on a case-by- case basis.

Reporting and Publication

The Audit and Risk Committee will review the Gifts Register annually, and publish the Register on the NH website.

LEVEL 1 ALIGNED POLICY

[Financial Administration and Management](#)

LEVEL 2 ALIGNED PROCEDURE

[Finance - Financial Governance Framework](#)

EVALUATION

This guideline is reviewed every three years as scheduled or more frequently as required.

Compliance and effectiveness of guidelines are monitored through the evaluation of:

- Related adverse events recorded on the Victorian Health Incident Management System (VHIMS)
- Australian Council on HealthCare Standards (ACHS) Clinical Indicators
- Other relevant data sets.

Details are reviewed by the local Departmental Manager and Quality, Safety and Risk Coordinator and tabled for discussion and follow up at the relevant Quality & Risk Management (QRM) Committee as required.

IMPLEMENTATION STRATEGIES

- Staff are notified of policy document changes via emails to "All NH Campus Staff".
- Directors ensure their managers are aware of practice changes.
- Individual managers and supervisors are responsible for ensuring details are applied within their respective work areas.

REFERENCES

- Victorian Public Sector Commission: Gifts, Benefits and Hospitality Policy Framework
- EQulPNational Standards, Australian Council on Healthcare Standards, 2012
- National Safety and Quality Health Service Standards, September 2012
- *Criminal Code Act 1995 (Cth)*
- *Crimes Act 1958 (Vic)*

AUTHOR / FURTHER INFORMATION

Financial Controller / Director Corporate Finance

APPENDIX 1: REPORTABLE GIFTS AND BENEFITS NOTIFICATION FORM

Available via this link: [Finance - Gifts Declaration](#)

Details of the Gift or Benefit – To be Completed by Recipient	
Date received/offered: ___/___/___	
Offered to: Position: Department:	
Offered by: Person/organisation:	
Is the person or entity making the offer a business associate of the organisation? If yes, describe the nature of the relationship:	
Description of gift/benefit:	
Estimated Value of Gift/Benefit:	
Is this a first time offer (circle) Yes <input type="checkbox"/> or No <input type="checkbox"/> Previous offer(s) within last 12 months by this individual/company:	
Cumulative value of gifts offered by this individual/company within the last 2 years:	
Reason for gift/benefit:	
Signature of Recipient: Date ___/___/___	
Would accepting the offer: a) create an actual potential or perceived conflict of interest exist (Y/N)?; Yes <input type="checkbox"/> or No <input type="checkbox"/> b) bring you, the organisation or the public sector into disrepute (Y/N)? Yes <input type="checkbox"/> or No <input type="checkbox"/> (If either is answered YES, then the offer must be declined in accordance with the minimum accountabilities)	
Is there a legitimate business benefit to the organisation, public sector or State from accepting the offer, i.e. does it meet the following: a) it was offered during the course of the your official duties (Y/N); and Yes <input type="checkbox"/> or No <input type="checkbox"/> b) it relates to your official responsibilities (Y/N); and Yes <input type="checkbox"/> or No <input type="checkbox"/> c) it has a benefit to the organisation, public sector or State (Y/N). Yes <input type="checkbox"/> or No <input type="checkbox"/>	
(If NO, the offer must be declined, and if YES then the business benefit must be detailed, in accordance	



with the minimum accountabilities).

Approval of the Gift or Benefit – To be Completed by Manager

Decision regarding gift/benefit:

Complete if individual declined offer:

I have reviewed this declaration form and submitted it for inclusion on the organisation's gifts, benefits and hospitality register. Yes or No

Complete if individual accepted offer

I have reviewed this declaration form and, confirm that, to my knowledge, accepting this offer:
a) does not raise an actual, potential or perceived conflict of interest for the individual or myself; **and**
b) will not bring the individual, myself, the organisation or the public sector into disrepute; **and**
will provide a clear business benefit to the organisation, the public sector or the State.

Detail decision regarding ownership of tangible offers (e.g. specify whether employee retained gift; transferred to organisation's ownership; returned to offeror; donated to charity etc.):

Manager:	Signature	Date _ / _ / _
CFO/CEO:	Signature	Date _ / _ / _

Gift Register Noted

Date _ / _ / _

