

Gifts, Benefits and Hospitality – Responding to Offers

Key Words

gifts – benefits – hospitality – conflict of interest – integrity – offer – declaration – register – private – token – present – prize – presenter – door – contribution – reward – charity – bonus – donation – giveaway – grant – endowment – souvenir – subsidy – tribute – favor – allowance – free – goodie – profit – aid – asset – perk – gain – extras – cordial – generous – accommodation – entertainment – event – hospitableness – welcome – oblige – protocol – function – speech – address – grateful -

Preamble

This *business rule* aims to ensure that CFA employees and volunteers are aware of and able to comply with their obligations, responsibilities and duties associated with responding to the offer of gifts, benefits and hospitality in the course of their CFA duties.

This *business rule* establishes CFAs process for the management and declaration for offers of gifts, benefits and hospitality. This includes compliance with the Victorian Public Sector Commission's gifts, benefits and hospitality minimum accountabilities that are binding under the Instructions supporting the Standing Directions of the Minister for Finance (instruction 3.4). The direction and guidance for gifts, benefits and hospitality reinforces the Victorian Public Sector values of impartiality, integrity and accountability set out in section 7 of the Public Administration Act 2004 (Vic).

Introduction

Definitions

(Note: Commonly defined terms are located in the CFA Policy Dictionary)

Benefits means preferential treatment, privileged access, favours or other advantages offered to an individual. This may include invitations to sporting, cultural or social events, access to discounts and loyalty programs (that are not part of a corporate scheme), and promises of a new job. The value of benefits may be difficult to define in dollars, but as they are valued by the individual, they may be used to influence the individual's behaviour.

Business Associate means an external individual or entity which CFA has, or plans to establish, some form of business relationship, or who may seek commercial or other advantage by offering gifts, benefits or hospitality. E.g. prospective suppliers.

Ceremonial gifts means 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 CFA, irrespective of value, and should be accepted by individuals on behalf of CFA. The receipt of ceremonial gifts should be recorded on the GBH register but do not need to be published online.

CFA employee means a person who is directly employed by CFA, including those employees on a fixed term or casual employment contract, consultancy or contractor and also includes members of the Authority (the Board).

CFA volunteer means an officer or member who receives no remuneration for their services in relation to a brigade, but does not include an officer or member of an industry brigade.

Conflict of interest means where an employee or volunteer has private interests that could improperly influence, or be seen to influence, their decisions or actions in the performance of their public duties.

A conflict of interest may be actual, potential or perceived:

- a) *Actual conflict is one where* there is a current conflict between an employee or volunteer's public duties and their private interests.
- b) *Potential conflict* means where an employee or volunteer has private interests that *could* conflict with their public duties. This refers to circumstances where it is reasonable and foreseeable that a conflict may arise in future, and steps should be taken now to mitigate that future risk.
- c) *Perceived conflict means* the public, or a third party, could reasonably form the view that an employee's or volunteer's private interests could improperly influence their decisions or actions, now or in the future.

Gift/s means free or discounted items and any item that would generally be seen by the public as a gift. These include items of high value (e.g. artwork, jewellery or expensive pens), low value (e.g. a small bunch of flowers), consumables (e.g. chocolate) and services (e.g. painting and repairs). This does not impact on the ability of CFA to fundraise. Fundraising that is consistent with relevant legislation and any government policy is not prohibited.

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

Legitimate business benefit means gifts, benefits and hospitality accepted or provided for a business purpose, in that it furthers the conduct of official business or other legitimate goals in CFA, the public sector or the State.

Non-token offer means an offer of a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value. All offers worth more than \$50 are non-token offers and must be recorded on a gift, benefit and hospitality register.

Offer means any expression or advancement of a gift, benefit or hospitality to CFA employees or volunteers in their capacity as a representative of CFA by an external individual or organisation.

Public register means CFA's record, preferably digital, of a subset of the information contained in a register, for publication as required by the VPSC Minimum Accountabilities.

Register means a record, preferably digital, of all declarable gifts, benefits and hospitality derived from the declaration form.

Token offer means an offer of 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 VPSC Minimum Accountabilities state that token offers cannot be worth more than \$50 (i.e. \$50 or less is accepted as a "token" offer).

CFA Parent policy documents

1. Integrity *strategic policy*
2. Gifts, Benefits and Hospitality *executive policy*

Purpose


3. This *business rule* establishes CFA's responsibilities and accountabilities to ensure that CFA employees and volunteers manage offers for gifts, benefits and hospitality in accordance with the standards and requirements established by the Victorian Public Sector Commission (VPSC), Instructions to support the Standing Directions of the Minister for Finance and CFA policy.
4. This *business rule* aims to support CFA employees and volunteers to avoid conflicts of interest and to maintain high levels of integrity and public trust in their management of gifts, benefits and hospitality being offered.
5. This *business rule* provides appropriate guidance, case studies and standards to CFA employees and volunteers for responding to offers of gifts, benefits and hospitality.
6. CFA expects employees and volunteers to apply the provisions contained in this *business rule* in the spirit in which it is intended, including the application of the VPSC Minimum Accountabilities in *good faith*.

Who does this *business rule* apply to

7. This *business rule* applies to all CFA employees, including Board members, consultants, contractors, and employees on fixed term or casual employment contracts and also applies to CFA volunteers.

When this *business rule* applies

8. This *business rule* applies to CFA employees and volunteers acting in their official capacity, function or role whilst representing the organisation that are being offered a gift, benefit or hospitality in the course of their duties.
9. This *business rule* also applies in circumstances where an offer is made to CFA employees or volunteers and is instead accepted (*or taken up*) by the CFA employee's or volunteer's family member/s and or friends.

	Case Study / Example
<p>ABC Corporation sends 2 tickets to a CFA employee or volunteer enabling free access and attendance to the Australian Formula 1 Grand Prix.</p> <p>The CFA employee or volunteer does not attend the event, but their brother and girlfriend use the tickets instead, and attend the Grand Prix event.</p> <p>This is an unacceptable practice and would likely give rise to an internal investigation and carry consequences.</p>	

When this *business rule* does not apply

10. This *business rule* does not apply where CFA employees and volunteers are acting outside of their official CFA work capacity, commitments or representations.
11. This *business rule* does not apply to internal offers/acceptance of gifts, benefits or hospitality between CFA colleagues or contained within personal relationships at work and funded personally.
12. This *business rule* does not apply to gifts, benefits and hospitality provided to CFA employees and volunteers that are funded by CFA. (Such matters rely on VPSC guidance, internal budget, CFA's financial policy and process, and the approval of delegates with the appropriate financial and statutory delegation – Refer also to CFA's Gifts, Benefits and Hospitality – Provision of - *business rule* and FAQs).
13. This *business rule* does not apply to CFA employees and volunteers undertaking fundraising in line with relevant legislation, government or CFA policy.
14. This *business rule* does not apply to CFA employees and volunteers (including brigades) receiving donations on behalf of CFA in line with legislation and government or CFA policy.

Roles and responsibilities of officers administering this *business rule*

15. CFA's Corporate Governance unit is responsible for the development, review and implementation of this *business rule*.
16. CFA's Corporate Governance unit is responsible for the management CFA's gifts, benefits and hospitality including reporting functions.


Behaviours and standards

17. CFA is committed to developing a culture which reflects the principles of *inclusion and fairness* in all aspects of its operations and management. An inclusion and fairness culture aims to embrace differences and encourage opportunities for all. For more information on CFA's approach to inclusion and fairness, refer to the *Inclusion and Fairness procedure*.
18. All *procedures* must be drafted in consideration of obligations, responsibilities and duties aligned with CFA's organisational values, Volunteer Charter and Volunteer Code of Conduct and the Victorian Public Sector Commission Code of Conduct for Victorian Public Sector Employees and other applicable legislation.
19. All procedures and practices contained within this *procedure* must be undertaken in accordance with the principles of *equal opportunity* and the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

20. It is expected that CFA employees continue to engage the organisations values in the event of an emergency.

VPSC minimum accountabilities

21. The VPSC has established binding Minimum Accountabilities for the appropriate management of gifts, benefits and hospitality (refer to Attachment 1). CFA must manage offers of gifts benefits and hospitality in accordance with these Minimum Accountabilities.
- a) Whilst the VPSC Minimum Accountabilities establish the parameters for managing and reporting on gifts, benefits and hospitality, CFA has resolved to extend upon the VPSC minimum accountabilities and adopt higher standards and processes that take into account CFA's specific role.

	Note: CFA and the community
<p>As a statutory authority that delivers emergency services and raises community awareness in emergency management practices, CFA holds a high profile across many communities and even across the State of Victoria. CFA is also unique in it's composition of employees and volunteers being its primary workforce and must consider the implications and risks associated with working so closely to and with the community, particularly in the area of public perception and trust.</p> <p>The relationship with Victorian communities is critical to CFA, as is maintaining it's good standing and reputation as a responsible and transparent statutory authority, and in being seen to uphold the VPSC values.</p>	

22. CFA employees and volunteers are required to familiarise themselves with and act in accordance with their obligations, responsibilities and duties contained in the provisions (and attachments) of this *business rule*. In some instances, these obligations extended beyond the VPSC Minimum Accountabilities.

Procedure

23. CFA accepts that as a result of the critical relationships and frequent direct contact between CFA and Victorian communities, foreign dignitaries and members of the public, that employees and volunteers will regularly receive offers of gifts, benefits and hospitality.
24. CFA recognises that liaising with external stakeholders is intrinsic in enabling many of its employees and volunteers to fulfill their CFA roles and functions.
25. CFA distinguishes between token gifts, token hospitality and token benefits. This distinction aims to avoid the higher likelihood and risk of a real, potential or perceived conflict of interest.
- a) The advantage or favour of a "*benefit*" may be difficult to define in dollars, but may be used to influence an individual's behaviour.
26. All gifts, benefits and hospitality declarations should be made using CFA's standard declaration form (refer to Attachment 2 – also available via CFA's intranet - both PDF and interactive electronic form).
- a) Declaration forms must be completed and forwarded to gifts@cfa.vic.gov.au for assessment and registration within 14 calendar days from the date of the offer being received by the CFA employee/volunteer.
27. CFA's Gifts Officer is available to provide advice on the appropriate management and obligations associated with offers of gifts, benefits and hospitality to CFA employees and volunteers.
28. Gifts that are required to be surrendered to CFA (or transferred to the ownership of CFA), must be forwarded to CFA's Gifts Offer.
29. Where there is ambiguity in relation to the management of an offer for a gift, benefit or hospitality, the determination of the Gifts Officer will be final.

Token Offers

30. CFA employees and volunteers may accept *appropriate* token offers of gifts, benefits and hospitality. *Appropriate means pursuant to CFA's organisational values, Code of Conduct for Volunteers and/or the VPSC Code of Conduct Public Sector Employees.

Gifts (token)

31. CFA employees must declare all token offers of gifts, whether the offer is accepted or declined.
32. CFA employee declarations for token offers of gifts do not require approval from the declarant's line manager.
33. CFA volunteers are not required to declare token offers of gifts whether the offer is accepted or declined.
34. Where a gift would likely bring the declarant or CFA into disrepute, the gift must be refused and returned. If it represents a conflict of interest for the declarant, the declarant should wherever possible declare and return the gift, or where this is not possible, transfer ownership of the gift to CFA, via the Gifts Officer, which will mitigate this risk.
35. Where a gift needs to be returned, this should be done when the gift is being offered (wherever possible). Where this is not possible, the gift along with a declaration should be forwarded to CFA's Gifts Officer.
36. Where a gift will be transferred to CFA's ownership, the declaration and gift should be forwarded to CFA's Gifts Officer.

Benefits (token)

37. CFA employees and volunteers must declare all token offers of benefits whether the offer is accepted or declined.
38. CFA employee and volunteer declarations for token offers of benefits do not require approval from the declarant's line manager.

Hospitality (token)

39. CFA employees and volunteers are not required to declare token offers of hospitality whether the offer is accepted or declined.

Non-Token Offers

Gifts (non-token)

40. CFA employees and volunteers must refuse and declare all non-token offers of gifts.
41. CFA understands that there may be instances where there is no reasonable opportunity to refuse a non-token offer of a gift (refer to the *Note: Declaration of gifts post acceptance* below for an example of this circumstance).
- a) In this instance, a declaration must be completed and signed by the declarant and line or the Gifts Officer within five business days of the offer being made (and accepted).



Note: Declaration of gifts post acceptance

A CFA employee or volunteer may be offered a wrapped gift from an overseas delegate that they later identify as being a non-token gift e.g. an expensive pen. In these cases, the employee or volunteer must complete a declaration form (including the declarant and line manager's signature) within five business days of the offer being accepted.

Where practicable, the gift should be declared and returned to the donor (declined), or where unable to do so, returned to CFA's Gifts Officer.

Benefits and hospitality (non-token)

42. CFA employees and volunteers must declare all non-token offers of benefits and hospitality whether accepted or declined.
43. CFA employees and volunteers may accept non-token offers of benefits and hospitality where the following criteria is met:
 - a) The offer must have a legitimate business benefit for CFA, the public sector or the State. This benefit will be recorded with sufficient detail on the declaration form.



Note: Legitimate business benefit

In an effort to assist the declarant, CFA's declaration form provides common appropriate options to select and best describe the claimed business benefit. "Networking" is not a legitimate business benefit.

The declaration form provides some examples to describe a legitimate business benefit.

- b) Must not pose an actual, potential or perceived conflict of interest or bring the organisation into disrepute.
- c) All accepted non-token offers require a declaration form to be completed and signed by the declarant and line manager of the CFA employee or volunteer to whom the offer has been made, prior to the offer being accepted.
- d) The Minimum Accountabilities (refer to Attachment 1) have been considered and met.

Refusing and accepting offers

44. Regardless of the value, there are some circumstances where an offer must unequivocally be refused. Refer to Attachment 3 for guidance on the refusal of offers.
45. The GIFT Test (refer to Attachment 4) provides further guidance in the consideration of accepting gifts, benefits and hospitality being offered.
46. CFA employees and volunteers should be alert to repeated offers of gifts, benefits and hospitality from a single source. Repeated offers (token and non-token) must be managed appropriately.
 - a) The total value of the offers over a year may be quite high, and receiving multiple offers from the same person or organisation can generate a stronger perception that they will influence employees and volunteers. When accepting offers becomes a habit or even an expectation, employees and volunteers may be in breach of the Code of Conduct.

Procurement and CFA suppliers

47. CFA employees and volunteers working directly in procurement must decline and declare all offers (token and non-token offers) of gifts, benefits and hospitality.
48. CFA employees and volunteers not working in procurement but receiving an offer from a current or prospective CFA supplier must decline and declare all offers (token and non-token offers) of gifts benefits and hospitality.

Ceremonial gifts

49. Ceremonial gifts are official gifts provided as part of the culture and practices of communities and Government within Australia or internationally.
50. Ceremonial gifts are the property of CFA, irrespective of value, and should be accepted by individuals on behalf of CFA so as not to cause offense. All ceremonial gifts received should be forwarded to CFA's Gifts Officer along with the completed declaration form.
51. The receipt of ceremonial gifts will be recorded on CFA's register.

Declarations

52. CFA employees and volunteers receiving an offer are responsible to complete CFA's Gifts, Benefits and Hospitality declaration form (Attachment 1).
53. Declaration forms must be completed in full to the best of the declarant's ability, knowledge and available information, and in all instances, must be signed by the declarant, and as required, by the respective line manager. Note: Electronic signatures lodged via CFA's interactive declaration eform is acceptable practice.
54. Completed declaration forms must be submitted to CFA's Gifts Officer via gifts@cfa.vic.gov.au within 14 calendar days of the offer being received. Where the declaration form will be assessed for completeness and entered onto CFA's gifts benefits and hospitality register.
55. CFA's Corporate Governance unit, the declarant and their respective line manager will have access to their individual declaration forms.
56. Where an investigation is taking place, CFA's Legal services or CFA's Integrity unit may request from the Corporate Governance unit, access to individual declaration forms.
57. Other processes of a legal nature e.g. Subpoena's and Freedom of Information may also have access to individual declaration forms.

Reporting

58. CFA's Finance, Risk and Audit Board Committee (FRAC) will receive a report at least annually on the administration and quality control of CFA's gifts, benefits and hospitality policy, processes and register.
59. The FRAC report will include analysis of CFA's gifts, benefits and hospitality risks (e.g. inappropriate repeat offers), risk mitigation measures and any proposed improvements.
60. Given the compliance obligation for gifts, benefits and hospitality contained in the Instructions for the Finance Minister's Standing Directions, external audit may also require access to CFA's register and where required, individual declarations.
61. All requests for access to individual declaration forms must be made through CFA's Gifts Officer.

CFA's Gifts Benefits and Hospitality Register

62. CFA will record all declarations as required by the VPSC and provisions contained in this *business rule* in the internal gifts, benefits and hospitality register.
63. The public register will contain a subset of the information detailed in CFA's internal register as required by the VPSC.

Breaches

63. CFA expects all employees and volunteers to comply with the provisions contained in this *business rule* and the VPSC Minimum Accountabilities in good faith.
64. Where a breach of the provisions contained in this *business rule* occurs, and the employees and volunteers involved in that breach have acted in good faith, no disciplinary action will be taken.
65. Disciplinary action consistent with relevant industrial agreements and legislation, including dismissal, may be taken where CFA employees or volunteers fail to comply with this *business rule*.
 - a) This includes where CFA employees or volunteers fail wherever possible to avoid or identify, declare and manage a conflict of interests related to gifts, benefits and hospitality (in accordance with CFA's *Conflict of Interests and Private Interests executive policy and business rule*).

66. Actions inconsistent with this *business rule* may constitute misconduct under the *Public Administration Act 2004*, which includes:
- a) Breaches of the binding Code of Conduct for Victorian Public Sector Employees, such as section 3.7 – Conflict of Interest, section 3.9 – Public Trust, and section 4.2 – Gifts and Benefits; and
 - b) Individuals making improper use of their position.
67. Where relevant, CFA will communicate its policy and *business rules* on the offering and provision of gifts, benefits and hospitality to its business associates. Those business associates identified as acting inconsistently with the policy and/or *business rule* may be subject to contract re-negotiation, including termination.

Speak Up

68. CFA employees and volunteers who consider that gifts, benefits and hospitality or conflicts of interests within CFA may not have been declared or are not being appropriately managed should *speak up* and notify their line manager or the Gifts Officer as soon as possible.
69. CFA will take decisive action, including possible disciplinary action, against individuals who discriminate or victimise those who *speak up* in good faith.

Approvals & Administration Features

Related CFA *strategic and/or executive policy, business rules* or other supporting documentation

- 70. CFA's gifts, benefits and hospitality Quick Reference Guide (matrix).
- 71. CFA's Provision of Gifts benefits and hospitality FAQ's.
- 72. Gifts Benefits and Hospitality declaration form.

Business rule status

- 73. This *business rule* was endorsed by the CFA Executive on 5 July 2018.
- 74. This *business rule* was approved by General Counsel 24 July 2018.

Modification and review

- 75. This *business rule* is due for review in September 2021.
- 76. The Gifts Officer is responsible for reviewing this *business rule*.




Revision history					
Approved	Reviewed	Revised	Amended	Revoked	Date
x					24/07/2018
			x		23/09/2019

Further information

- 77. CFA employees and volunteers who require more information, explanation, guidance or are unsure about any of the points raised under this *business rule* should refer to their line manager or send an enquiry to gifts@cfa.vic.gov.au for advice.
- 78. Contact the Gifts Officer , CFA's Executive Officer Policy & Corporate Governance, Sapphire Christofilos for further information pertaining to this *business rule* via ext 8772 or email gifts@cfa.vic.gov.au

Attachment 1

**Victorian Public Sector Commission's
Minimum Accountabilities**

	<p>Public officials offered gifts, benefits and hospitality</p>
<ol style="list-style-type: none"> 1. Do not, for themselves or others, seek or solicit gifts, benefits and hospitality. 2. Refuse all offers of gifts, benefits and hospitality that: <ol style="list-style-type: none"> (a) are money, items used in a similar way to money, or items easily converted to money; (b) give rise to an actual, potential or perceived conflict of interest; (c) may adversely affect their standing as a public official or which may bring their public sector employer or the public sector into disrepute; or (d) are non-token offers without a legitimate business benefit. 3. Declare all non-token offers (valued at \$50 or more) of gifts, benefits and hospitality (whether accepted or declined) on their organisation's register, and seek written approval from their manager or organisational delegate to *accept any non-token offer (*for CFA this means the acceptance of a non-token benefit or hospitality as non-token gifts are prohibited from being accepted). 4. Refuse bribes or inducements and report inducements and bribery attempts to the head of the public sector organisation or their delegate (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission). 	
	<p>Public officials providing gifts, benefits and hospitality</p>
<ol style="list-style-type: none"> 5. Ensure that any gift, benefit and hospitality is provided for a business purpose in that it furthers the conduct of official business or other legitimate organisational goals, or promotes and supports government policy objectives and priorities. 6. Ensure that any costs are proportionate to the benefits obtained for the State, and would be considered reasonable in terms of community expectations. 7. Ensure that when hospitality is provided, individuals demonstrate professionalism in their conduct, and uphold their obligation to extend a duty of care to other participants. 	
	<p>Heads of public sector organisations</p>
<ol style="list-style-type: none"> 8. Establish, implement and review organisational policies and processes for the effective management of gifts, benefits and hospitality that comprehensively address these minimum accountabilities. 9. Establish and maintain a register for gifts, benefits and hospitality offered to public officials that, at a minimum, records sufficient information to effectively monitor, assess and report on these minimum accountabilities. 10. Communicate and make clear within the organisation that a breach of the gifts, benefits and hospitality policies or processes may constitute a breach of binding codes of conduct and may constitute criminal or corrupt conduct, and may result in disciplinary action. 11. Establish and communicate a clear policy position to business associates on the offering of gifts, benefits and hospitality to employees, including possible consequences for a business associate acting contrary to the organisation's policy position. This must take into consideration any whole of Victorian Government supplier codes of conduct. 12. Report at least annually to the organisation's audit committee on the administration and quality control of its gifts, benefits and hospitality policy, processes and register. This report must include analysis of the organisation's gifts, benefits and hospitality risks (including repeat offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements. 13. 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. 	







Gifts Benefits and Hospitality

Declaration Form

	Introducing Gifts Benefits and Hospitality (GBH)
<p>This declaration form supports CFA’s Gifts, Benefits and Hospitality (GBH) <i>policy</i> and <i>business rules</i>. CFA employees and volunteers must manage and declare offers of GBH (whether accepted or declined) pursuant to the applicable provisions contained in CFA’s GBH – Offers of - <i>business rule</i>.</p>	
	What does this internet symbol mean?
<p>The Victorian Public Sector Commission requires organisation’s to make their gifts register publically available. This internet symbol informs the person completing the form (i.e. making a declaration) that the information in that specific field will (or may depending on other variables as described) be made publically available through the publication of the organisation’s register on the CFA internet website.</p>	
<p>In the interests of protecting personal information from being published publically, some conditions and limitations may apply. These are noted in red below the internet icon.</p>	
	Further assistance and form submission
<p>For assistance on declaring or managing GBH, please contact CFA’s Gifts Officer at the Corporate Governance Unit via gifts@cfa.vic.gov.au – Forms should also be submitted at gifts@cfa.vic.gov.au</p>	

Section 1 – Person making the declaration (declarant) to complete

	Member and declaration details	
1. Declaration date: (i.e. the date you making this declaration)		
2. Declarant name:		
3. Declarant position title:		
4. CFA Department or Brigade & Region	Published on the intranet <u>only</u> if the offer is <u>accepted</u>	
5. CFA membership status:	Employee <input type="checkbox"/> Volunteer <input type="checkbox"/>	
	Offer details	
6. Date of offer:		
7. Describe the gift, benefit or hospitality offered:	(<u>Ceremonial gifts</u> are not published on the intranet)	

8. Estimated or actual dollar value:	 \$; or <input type="checkbox"/> Ceremonial gift
9. Name of the person (donor) making the offer:	
10. Position of the person (donor) making the offer:	 Published on the intranet <u>only</u> if the offer is <u>accepted</u>
11. Name of organisation making the offer:	 Published on the intranet <u>only</u> if the offer is <u>accepted</u>
12. Type of organisation making the offer: a) e.g. Sporting organisation; b) e.g. Conference organisation; or c) e.g. Lobbying firm.	 Published on the intranet instead of publishing the name of organisation for <u>declined</u> offers





Assessing the offer against any relationship

13. Is the person or organisation making the offer a business associate of CFA?	Yes <input type="checkbox"/> No <input type="checkbox"/> If " Yes " proceed to either 13 a) ; and If " No " proceed to 13 b) below
13 a) If YES , describe the relationship between the person or organisation making the offer and CFA:	
13 b) If NO , describe the relationship between you and the person or organisation making the offer; for example, a personal relationship.	







Assessing the offer being made

14. Why is the offer being made?	
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<p>15. The offer has been (please indicate):</p> <p><i>All offers of non-token gifts must be declined. All offers of non-token benefits & hospitality may be accepted (but must be approved by your line manager at section 2).</i></p>	<p style="text-align: right;">Accepted <input type="checkbox"/> Declined <input type="checkbox"/></p> <p style="text-align: right;">If "accepted", go to section 16 If "declined" go to section 21</p>
<p>16. Does accepting the offer create an actual, potential or perceived conflict of interest?</p>	<p style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If "Yes", then the offer <u>must be declined</u> at section 15</p>
<p>17. Would accepting the offer bring you, the CFA or the public sector into disrepute?</p>	<p style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If "Yes", then the offer <u>must be declined</u> at section 15</p>
<p>18. Is this a "<u>token</u>" or "<u>non-token</u>" offer?</p> <p> <ul style="list-style-type: none"> • Refer to section 8 for your \$ value • Token is \$50 or less or ceremonial gift • Non-Token is more than \$50 </p>	<p style="text-align: right;">Token <input type="checkbox"/></p> <p>If "token" (including ceremonial gift) go to section 20</p> <p style="text-align: right;">Non-Token <input type="checkbox"/></p> <p>If "non-token" go to section 19</p>
<p>19. Is there a legitimate <u>business benefit</u> to CFA, the public sector or the State for accepting the offer?</p> <p>For example:</p> <ol style="list-style-type: none"> a) Was it offered during the course of your official duties? b) Does it relate to your official responsibilities? c) Does it have a legitimate benefit to the organisation, public sector or State? 	<p style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If "Yes" the business benefit <u>must be detailed below</u> If "No" the offer <u>must be declined</u> at section 15</p> <p>Details of the business benefit:</p> <p>You may chose from the boxes below or add free text:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Enhances community relationships <input type="checkbox"/> Contributes to the goals and culture of CFA/Public Sector <input type="checkbox"/> Upholds and enhances the reputation of CFA/Public Sector <input type="checkbox"/> Furthers the conduct of official business <input type="checkbox"/> Training and knowledge relevant and beneficial to CFA/Public Sector <input type="checkbox"/> Ceremonial gift (see also section 20) <p>Other:</p>
<p>20. Is the offer an official or ceremonial gift provided when conducting business with official delegates or representatives from:</p> <ol style="list-style-type: none"> a) Another organisation; b) The community; c) A foreign government? 	<p style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If "Yes" please provide details</p> <p>Details of the organisation:</p>
<p> Declarant's signature</p>	
<p>21. I declare that to my knowledge and to the best of my ability, the information that I have provided in this declaration is true and correct</p>	<p style="text-align: right;">Add signature and date in this box</p> <p>Declarant signature:</p> <p>Date:</p>

Section 2 – Line manager to complete











For all Accepted Non-Token Offers of Benefits & Hospitality (>\$50)

	Line manager details	
	22. Name of the responsible line manager:	
	23. Position title of responsible line manager (e.g. Executive Director):	
	24. Unit / Division / Brigade & Region: (e.g. Corporate Governance at CFA HQ)	
	25. Line management relationship to the declarant:	
	Offer determination	
	26. I have reviewed this declaration form and confirm that, to my knowledge, accepting this offer: <ul style="list-style-type: none"> 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 c) Will provide a clear business benefit to the organisation (<i>as per stated in section 19 c of this form</i>), the public sector or the State. 	Please sign, date and <i>proceed to section 27</i> Signature: Date:
	Gift ownership	
	27. Record the decision about ownership of the gift; for example did the declarant: <ul style="list-style-type: none"> a) Retain the gift; b) Accept an official or ceremonial gift on behalf of the organisation; c) Transfer ownership of the gift to CFA; d) Return the gift to the donor; or e) Donate the gift to charity. 	

*Form updated 23 September 2019

Attachment 3





Refusal of Offers (Guidance)

Refusal of offers	
CFA employees and volunteers must refuse offers that:	
	Are 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, CFA or the public sector into disrepute.
	Are 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: <ul style="list-style-type: none"> • Made by a current or prospective supplier • Made during a procurement or tender process by a person or organisation involved in the process; or • Likely to be a bribe or inducement to make a decision or act in a particular way.
	Extend to their relatives or friends.
	Is money, or used in a similar way to money, or something easily converted to money.
	Where, in relation to hospitality and events, CFA 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.
	Is made by a person or organisation with a primary purpose to lobby Ministers, Members of Parliament or public sector organisations.
	Are made in secret.
Bribes and inducements	
	If an individual considers they have been offered a bribe or inducement, the offer must be reported to their line manager and CFA's Integrity unit (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission).

Attachment 4

GIFTS Test

Guidance for accepting gifts benefits and hospitality

<p>G</p>	<p>Giver</p> 	<p>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 or organisation benefit from a decision I make?</p>
<p>I</p>	<p>Influence</p> 	<p>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 courtesy or a token of appreciation or a valuable non-token offer? Does its timing coincide with a decision I am about to make?</p>
<p>F</p>	<p>Favour</p> 	<p>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 or organisation made several offers over the last 12 months? Would accepting it create an obligation to return a favour?</p>
<p>T</p>	<p>Trust</p> 	<p>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?</p>