

QMS-PRO-20

GIFTS, BENEFITS & HOSPITALITY



1. PURPOSE

The purpose of this procedure is to establish clear processes and accountabilities for accepting, refusing and reporting offers of gifts, benefits and hospitality.

This procedure aims to promote public confidence in the impartiality and integrity of MMA as a public sector body.

2. SCOPE

The scope of this procedure applies to all MMA Board Members, Managers, and Employees.

This procedure is aligned with the Victorian Public Sector Commission Gifts, Benefits and Hospitality Policy framework.

3. DEFINITIONS

Benefit - refers to preferential treatment, privileged access, favours or other advantages offered to a person.

Bribe - refers to money or other inducements given or promised to a person to corruptly influence the performance of their role.

Contractor - means all agents, contractors and sub-contractors engaged directly or indirectly by MMA and includes their employees and representatives.

CEO - refers to MMA's Chief Executive Officer.

CFO – Chief Financial Officer

EA - refers to the Executive Assistant to the CEO.

Employee - refers to MMA Board Members, Managers, employees and individuals engaged directly by MMA on a contract basis.

Gifts - refers to free or heavily discounted items, intangible benefits or hospitality exceeding common courtesies that are offered to Employees in association with their work. Small promotional gifts from suppliers or stationery from conferences are not considered to be gifts.

Hospitality - refers to a friendly reception and treatment of guests. Hospitality can range from offers of light refreshment at a business meeting to a restaurant meal, sponsored travel and accommodation.

MMA Managers - is a reference to a person employed by the MMA holding the position of manager or executive.

Token Gifts - refer to an item that is of inconsequential or of trivial value that cannot be worth more than \$50.

4. PROCEDURE

4.1 Gifts, Benefits and Hospitality

MMA is required to operate with integrity and transparency, Employees must remain impartial in their actions and decisions.

Employees shall not accept gifts from people seeking to influence their decisions or where the acceptance of gifts may give the impression that an Employee will favour a particular person or organisation when making decisions or taking action.

Employees have a responsibility under the Victorian Public Sector Commission Code of Conduct to not solicit gifts, benefits or hospitality for themselves or others.

Employees shall report all repeat offers of gifts to the Chief Executive Officer (CEO) of MMA.

Employees must refuse all bribes or inducements and report bribery attempts to the CEO who shall report the incident to Victoria Police.

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Employees shall refuse all offers of gifts, benefits and hospitality that:

- are money, items used in a similar way to money, or items easily converted to money;
- give rise to an actual, potential or perceived conflict of interest;
- may adversely affect their standing as a public official or which may bring their public sector employer or of the public sector into disrepute; or
- are non-token offers without a legitimate business benefit.

4.2 Accepting Gifts

All Gifts received and refused must be recorded by the employee on the QMS-FOR-20.1 Gift Register.

In normal circumstances, and provided that MMA is not in any stage of a Tender process, gifts may be accepted on behalf of MMA provided that it is then delivered to the EA. Any gift received away from the office, at events/conferences or outside of working hours are still considered a gift and shall be lodged with the EA next working day.

Gifts received during the course of the year will be distributed among Employees via a random draw/s, coordinated by the EA. Perishable gifts will be shared with employees in an appropriate method.

Additional care shall be taken when considering offers of gifts from people or organisations about whom they are likely to make decisions involving:

- employment
- tendering and procurement processes
- provision of services
- enforcement
- licensing

Refused Gifts also need to be recorded in the Gift's register.

The Gifts Register will be reviewed annually by the Finance, Audit and Risk Management Committee.

The MMA's gifts (employees and board members only), benefits and hospitality policy and register for amounts greater than \$50 is to be published on the MMA's public website. The published register will cover the current and the previous financial year.

4.3 During a Tender Process / Business Deal

Employees are not permitted to accept any gifts from companies or individuals who are involved in a tender process being undertaken by MMA.

Where gifts are received during a tender or business deal, the EA shall be informed who will arrange for their courteous return.

4.4 Purchasing of Goods, Services and Produce within the Market

To minimise the risk of Market users offering gifts to Employees, goods may only be purchased for personal household consumption from Market users or within market land. Where an Employee would like to make bulk quantity purchases on occasion (i.e. more than what it considered 'personal household consumption'), the Employee must first seek permission for their immediate manager, or in the absence of their manager, from the CEO.

- To ensure transparency, all goods shall be paid for at the point of sale.
- The Staff Purchase is to be recorded by the employee on the Gift Register within one business day of purchase
- A copy of the receipt of the purchase must be sent to the EA (Management may at any time request the original receipt of purchase.

The EA/CFO shall monitor the Gifts Register and report any purchasing trends to the CEO and Managers.

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4.5 Purchasing of Food and Drinks within the Market

Employees may purchase food and drinks from the onsite cafes where the recommended retail price is paid.

To ensure transparency, all food shall be paid for at the point of sale. Employees **shall not hold accounts** or tabs with Market users.

Where a request to pay for an inconsequential item (such as cup of coffee or tea) has been declined by a café operator, an Employee may choose to accept this gift with consideration to complying with the criteria detailed in section 4.1.

4.6 Event Attendance

If an offer is received to attend a conference or participate in an industry event, the Employee may attend if there is a benefit to the MMA in the Employee attending that function in an official capacity.

When an Employee attends a conference or activity, either as a participant or as a speaker, or applies for an award in recognition of their public sector work, they are representing MMA. Any benefits accruing from the Employee's activities belong to MMA and must be declared and transferred to MMA.

4.7 Gifts Benefits and Hospitality Provided by the Organisation

A manager may elect to recognise celebration events such as departures, birthdays, marriages or the birth of children by providing a token gift.

Token gifts shall be with applied consistently across the organisation and be in line with community expectations.

4.8 Contractors

All Contractors:

- must refuse all offers of gifts, benefits or hospitality including produce, equipment, flowers and discounted or gifted food from Employees and Market users; and
- must not purchase any produce, equipment, or flowers within the Market; and
- must promptly disclose any and all gratuities, gifts and entertainment given to or received from any party that has a connection to the Market in any way.

5. SUPPORT, ADVICE & OTHER REFERENCES

- *The Victorian Public Sector gifts benefits and hospitality policy framework;*
- *Code of Conduct for Victorian Public Sector Employees*
- *Directors Code of Conduct and Guidance Notes*
- *Legislation – Crimes Act 1958*
- *Financial Management Act 1994*
- *Freedom of Information Act 1982*
- *Information Privacy Act 2000*
- *Public Administration Act 2004*

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6. RELATED DOCUMENTS

6.1 QMS-FOR-20.1 Gifts Register

7. QMS-FOR-20.1 GIFTS REGISTER AUDIT REFERENCES

7.1 ISO9001

Record	Retention	Location	Archived	Disposed
QMS-FOR-20.1 Gifts Register	5 Years	Harvest/QMS/Forms	5 Years	30 Years
Receipts	3 Years	CEO EA's Folder	N/A	3 Years