

Gifts, Benefits & Hospitality Policy

Purpose

This policy states the position of the Architects Registration Board of Victoria (ARBV) on:

- responding to external offers of gifts, benefits and hospitality; and
- provision of gifts, benefits and hospitality by ARBV .

This policy is intended to support individuals and the ARBV to avoid conflicts of interest and maintain high levels of integrity and public trust.

Scope

The Public Administration Act 2004, Code of Conduct for Victorian Public Sector Employees (No.1) 2007, Code of Conduct for Victorian Public Sector Directors and Standing Directions of the Minister for Finance provide the legislative and policy framework for the acceptance and provision of gifts, benefits and hospitality by Victorian public sector employees and public officials e.g. Directors.

A Gifts, Benefits and Hospitality Policy Framework has been issued by the Victorian Public Sector Commission (VPSC) to support behavior consistent with the Codes of Conduct and to provide the minimum requirements and accountabilities that an agencies' gifts, benefits and hospitality policy must include.

That policy framework is supported by a framework of binding minimum accountabilities set out in the Standing Directions of the Minister for Finance 2016 and are the minimum requirements for all public sector agencies to adopt.

A breach of ARBV's Gifts, Benefits and Hospitality Policy could constitute a breach of the relevant Codes of Conduct and may result in disciplinary action.

This policy applies to all ARBV workplace participants. This includes employees, executives, Board Members, contractors, consultants and any individuals or groups undertaking activity for or on behalf of ARBV.

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 VPSC. ARBV is committed to upholding 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

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 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 seek 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

ARBV through its policies, processes and Audit and Risk Committee oversight will ensure gifts, benefits and hospitality risks are appropriately assessed and managed.

Accountabilities and Responsibilities

VPSC has set binding minimum accountabilities for the appropriate management of gifts, benefit and hospitality within the Victorian public sector.

In summary those accountabilities encompass the following:

- Public officials offered gifts, benefits and hospitality
- Public officials providing gifts, benefits and hospitality
- Requirements on Accountable Person (Chief Executive Officer)

The minimum accountabilities which are described in the Guidelines to this policy are binding under the Instructions supporting the Standing Directions of the Minister for Finance 2016 and are the minimum requirements for all public sector agencies to adopt.

The Accountable Officer (Chief Executive Officer) is responsible for ensuring that the Agency develops policies and procedures that apply the minimum accountabilities set out in the Victorian Public Sector Commission's *Gifts, Benefits and Hospitality Policy Framework*.

The following are viewed as key demonstrations of compliance with the Standing Directions:

- adoption of a Gifts, Benefits & Hospitality policy;
- publication of the external register;

- annual attestation by the Accountable Officer to the Secretary of the portfolio agency that the Standing Directions have been complied with and the requirement for annual reporting of declarations to the Audit and Risk Committee has been met.

Responsibilities and Reporting

ARBV GB&H Policies & Register

The Chief Executive Officer (Accountable Officer) is responsible for the application and maintaining of the GB&H policies and associated register.

Audit and Risk Committee

The Chief Executive Officer will provide a report to the Audit and Risk Committee 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 ARBV'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.

Annual Attestation

The Chief Executive Officer is required to make an annual attestation to the Secretary of the Department of Environment, Land, Water and Planning in a form specified by the Secretary to the operation, review, promulgation and scrutiny of appropriate gifts, benefits and hospitality policies and processes within ARBV. This is in accordance with governance arrangements advised by the Premier's Circular No. 2012/02 dated 4 April 2012.

Assurance

Assurance on the effectiveness of the ARBV Gifts, Benefits and Hospitality policy will be provided through reviews initiated by the Chief Executive Officer at a minimum annually with Internal Audit if appropriate and reported to the Audit & Risk Committee.

Related Legislation/Policies

Financial Management Act 1994 and associated Standing Directions (Minimum Accountabilities)
Public Administration Act 2004
Victorian Public Sector Commission's Gifts, Benefits and Hospitality policy framework
Victorian Public Sector Commission's Conflict of Interest policy framework
Code of Conduct for Victorian Public Sector Employees
Code of Conduct for Victorian Public Sector Directors

Policy Review and Approval

The Board must approve any material amendments to the Policy and associated Guidelines as defined in the approved ARBV Policy Governance Framework.

Document information

Key information

Owner: Chief Executive Officer

Business Unit: Office of Chief Executive

Date of next review: February 2021 (or earlier if required by CEO)

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Version	Date	Comments
1.0	19 February 2019	Board approved
2.0	3 March 2020	ARC Reviewed