

Gifts, Hospitality and Benefits Policy

1. Purpose

1.1 This policy states BBBfm 89.1's position on responding to offer(s) of gifts, benefits and/or hospitality. This policy sets out the policy and procedure for accepting, declining and recording offers of gifts, benefits and/or hospitality.

2. Scope & Application

2.1 The policy applies to all employees, Board members, Committee members, contractors, consultants and any individuals or groups undertaking an activity for or on behalf of BBBfm 89.1. It also includes gifts, benefits or hospitality given to members of an employee's immediate family if the donor can be linked to the employee's duties. This policy applies to every individual working for and in BBBfm 89.1 irrespective of position or level.

3. Principles

3.1 BBBfm 89.1 is committed to and will uphold the principles of transparency, accountability and adopt a risk-based approach to all matters.

4. Definitions

Member/Individual refers to any BBBfm 89.1 Board member, member, volunteer and employee.

Gifts are the free or discounted items and any item that would generally be seen by the public as a gift. These include items of high value (such as artwork or jewellery), low value (such as a flowers) or consumables (such as a box of chocolates).

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 or promises of a new job. The value of benefits may be difficult to quantify in dollars, but as they may be valued by the intended recipient they may be used to influence behaviour.

Business Associate is an external individual or entity which BBBfm 89.1 has, or plans to establish, some form of business relationship, or who may seek commercial or other advantage by offering gifts, benefits and/or hospitality.

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

Conflict of Interest may be actual, potential or perceived. An actual conflict of interest is where there is a real conflict between a member's duties and private interests. A potential conflict of interest is where a member has private interests that could conflict with their duties. This refers to circumstances where it is foreseeable that a conflict may arise in future and steps should be taken immediately to mitigate that future risk. A perceived conflict of interest is where the public or a third party could form the view that a member's private interests could improperly influence their decisions or actions, now or in the future.

Legitimate Business Benefit is a gift, benefit and/or hospitality accepted or provided for a business purpose, in that it furthers the conduct of official business or other legitimate goals of BBBfm 89.1.

Reportable gifts are those that are recorded on the BBBfm 89.1 gift declaration form and gift register. At a minimum, reportable gifts include accepted gifts, benefits and hospitality that exceed a nominal value.

Value refers to the value in Australian dollars of the gift, benefit and/or hospitality offer.

Token Offer is an offer of a gift, benefit and/or hospitality that is offered as a courtesy or is of inconsequential or trivial value to both the person making the offer and the individual. Whilst the primary determinant of a token offer is that it would not be reasonably perceived within or outside BBBfm 89.1 as influencing an individual or raising an actual, potential or perceived conflict of interest, it cannot be worth more than \$50 (Australian) (including cumulative offers from the same source over any continuous 12 month period).

Non-token Offer is 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 (Australian) are non-token offers and must be recorded on the BBBfm 89.1's Gift Register.

Gift Register is BBBfm 89.1's record of all declarable gifts, benefits and/or hospitality. It records the date an offer was made and by whom, the nature of the offer, its estimated value, the raising of any actual, potential or perceived conflicts of interest or reputational risks and how the offer was managed. For accepted offers, it details the business reason for acceptance and the officer approving the acceptance.

5. Policy

5.1 Individuals have a duty to place the BBBfm 89.1 interest above their private interests when carrying out their official functions. They will not accept gifts, benefits or hospitality that could raise actual or perceived bias or preferential treatment. Individuals are not to accept offers from those about whom they are likely to make business decisions.

Individuals are accountable for:

- Declaring all non-token offers of gifts, benefits and hospitality,
- Declining non-token offers of gifts, benefits and hospitality,
- Seeking approval to accept the offer where an exception applies under this policy,
- The responsible provision of gifts, benefits and hospitality.

Individuals are accountable for:

- Reporting acceptance or refusal of non-token gifts, benefits and hospitality,
- Modelling good practice,
- Promoting awareness of the gifts, benefits and hospitality policy and procedure.

BBBfm 89.1, through this policy and procedure, ensures gifts, benefits and hospitality risks are appropriately assessed and managed.

6. Management of a Token Offer

6.1 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 which would be considered a basic courtesy, such as light refreshments offered during a meeting.

6.2 While the primary determinant of a token offer is that it would not be reasonably perceived within or outside BBBfm 89.1 as influencing an individual and raising an actual, potential or perceived conflict of interest, it cannot be worth more than \$50 (Australian).

6.3 If token offers are made often by the same person or organisation, the cumulative value of the offers, or the perception that they may influence the recipient, may result in the offers becoming non-token. Individuals may accept token offers of gifts, benefits and/or hospitality without approval or declaring the offer on BBBfm 89.1's Gift Register.

6.4 Individuals are to refuse all offers (excluding token hospitality such as sandwiches) made by a current or prospective supplier made during a procurement or tender process by a person or organisation involved in the process.

7. Requirements for Refusing Non-token Offers

7.1 Individuals are to refuse non-token offers:

- That are likely to influence them, or be perceived to influence them, in the course of their duties or raise an actual, potential or perceived conflict of interest,
- By a person or organisation about which they will likely make a decision. (This also applies to processes involving grants, sponsorship, regulation, enforcement or licensing.),
- Likely to be a bribe or inducement to make a decision or act in a particular way,
- That extend to their relatives or friends,
- With no legitimate business benefit,
- Of money, or used in a similar way to money, or something converted to money,
- Where, in relation to hospitality and events, BBBfm 89.1 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 in secret.

8. Bribe or Inducement

8.1 If an individual considers they have been offered a bribe or inducement, the offer must be reported to BBBfm 89.1's Board. Any criminal or corrupt conduct will be reported to the police.

9. Requirements for Accepting Non-token Offers

9.1 There may be some exceptions where there is a legitimate business reason for accepting a non-token offer. All accepted non-token offers must be approved in writing by BBBfm 89.1's Chairperson or Treasurer using the Gift Register form. It must also be consistent with the requirement that it does not raise an actual, potential or perceived conflict of interest or have the potential to bring the individual or BBBfm 89.1 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 BBBfm 89.1. Individuals may be offered a gift or hospitality where there is no opportunity to seek written approval before 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 BBBfm 89.1's Chairperson or Treasurer within five business days.

9.2 All non-token offers, whether accepted or declined, must be recorded in BBBfm 89.1's Gift Register. The business reason for accepting the non-token offer must be recorded in the register and provide sufficient detail to link the acceptance to the individual's work functions and benefit to the BBBfm 89.1.

10. Reporting

10.1 BBBfm 89.1's Board will receive a report annually on the administration and quality control of the gifts, benefits and hospitality policy and procedure and the Gift Register. The report will include BBBfm 89.1's gifts, benefits and hospitality potential risks (including multiple offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

11. Ownership of gifts offered to individuals

11.1 Non-token gifts accepted by an individual for their work or contribution may be retained by the individual where BBBfm 89.1's Chairperson or Treasurer has provided written approval. Individuals must transfer to BBBfm 89.1 official gifts or any gift of cultural significance or significant value (over \$50 Australian).

12. Requirements for providing Gifts, Benefits and Hospitality

12.1 Gifts, benefits and hospitality may be provided to welcome guests, 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 in that it furthers the conduct of official business or other legitimate BBBfm 89.1 goals and does not raise an actual, potential or perceived conflict of interest.

13. Containing Costs

13.1 Individuals should contain costs involved in the provision of gifts, benefits and/or hospitality wherever possible.

14. Consequences of Breaching the Policy

14.1 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.

14.2 BBBfm 89.1 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.

Contacts

Individuals, who are unsure about the acceptance of a gift, benefit or hospitality, or the application of this policy, should ask BBBfm 89.1's Chairperson or Treasurer for advice.

Related Documents

BBBfm Conflict of Interest Policy & Procedure

Amendments to this Procedure		
Date Approved	Item Number	Details of Amendment
13 November 2024	Full Policy	Adoption of this Procedure in its entirety