

# Gifts, Benefits and Hospitality

## Policy UP23/7

Approver	Senate
Sponsor	Deputy Vice-Chancellor (Operations)
Owner	Chief Risk Officer
Secretary	Corporate Secretary
Policy Type	Institutional
Policy Category	Corporate Governance

## 1 Purpose

- 1.1 The purpose of this Policy is to —
- provide a framework to support sound decision-making, ethical behaviour, and accountability in day-to-day work and interactions with the wider community;
  - express the practices for accepting, declaring and refusing Gifts, Benefits and/or Hospitality (GBH); and
  - express the practices for reporting Bribes and/or Kickbacks.

## 2 Definitions

Term	Definition
Asset	Any object or resource, tangible or intangible — (a) that exceeds the capitalisation threshold for that category of object or resource; (b) that represents an economic value to the University; and/or (c) the right or access to which is legally enforceable by the University.
Benefit	Preferential treatment, privileged access, favours or other intangible advantages (including, but not limited to, personal services, job offers, introductions to influential people, groups or clubs, and access to confidential or restricted information).
Bribe	A promise or transfer of any item considered to be of value or advantage from one individual or organisation to another individual, and where the party making the bribe has an expectation of receiving something from the other individual in return.
Business GBH	<ol style="list-style-type: none"> <li>(1). GBH associated with reward and recognition programs, health and wellbeing programs;</li> <li>(2). Honorariums and other minor incidental payments for undertaking an activity such as thesis examination or peer review;</li> <li>(3). GBH that form part of an approved term of employment (e.g. bonus) or an affiliate's terms of engagement or appointment;</li> <li>(4). Travel or conference attendance which is consistent with the terms of a research grant and for which funding is provided from a recognised funding body (e.g. Australian Research Council and the National Health and Medical Research Council) (this is not classed as Conference GBH);</li> <li>(5). Travel or accommodation paid for by another University or similar institution for work falling within the normal duties of an Employee;</li> <li>(6). Travel or conference attendance which is awarded as a prize for an achievement (this is not classed as Conference GBH); or</li> <li>(7). Travel funded by the University for employees presenting or attending at a conference related to their area of expertise (this is not classed as Conference GBH).</li> </ol>

<b>Term</b>	<b>Definition</b>
	(8). Hospitality/events funded by the University to which employees have been formally invited by the event organiser, and the event is sanctioned by the relevant Director/Executive member.
Committee or Senate Member	An individual who is a member of a Senate Standing Committee.
Conference GBH	Full or partial costs, hospitality and gifts provided to anyone presenting at or attending a conference or other activity (e.g. workshops, project meetings, society meetings, annual meetings or board meetings at which the University is a stakeholder, or similar, and endorsed by the Head of School/Director/or equivalent) directly related to the performance of University Business.
Conflict of Interest	means any conflict between — (1). an individual's professional duties, the duties they owe as a Senate Member and/or Staff Member, and/or University Officer and/or some other body; and their interests in their private pursuits and/or personal relationships and include — a. an actual Conflict of Interest, where an individual's current private interests directly conflict with that individual's current responsibilities to the University. b. a perceived Conflict of Interest, where other people, acting reasonably, may have a perception that there is a conflict between an individual's current or potential private interests and that individual's current responsibilities to the University, regardless of whether that is in fact the case; or c. a potential Conflict of Interest, where an individual's potential private interests may interfere with their duties and responsibilities to the University in the future.
Donor	An individual or entity that donates a Gift to the University.
Employee	An individual employed by the University.
Foreign Interference	Activities carried out covertly by, or on behalf, of a foreign actor; when it is clandestine, deceptive, corrupting and/or threatening in nature and when it is contrary to Australia's sovereignty and interests.
Gift	Anything of value offered to an individual above their normal salary, employment entitlements, membership entitlements or appointment entitlements (including, but not limited to, jewellery, flowers, alcohol, electronics, artwork, books, promotional materials, samples, discounts on goods and services, sponsorships, and cash).
Gifts, Benefits and Hospitality (GBH)	Any of the following categories — Gift, Benefit and/or Hospitality.
Hospitality	The friendly reception and treatment of others (including, but is not limited to, entertainment, food, drinks, private travel, accommodation, invitations to sporting events or social engagements, and seats at conferences or other business events).
Kickback	The negotiated transfer of a percentage of an agreed transactional value from one individual or organisation to another individual, and where the party making the kickback does so to secure the related transaction.
Policy	An approved instrument registered on the UWA Policy Library that expresses principles to regulate behaviour and practice.
Private Travel	Movement that is not related to University Activity
Travel	Movement to conduct University Activity.
University	Is The University of Western Australia, and any and all subsidiary or associated entities.
University Activity	Studying and/or working at the University, and/or taking part in recreation or other activities organised by the Guild and/or University; and/or any services and/or performance of official duties of the University, regardless of location.
University Community	All individuals who engage in University activity and/or use University property.
University Executive	Any of the following positions: <ul style="list-style-type: none"> <li>• Vice-Chancellor</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• Senior Deputy Vice-Chancellor</li> <li>• Deputy Vice-Chancellors</li> <li>• Chief Financial Officer.</li> </ul>

### 3 Scope

3.1 The scope of this Policy applies to the entire University, including its Senate Members, Committee Members, and Employees.

3.2 This Policy does not apply to Business GBH.

### 4 Accepting GBH or Conference GBH

4.1 Senate Members, Committee Members and Employees may accept —

- (a) GBH of any value up to and including \$50; and
- (b) Conference GBH of any value; without any need for approval.

4.2 Acceptance of GBH with a value of more than \$50 must be done with approvals and declarations in accordance with Table 1.

4.3 All GBH that has to be declared must be declared using the Accepted GBH Declaration Form.

4.4 Individuals with a dual role (such as an Employee who is also a Senate Member or Committee Member), will have to decide which role the GBH is being offered in relation to, and seek the appropriate approval for that role or if necessary, both roles.

4.5 Individuals must keep records of low value GBH to identify when the combined amount from the source exceeds the value threshold over any 12-month period.

4.6 GBH may be —

- (a) retained by the individual accepting the GBH;
- (b) retained for the benefit of a University related project; or
- (c) retained for the benefit of the University as a whole.

4.7 Any Gifts of cultural or historical significance must remain the property of the University regardless of its value.

4.8 Donors must transfer any cash contributions for travel and conference attendance to the appropriate Business Unit or Project Grant, and not to an individual.

4.9 The nominal value of GBH does not include GST when that GBH is given to the University. The nominal value of GBH must include GST when given to an individual.

**Table 1**

Nominal Value	Approval Required	Declarable GBH
More than \$50 up to \$150	Employees: Approval by their Manager Senate Members: Approval by the Chancellor Chancellor: Approval by the Senate	No
More than \$150	Employees: Approval by their Manager Senate Members: Approval by the Chancellor Chancellor: Approval by the Senate	Yes

## **5 Refusing GBH or Conference GBH**

- 5.1 Senate Members, Committee Members and Employees may refuse GBH of any value.
- 5.2 Senate Members, Committee Members and Employees must not —
- (a) accept monetary Gifts except local custom and cultural gift offering traditions and then only at the discretion of approvers in accordance with Table 1, and all such occurrences must be declared using the Refused GBH Declaration Form;
  - (b) accept GBH from any individual or group which the recipient knows is currently, or will in the foreseeable future be, engaged in a procurement goods and/or services, or sale of Assets for the University;
  - (c) accept GBH from anybody/organisation in which the University holds a substantial interest;
  - (d) accept GBH where the acceptance may create a real or perceived Conflict of Interest; or
  - (e) accept a GBH from foreign entities in circumstances which may create a Foreign Interference risk.
- 5.3 All GBH that has been refused must be declared using the Refused GBH Declaration Form.

## **6 Soliciting GBH or Conference GBH**

- 6.1 Individuals must not seek to solicit GBH or Conference GBH for undertaking their duties and/or functions.
- 6.2 Individuals must not facilitate, encourage or arrange for GBH or Conference GBH to be offered to members of their family, their life partner, their friends or their associates.

## **7 Bribes and Kickbacks**

- 7.1 Individuals must not accept Bribes or Kickbacks.
- 7.2 Senate Members, Committee Members and Employees must report any offer of a Bribe or Kickback made to them or to another Senate Member, Committee Member or Staff Member, by contacting Stopline as soon as practicable after the incident.

## **8 Gifts, Benefits and Hospitality Register**

- 8.1 Risk, Integrity, Safety and Compliance will maintain the GBH Register.
- 8.2 The Chief Risk Officer may periodically review the GBH Register and propose changes to this Policy or provide further guidelines to staff to ensure GBH acceptance remains appropriate.

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