SCOPE
This procedure applies to all staff, including those working in the University’s controlled entities.
For staff who have multiple appointments outside of Monash, this procedure applies to their substantive role within the Monash context.
The University may elect to apply a restricted approach to the acceptance of gifts for those staff whose work is primarily procurement. This may include a reduced reportable dollar value or the requirement for procurement staff to refuse all offers of gifts. Any such restrictions will be documented and communicated to affected staff in writing.

PROCEDURE STATEMENT
The Monash University Ethics Statement outlines the University’s commitment to assisting staff to identify and resolve ethical issues and to build and maintain a sound ethical culture. In the course of their University work, staff may be offered, or may provide, gifts, benefits or hospitality. The purpose of this Procedure is to protect staff and the University from real or perceived influence and possible criticism.

Acceptance of philanthropic gifts to the University are dealt with under the Philanthropic Gifts Policy.

1. Staff accountabilities
1.1 Staff must not seek or solicit gifts for themselves or others.
1.2 Staff must refuse all offers of gifts:
   • that are money, items used in a similar way to money, or items easily converted to money (refer to Monash Commemorative Coins in this procedure for exceptions);
   • that give rise to an actual, potential or perceived conflict of interest;
   • that may adversely affect their standing as a University staff member or which may bring the University into disrepute;
   • that are non-token offers without a legitimate business benefit; or
   • where the staff member is involved in a tender process for the procurement of goods and services or sale of assets.
1.3 Staff may retain non-reportable gifts with approval of their supervisor.
1.4 Staff must declare all reportable gifts where the individual chooses to retain it on the University's gift register (with approval of their supervisor).
1.5 Staff must consider all offers of University gifts in accordance with the Philanthropic Gifts Policy which governs these matters.
1.6 Staff must report any offer that is refused where it gives rise to an actual, potential or perceived conflict of interest.
1.7 Staff must exercise judgment in determining whether the acceptance of any gift could reasonably be interpreted by stakeholders and the community as an inducement which might place them or the University under an obligation or bring the University into disrepute.
1.8 Staff must refuse any bribes or inducements and report inducements and bribery attempts to their direct manager and the Director, Executive Services.
1.9 Staff should discuss any offers of gifts with their manager or with the Director, Executive Services if they are unsure if acceptance of the gift would comply with this procedure.
1.10 Staff must ensure that any gift provided is for legitimate University business and that costs are proportionate to the benefits obtained by the University and would be considered reasonable in terms of community expectations.
University staff are encouraged to attend conferences directly relevant to their area of academic or professional expertise. Any offer made to afford the costs of participation must be reasonable and proportionate and are not reportable where this is the case. Where the offer of costs to attend a conference appear to be excessive, attendance must be approved by the supervisor and reported on the gift register.

The Director, Executive Services will report annually to the University Audit and Risk Committee on the administration and quality control of its gifts procedure, and register, including an analysis of risks, risk mitigation measures and any proposed improvements.

2. How to register a reportable gift or offer

To register acceptance of reportable gifts or offers that are declined on the basis they give rise to a potential, actual or perceived conflict staff must:

- complete a Notification of the Acceptance of Gifts, Benefits and Hospitality form; and
- email it to execserv@monash.edu within two weeks of being accepted or declined.

3. Monash Commemorative Coins as gifts

It is permissible to give Sir John Monash commemorative $1 and $5 coins to staff, students, alumni, community members or other individuals who have provided significant service, performance or non-financial contribution to the University providing the gift complies with the following:

- prior permission is sought from the Provost’s Office (who holds and distributes such coins) wherein details of the gift are recorded in the central register;
- where the coins are directly purchased via other means such as the Monash Bookshop or the Royal Mint shop, a Dean, Executive Director, Chief Officer (or equivalent) has authorised such gift in accordance with this procedure and it is recorded in the central register held by the Provost’s Office.

4. Applying the GIFT test

In considering whether to report and/or accept an offer of a gift, irrespective of the value, staff should be guided by the GIFT test.

| G | Giver | Who is providing the gift and what is their relationship to me? Does my role require me to select suppliers, award grants or influence University decisions? Could the person or organisation benefit from a decision I make? |
| I | Influence | Are they seeking to gain an advantage or influence my decisions/actions? Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy or a token of appreciation or valuable non-token offer? Does its timing coincide with a decision I am about to make or endorse a product or service? |
| F | Favour | Are they seeking a favour in return for the gift? Has the gift 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? |
| T | Trust | Would accepting the gift, benefit or hospitality diminish public trust? How would the public view acceptance of this gift? What would my colleagues, family, friends or associates think? |
5. Applying the HOST Test

5.1 Gifts including hospitality may be provided to welcome guests, facilitate the development of business relationships, further University business outcomes and to celebrate achievements. In considering whether to offer a gift, irrespective of the value, staff should be guided by the HOST test.

| H | Hospitality | To whom is the gift or hospitality being provided? 
Will recipients be external business partners, or individuals of the host organisation? |
| O | Objectives | For what purpose will hospitality be provided? 
Will it further the conduct of official business? Will it promote and support University priorities? Will it contribute to staff wellbeing and workplace satisfaction? |
| S | Spend | Will University funds be spent? 
What type of hospitality will be provided? Will it be modest or expensive? Will alcohol be provided as a courtesy or an indulgence? Will the costs incurred be proportionate to the benefits obtained? |
| T | Trust | Will public trust be enhanced or diminished? 
Could you publicly explain the rationale for providing the gift or hospitality? Will the event be conducted in a manner which upholds the reputation of the University? |

6. Some examples to guide staff

Example
An Adjunct Monash Professor who also is employed by the Alfred Hospital in their clinical capacity is invited as a guest to a fundraising event run by the Alfred Foundation, with a ticket value of $1000.

What should they do?
As the offer does not relate to the Professor’s employment with Monash, the Monash procedure does not apply in this instance. They should however consider any relevant policy that the Alfred may have in place that governs such matters.

Example
An Associate Professor has worked closely with a Chinese university in finalising a research collaboration. Once the collaboration begins, he/she receives a jade sculpture as a gift from his Chinese counterpart. The sculpture comes with a card saying “it has been excellent to work on this project with you and your team. I hope this is a long and fruitful partnership between our institutions.

Should the Associate Professor declare this gift?
Yes: This gift could be seen to influence his/her actions in future. Whilst it may be culturally insensitive to refuse the gift, the gift should be declared on the gift register, irrespective of estimated value.

Example
A staff member had spent the past week composing and then rehearsing their presentation for a national Information Technology conference. At the conclusion of the presentation, the MC presents them with a modest bottle of wine and chocolates.

What should they do?
The MC is presenting them with chocolates and wine to say thank you for their presentation. This is considered a non-reportable offer and does not require them to be recorded on the gifts, benefits and hospitality register. The gifts can be accepted.
Example

A faculty is establishing a new collaborative course with a partner organisation overseas. The course needs to be officially recognised within the relevant state and you are asked to pay a cash fee to a public official to ensure that recognition is given in time for recruitment to commence.

**Should this be reported?**

If the fee you are asked to pay is a legal requirement then it is acceptable to make the payment but only in accordance with the University’s financial delegations. If the payment is not a legal requirement it should not be made and is defined as bribery and should be reported as such immediately.

Example

A Dean presents a Monash Commemorative Coin to an academic staff member who has significantly enhanced the growth and reputation of the University through their work in the community.

**What should they do?**

As the gift is a Monash Commemorative Coin the Dean’s office can seek approval, and obtain a coin from the Provost’s Office, who will record it in the central register. Alternatively if it is purchased via other means, they must ensure the details of the gift are recorded in the central register held by the Provost’s Office.

The staff member can accept the coin in recognition of their service to the University providing they have not previously received a coin.

7. Breach of procedure

7.1 Monash University treats any breach of our policies or procedures seriously. We encourage reporting of concerns about non-compliance and manage compliance in accordance with the applicable Enterprise Agreement or contract terms.

7.2 A staff member who breaches or who fails to adhere to this procedure may be liable to disciplinary action.

7.3 Failure to adhere to this procedure includes a situation where a staff member fails to avoid, wherever possible, or fails to identify, declare and manage, a conflict of interest related to gifts.

DEFINITIONS

| Legitimate University business | Gifts that further the conduct of official University business or other legitimate University goals. |
| Gifts                         | Free or discounted items, including hospitality, and any item that would generally be seen by the public as conferring a benefit and are retained by a staff member. Examples of gifts include jewellery, cultural gifts, flowers, invitations to dinners and cultural or social events and discounts on goods. |
| University gift               | Any gift given to the University, not retained by an individual and recordable on the University asset register. Management of these gifts is governed by a separate policy, the Gift Acceptance Policy. |
| Reportable offers             | Gifts with an estimated value in excess of $500 and that are retained by the staff member or where regardless of the estimated value, the offer would be considered excessive, give rise to an actual, perceived or potential conflict of interest or could reasonably be construed as a bribe or illegal. |
| Non-reportable offers         | Gifts with an estimated value less than $500 and that are retained by the individual and where there is no perceived, potential or actual conflict of interest evident in accepting the offer. Where hospitality is in keeping with normal business practice and not substantial in nature, it is not considered a gift for the purpose of this procedure. |
## GOVERNANCE

<table>
<thead>
<tr>
<th>Parent policy</th>
<th>Integrity and Respect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supporting schedules</td>
<td></td>
</tr>
</tbody>
</table>
| Associated procedures | • Behaviours in the Workplace  
                          • Conflict of Interest  
                          • Disciplinary action and dismissal  
                          • Gift Acceptance  
                          • Resolution of unacceptable behaviour and discrimination  
                          • Staff/student personal relationships |
| Procedure forms | • Notification of the Acceptance of Gifts, Benefits and Hospitality form |
| Legislation mandating compliance |                      |
| Category | Human Resources |
| Approval | Chief Human Resources Officer as delegate of the Chief Operating Officer - 4 July 2018 |
| Endorsement | Director, Workplace Relations - 4 July 2018 |
| Procedure owner | Director, Workplace Relations |
| Date effective | 15 October 2018 |
| Review date | 4 July 2021 |
| Version | 8 |
| Content enquiries | ask.monash or phone Monash HR on (03) 990 20400 |