



GIFTS, BENEFITS AND HOSPITALITY POLICY

NO.: CPOL/GOV027

Responsible Officer: Director Corporate Services

Adopted: February 2021

Reviewed: July 2026

Next Review: July 2030

Type: Council Policy

1. PURPOSE

The purpose of this policy is to outline Council's position on responding to offers of gifts, benefits and hospitality, with intent of supporting individuals and Council to avoid conflicts of interest and maintain high levels of integrity and public trust.

This policy supports behaviour consistent with the Act, Councillor Code of Conduct and Employee Code of Conduct.

2. SCOPE

This policy applies to all Councillors, Council committee members, employees and any individuals undertaking activity for or on behalf of Council.

3. DEFINITIONS

Term	Definition
Act	Local Government Act 2020 (Vic)
Benefits	Include preferential treatment, privileged access, favours or other advantage offered directly to an individual or indirectly to someone associated with the individual or to an incorporated entity associated with the individual. (e.g. invitations to sporting, cultural or social events, access to discounts & loyalty programs, promises of a new job) The value of benefits may be difficult to define in dollars, but as they are valued by the individual, they may be used to influence the individual's behaviour.
CEO	Chief Executive Officer
Bribe	To give money or some other form of consideration to a public official, to persuade the official to exercise or not exercise their common law or statutory powers in a particular manner or to bestow some privilege or favour.
Conflicts of Interest	Includes: • general conflicts of interest within the meaning of s127 of the Act or a • material conflicts of interest within the meaning of s128 of the Act. A general conflict of interest is where an impartial, fair-minded person would consider that a person's private interests could result in that person acting in a manner that is contrary to their public duty.

Term	Definition
	A material conflict of interest is where an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit may arise or the loss incurred either directly or indirectly and in a pecuniary or non-pecuniary form.
Council or SHRCC	Swan Hill Rural City Council
Gifts	Free or discounted goods or services that would generally be seen by the public as a gift, irrespective of the value of the good or service. (e.g. artwork, jewelry, liquor, flowers, consumables, painting/repair services).
Gifts, Benefits and Hospitality Register	A record of all declarable gifts, benefits and hospitality maintained by Council.
Hospitality	Hospitality is the friendly reception and entertainment of guests. Hospitality may range from light refreshments at a business meeting to expensive restaurant meals, entry tickets to sporting, cultural or other entertainment events, and sponsored travel and accommodation.
Nominated Officer	Member of Council staff who— • has a statutory or delegated power, duty or function, and • is nominated by the CEO because of the nature of that power, duty or function.
Policy	This Gifts, Benefits and Hospitality Policy
Procedure	The accompanying Gifts, Benefits and Hospitality Procedure
Token Offer	A Gift, Benefit or Hospitality offered as courtesy which is equal to or less than the Token Value and which would not be reasonably perceived as influencing the receiver or raising an actual, potential or perceived conflict of interest.
Token Value	For purposes of this Policy: • for a Council employee: \$50, and • for a Councillor: \$200 considered on a cumulative basis, generally over a 12 month period.

Terms defined in the above table will appear with a Capital first letter when used in the body of the document.

4. POLICY

Council is committed to and will uphold the following principles in applying this Policy:

- **Impartiality:** individuals within the scope of this Policy have a duty to place the public interest above their private interests when carrying out their official functions and will not accept Gifts, Benefits or Hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment.
- **Accountability:** individuals within the scope of this Policy are accountable for declaring all offers of Gifts, Benefits and Hospitality, whether a Token Offer or not and declining offers of Gifts, Benefits and Hospitality that are above Token Value
- **Integrity:** individuals within the scope of this Policy strive 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 and declining any offers that may lead, or be perceived to lead, to a conflict of interest.

- **Risk-based Approach:** Council through its policies, procedures and processes will ensure Gifts, Benefits and Hospitality risks are appropriately assessed and managed.

It is acknowledged that there will be instances where there is a legitimate business reason for the acceptance of Gifts, Benefits or Hospitality, especially hospitality. It is not the intention of this Policy to prohibit the acceptance of Gifts, Benefits or Hospitality under any and all circumstances. Where Gifts, Benefits or Hospitality is accepted, it must be done in keeping with the principles outlined in this Policy and adherence to the administrative requirements of the Procedure.

4.1. Declaring Gifts

It is the responsibility of all individuals within the scope of this Policy to ensure conformance with this Policy, including declaring all offers of Gift, Benefits or Hospitality, **whether the offer was accepted or not**, in accordance with the Procedure.

4.2. Gifts Register

In accordance with section 138 of the Act, Council has developed procedures for the maintenance of a gift register, which is publicly available on Councils website, and any other prescribed matters.

5. RELEVANT POLICIES, PROCEDURES AND DOCUMENTS

Gifts, Benefits and Hospitality Procedure - PRO/GOV012

Model Councillor Code of Conduct - CPOL/GOV027

Governance Rules - CPOL/GOV022

Procurement Policy - CPOL/CORP229

Public Interest Disclosure Procedure - PRO/GOV018

Public Transparency Policy - CPOL/GOV023

Discipline, Misconduct and Serious Misconduct Policy - POL/STAFF123

Employee Code of Conduct - POL/STAFF127

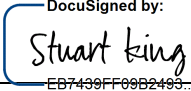
Contract Management Framework - PRO/CORP258

6. APPLICABLE LEGISLATION

Local Government Act 2020

7. DOCUMENT HISTORY

Ver. No.	Issue Date	Description of Change
1.0	February 2021	Initial Release
1.1	October 2022	Review
1.2	August 2026	Scheduled Review

Signed:  **MAYOR** Date: **18 August 2026**

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