

Pioneering Care Partnership

Receipt of Gifts & Hospitality Policy



Purpose

This procedure is designed to prevent any improper behaviour or suspicion of improper behaviour arising and its purpose is to ensure that PCP employees, volunteers and board members are not left open to allegations of corruption.

Scope

All new employees, volunteers and board members will receive details of this procedure at induction.

Breaches of the procedure may result in disciplinary action and in serious cases could result in dismissal.

Definitions

Gifts

Gifts are physical objects offered by a person or organisation outside of PCP.

Hospitality

Hospitality could be travel, accommodation, food, drink, entertainment, a cultural or sporting event (participating or spectating) or anything similar which is offered by a person or organisation outside of PCP. In some instances, gifts and hospitality may be combined (e.g. a commemorative item may be provided as part of a hospitality event)

Hospitality in the form of reasonable refreshments, intrinsic to another event (such as tea or coffee, a working lunch, or a lunch provided as part of an all-day training course), can be accepted. Hospitality such as this does not need to be recorded in the Gift and Hospitality Register.

If hospitality is not incidental to an event (such as a meal in a restaurant prior to a meeting, where little or no discussion of the subject of the meeting is anticipated) this should be considered as outlined in the principles of hospitality.

Policy

The policy is designed to help staff in deciding whether the acceptance of gifts and hospitality is acceptable and seeks to protect staff and PCP from accusations of showing favour to any organisation in the most cases although it is impossible to cover every set of circumstances. The policy also aims to ensure that conduct in relation to gifts and hospitality is compliant with the Bribery Act 2010, offenses under which can be punished by a prison term of up to 10 years.

Acceptance of Gifts

Category A – Gifts of little or no intrinsic value: These are smaller gifts, such as those typically handed out at conferences (e.g. pens, diaries etc.). These gifts are often primarily marketing tools and typically cost less than £5. These types of gifts can be accepted and kept by the individual. They do not need to be recorded in the Gift and Hospitality Register.

Also

Gifts with an estimated intrinsic value of £5-£20 These are typically gifts given in gratitude or to mark an occasion (such as Christmas). Examples of gifts which may be received in this category are alcohol, flowers or foodstuffs. These types of gifts can be accepted but should normally be raffled or shared. If a gift is not appropriate to be raffled (such as where the gift is perishable or unsuitable for storage until a raffle can be completed), the gift may be consumed by teams or departments, at the discretion of line managers. When a gift is raffled, raffle tickets should be made available to all staff and the proceeds will be donated to charity. Gifts received in this category should be recorded in the Gift and Hospitality Register. In some instances, you may come to realise that the value of the gift is higher than your original estimate and should not have been accepted. In circumstances such as this, you should return the gift (if practical), providing a letter to explain the reason.

Category B – High Value Gifts: On some occasions, gifts of a high value (more than £20) will be offered. These gifts should not be accepted, as accepting such gifts may look to people outside the organisation as if they have been offered to compromise the judgement or integrity of the organisation. In some circumstances, it may be difficult to refuse a high value gift (for example, when it is offered by an international delegation and refusal could cause offence). In these circumstances, the gift can be accepted. If appropriate, the gift may then be raffled, donated to charity. If that is not appropriate, the gift will always be held by PCP, rather than by the individual to whom it was offered. Any gift offered in this category must be recorded in the Gift and Hospitality Register even if it is refused.

Category C - Gifts from any organisation against which, to the best of your knowledge, we are engaged in or are considering entering a contract: These gifts should never be accepted, regardless of their value, as there is a clear risk that this would create a perception outside the organisation of an attempt to compromise PCP's judgement or integrity. If offers of gifts in this category fall into the criteria of Category B or C Gifts, they should be recorded in the Gift and Hospitality Register. In some instances, you may become aware that an organisation is subject to a tender opportunity with PCP after you have accepted a gift. For example, some investigations are not widely publicised until they have reached a relatively advanced stage. It is not expected that you will always be aware of all aspects of the PCP's work. In instances where you do become aware of such work, you should consider returning the gift, providing a letter to explain the reason.

No cash gifts or gift vouchers can be accepted.

Employees providing personal services, for example Disability Services staff, may encounter difficulties in refusing gifts from clients, particularly where there is a sentimental attachment and where a personal service has been carried out over a period of time. In this case, the line manager must be notified, and a record of any such gifts recorded on the hospitality and gifts form and passed to HR for registering.

No gifts can be accepted from contractors who are submitting a tender during a tendering period.

Hospitality

Offers of hospitality should be treated with caution whenever any suggestion of improper influence could arise. Particular care is required when hospitality is offered by private sector companies, consultants and individuals seeking business or a decision from PCP. During a tendering period under no circumstances can hospitality be accepted from or provided for contractors who are submitting a tender. You should also never accept any gift and/or hospitality from any person or organisation with which you know we are considering entering a contract. Please note, there is not an expectation that you will be aware of all of PCP's work; rather, the expectation is that if you are aware of such work, you should act accordingly.

The extent of the hospitality will be a factor as to its acceptability. It may be more reasonable to accept hospitality offered to a group than to accept something unique to an individual. Contacts established at a social level can often be helpful in pursuing PCP's interests. What is important is to avoid any suggestion of improper influence.

Principles of Hospitality

Offers of other hospitality need to be considered carefully. The three principles which should be considered are: -

Purpose – is the hospitality in the interests of PCP and does it further PCP's objectives? Is there a genuine business reason to accept the hospitality? –

Proportionality – hospitality should not be over-frequent from the same source as such hospitality could create the perception that a person or organisation is influencing PCP. Hospitality should also not be over-generous (either because it is particularly lavish or because it is disproportionate to the relationship between the ICO and the individual or organisation) –

Conflict of interest – you should always consider the relationship between PCP as a whole and the person or organisation offering the hospitality. If PCP engaged in or considering entering into a contract with the organisation, you should never accept the offer of hospitality.

Hospitality which is proportionate, for a clear business purpose and does not create a conflict of interest can be accepted and should be recorded in the Gifts and Hospitality Register.

Registering the Receipt of Hospitality or a Gift

A receipt of hospitality and gifts form must be completed by the employee and passed to HR where it will be recorded on the Gifts and Hospitality Register.

The usual civilities of seasonal drink (for example at Christmas) should not be recorded in the register. However, more substantial types of hospitality (for example a working lunch) provided either by, or for, private sector companies or consultants should be recorded.

Each individual will complete the receipt of hospitality form giving the following information:

- name of company or individual providing the hospitality/gift
- name of the individual receiving the hospitality/gift
- company's or individuals relationship with the organisation,

- type of hospitality/gift
- where the hospitality took place,
- date the hospitality/gift was given/received.

Examples of unacceptable forms of hospitality are:

- invitations to major sporting events paid for by the client,
- holidays,
- extravagant and/or frequent lunches,
- theatre, concert and opera tickets.

Hospitality necessarily provided within the structure of a training course, demonstration or seminar should not be recorded. Likewise, hospitality (such as a modest working lunch) given in the course of normal business by one PCP employee to a colleague should not be recorded.

If in doubt about whether an offer of hospitality can be, accepted employees should consult HR as appropriate.

The register for receipt of hospitality and gifts must always be open for inspection by Senior Management and the Board.

Relevant Legislation

- Prevention of Corruption Acts 1889-1916
- Bribery Act 2010

Responsibilities

Employees are responsible for informing HR of any gift or hospitality received by completing the appropriate documentation.

SMT is responsible for making the final decision on receipt of gifts or hospitality when the donor persists it is accepted.

HR are responsible for maintaining the receipt of gifts and hospitality register.

Communication

PCP will ensure that:

- All employees are aware of the procedure and associated action plans at induction;
- The procedure is available on PCP's intranet;
- Generic training will include examples or reference to this procedure;
- Employees are informed when a particular activity aligns with this procedure;
- Employees are empowered to actively contribute and provide feedback; and
- Employees are notified of all changes to this procedure in a timely manner.

Monitoring and Review

A full formal review of this procedure will be carried out every 3 years by Senior Management Team as part of the Review Cycle.

Document Tracking

Action	Date(s)
Issue Number:	6
Draft to SMT:	September 2022
Approved by SMT:	26 April 2023
Approved Procedure circulated to SMT:	28 April 2023
Approved Procedure uploaded to shared:	28 April 2023
Approved Procedure circulated to staff:	28 April 2023
Interim Review Date:	N/A
Main Review Date:	March 2023
SMT Lead for Review	Governance and Development Manager

If this procedure has not been reviewed in line with the review date indicated in the table above, then this version remains valid until a review has taken place.

Appendices 1: Receipt of Gifts and Hospitality Procedure

Pioneering Care Partnership

Receipt of Gifts and Hospitality Form



Company or individual providing the hospitality/gift	Name of individual receiving the hospitality/gift	Company or individual's relationship with the organisation	Type of hospitality/gift	Where the hospitality took place	Date hospitality/gift received	Date Returned