



Gifts and Hospitality Policy

Document provenance

This policy was approved: August 2019

Frequency of review:

Unless there are legislative or regulatory changes in the interim, this policy will be reviewed every two years. Should no substantive changes be required at that point, the policy will move to the next review cycle

ELT Owner: Director of Governance and Strategy

Summary of changes at last review:

- Change of reporting process to email notification and removal of forms
- Alteration of 4.7 to clarify receipt process

Related documents:

- Procurement Policy
- Employee Expenses Policy

Summary of policy:

This policy outlines the rules around accepting gifts and hospitality whilst employed at E-ACT. It also covers the reporting process.

Policy Contact:

- Report gifts and hospitality to governance.team@e-act.org.uk
- Questions on the policy to the Governance Manager; kathryn.berrill@e-act.org.uk

Gifts and Hospitality Policy

1. Introduction

- 1.1. All employees and trustees are expected to maintain a high standard of conduct with regards to the acceptance of gifts or hospitality of any kind from third parties e.g. suppliers or any other organisation with which E-ACT has a working relationship (including individuals).
- 1.2. It is important to ensure that no employee or board member acts in any way that is inconsistent with E-ACT aims, ethos or integrity by accepting a gift or hospitality in circumstances where it could influence, or could be seen to influence, that individuals' actions or decisions.
- 1.3. It is recognised that attendance at receptions, lunches and dinners or other social events form a necessary part of some employees or board members role. This policy is not intended to stop such individuals from receiving hospitality of this nature, so long as it is declared in E-ACT's gift and hospitality register and the timing of the hospitality is not inappropriate.
- 1.4. The general principle of receiving gifts or hospitality should be one of transparency and disclosure. The receipt of gifts and hospitality should always be unsolicited. Any breach of the policy could be regarded as misconduct, leading to disciplinary action up to and including summary dismissal.
- 1.5. A register is held to record any gifts or hospitality for employees and trustees. The register will be reviewed annually by E-ACT's Audit and Risk Committee.

2. Scope

- 2.1. All staff, board members and AAG members.

3. Legislation and regulation

- 3.1. This policy complies with the following legislation and regulation:
 - Bribery Act 2010¹
 - Companies Act 2006 ss176²

¹ <https://www.legislation.gov.uk/ukpga/2010/23/contents>

² <http://www.legislation.gov.uk/ukpga/2006/46/section/176/2012-07-02?timeline=true>

4. Gifts

- 4.1 Gifts (defined as items given without the expectation of receiving anything in return) should not be accepted where they may appear to be disproportionately generous or could reasonably be construed as an inducement to affect a business decision.
- 4.2 A gift will be considered trivial if by virtue of its nature or its branding, if it has no material commercial value, that is to say, no unrelated third party would reasonably be expected to purchase the item for a sum in excess of £25.
- 4.3 Gifts of this kind are acceptable provided the donor is aware that these can only be accepted on the basis that the gift will either be shared amongst all staff (at that site, or within that team) or used for fundraising purposes (e.g. in a raffle). All gifts received of this nature must be declared within E- ACT's gifts and hospitality register, by notifying the governance team as soon as possible.
- 4.4 Acceptance of unsolicited promotional gifts, i.e. items such as stationery or pens that display the logo or company name of another organisation, provided that these have no significant value, are acceptable. Unsolicited promotional gifts of this type do not have to be declared.
- 4.5 Gifts of alcohol will **not** be considered to be trivial in **any** circumstances.
- 4.6 Under **no circumstances** must staff accept personal gifts of cash, even below the £25 limit.
- 4.7 Any gifts falling outside the definition of trivial must not be accepted by an individual.
- 4.8 There may be occasions when to refuse a gift may cause offence. In these circumstances it is advised that you make clear it is contra to policy and that it will be shared with team members, if it would be appropriate to do so. The governance team must be advised directly after receipt of the gift and you should include why you felt were unable to refuse the gift.
- 4.9 Any employee who has received two gifts from any external organisation within a single financial year should not accept any further gifts during that financial year from the same organisation. This does not include unsolicited promotional gifts as outlined in 4.4 above.
- 4.10 Any gifts offered, whether accepted or not, should be notified to the national governance team. The national governance team will then enter on to the relevant gifts and hospitality register. This requirement is to protect employees and consultants by providing a record of which organisations or individuals are offering gifts to E-ACT and where the gift has gone. This register is reviewed annually by the Audit and risk Committee.

Type of Gift	Rule	Required Action
Trivial Gift (up to £25)	Acceptable if occasional	Notify the governance team via email – governance.team@e-act.org.uk including date of receipt, nature of item, estimated value, organisation/individual who gave the gift and their relationship to E-ACT (e.g. copier supplier)
Non-trivial (over £25)	Cannot be accepted by an individual. Decline or if this is inadvisable or impossible, advise the governance team straight away after receipt of the gift.	If you cannot decline, advise the individual of the policy and that the gift will be declared. Tell the governance team as soon as practically possible afterwards including why the gift could not be refused.

5. Hospitality

5.1. Specific areas that are generally **excluded** from the E-ACT interpretation of corporate hospitality are listed as follows:

- Business and travel expenses properly incurred by employees whilst attending events or occasions sponsored or supported by E-ACT (employees should refer to the terms and conditions of employment in relation to reimbursement of employee's costs)
- Normal business lunches and meals, with fellow employees in E-ACT, although under certain circumstances special rules apply (further clarification is detailed in this Section);
- Hospitality provided to employees, board members and consultants who are permitted by E-ACT to attend externally organised courses, conferences, seminars and workshops which are paid for by E-ACT, providing that in all cases, such hospitality is open to: all delegates or attendees as part of the attendance fee; or in the case of very large events, is open to a fair representation of attendees.
- Gifts or incentives provided by recognised business 'frequent traveller' loyalty schemes and awarded during travel paid for by E-ACT;
- Vouchers or financial compensation awarded due to delays during travel paid for by E-ACT

5.2. As a general rule E-ACT interprets corporate hospitality as covering all other invitations and activities falling outside the exceptions above.

Receipt of Hospitality – Disclosure

5.3. Any acceptance or declinations of any form of hospitality should be properly documented in E-ACT's Gifts and Hospitality register, by emailing the national governance team

- 5.4. If you are unsure whether you can accept an invitation of hospitality, please ask your line manager or the governance team.

Invitations to lunch or dinner with external personnel

- 5.5. Invitations to lunch or dinner from an external organisation should only be accepted where the primary reason for accepting an invitation is to discuss matters relevant to E-ACT. This should be either with representatives of the hosting organisation or with representatives of other organisations that may have interests or activities in common with E-ACT and where the venue and hospitality are not in themselves an inducement to accept the invitation or the purpose of the invitation.
- 5.6. Acceptance of invitations to lunch and dinner should be properly documented in E-ACT's Gifts and Hospitality register.

Invitations to Conferences, Seminars and Trade Shows

- 5.7. It is recognised that participation in certain events such as supplier or relevant industry or charity conferences, party conferences, seminars and trade shows can be of particular value where they support the establishment of relationships with strategic partners to E-ACT or enhance E-ACT's knowledge or understanding of a particular area. For such events, the hospitality element should be incidental to the event and relevant information is expected to be gained through attendance.
- 5.8. For these events, should an invitation to a major sporting or cultural event be included, reference should be made to the section below on invitations of a social kind. Any acceptance of invitations should be properly documented in E-ACT's Gifts and Hospitality register.

Invitations of a Social Kind

- 5.9. Invitations of a social kind (e.g. sporting and cultural events) should be declined except for when it is in E-ACT's interest to attend and the business justification can be clearly demonstrated.
- 5.10. Acceptance for invitations with an estimated value of over £50 per person must be approved in advance by the governance manager copied to your line manager. All invitations must be properly documented in E-ACT's Gifts and Hospitality register.

Travel or Overnight Accommodation

- 5.11. Hospitality that includes travel or overnight accommodation must not be accepted. The only exceptions to this rule may be when an employee or board member are speaking at a conference and travel and accommodation is provided by the organisers, or for personal safety reasons, for example to avoid travelling late at night.
- 5.12. Where overnight accommodation is required, prior written approval is required in advance from the governance manager copying in (cc) your line manager. Any acceptance of travel or overnight accommodation should be properly documented in E-ACT Gifts and

Hospitality register.

Type of Hospitality	Rule	Required Action
Invitation to lunch or dinner	Only accepted when the venue and hospitality are not in themselves an inducement to accept the invitation.	Inform the governance team by email.
Invitation to speak at Conferences, Seminars or Trade Shows	Where relevant information is to be gained through the event and hospitality element is incidental	Inform the governance team by email.
Social invitations	Decline, unless there is a business justification.	Inform the governance team by email. For all invitations over a value of £50 prior approval to be sought from governance manager/copying in (cc) your line manager.
Overnight accommodation	Decline, unless time pressures or personal safety concerns require it.	Inform the governance team by email. For exceptional circumstance, prior approval to be sought from governance manager/cc your line manager

Appropriate Timings

5.13. E-ACT employees and board members should be aware of the importance of not accepting gifts or hospitality from organisations or individuals at inappropriate times. For example, immediately prior to, or during, a procurement process or tender. Similarly, it is inappropriate to accept gifts or hospitality from organisations or individuals where the acceptance of such gifts or hospitality may cause E-ACT's independence and political impartiality to be questioned.

Repeated invitations of a social kind

5.14. Repeated invitations are deemed to be inappropriate and any employee or board member who has accepted hospitality of a social kind (e.g. sporting and cultural events) from an external organisation should not accept any further invitations of a similar type from the same organisation within the following twelve months.

6. Training

- 6.1. All staff will be made aware of this policy and its processes when they join E-ACT.

7. Responsibilities

- 7.1. Line managers will ensure that their direct reports are aware of the policy and its reporting obligations.
- 7.2. The Governance Manager is responsible for ensuring the declarations are properly recorded and reported to the trustees.
- 7.3. The Governance Manager will ensure trustees comply with the policy.

8. Monitoring and compliance

- 8.1. The Governance Manager will keep a register of gifts and hospitality for E-ACT employees and trustees and will ensure that the register is updated at least termly. The Governance Manager will use the register to monitor compliance with the policy.
- 8.2. E-ACT's Gifts and Hospitality register shall be published on E-ACT's intranet for transparency with all E-ACT staff.
- 8.3. The Board will annually review the register of trustee, employee and AAG gifts and hospitality received, and the way in which this is managed.
- 8.4. The Chief Financial Officer and/or Financial Controller will use the register to ensure no unfair benefit has been awarded to a supplier.