



# Northern Ireland Community Relations Council

## Gifts and Hospitality Policy

### DOCUMENT CONTROL

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## **1. Policy Statement**

1.1 This policy is about the general principles and rules that govern your behavior and conduct as an employee of the CRC with regard to the Acceptance of Gifts, Hospitality and Rewards.

1.2 The employees and Board members of the Community Relations Council should conduct themselves with honesty, impartiality in the exercise of their duties and should not receive any benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity. Therefore the acceptance of gifts, hospitality and so on should be governed by the following general guidance.

1.3 Conduct must not foster the suspicion of a conflict of interest and the acceptance of gifts, hospitality and so on should, therefore, be governed by the following general guidance.

## **2. Acceptance of Gifts, Hospitality and Rewards**

2.1 As Arm's Length Body of the Northern Ireland Civil Service (NICS) which has undergone considerable organizational change and resource constraint; there has been greater emphasis put on the value of adopting a more business-like approach and private sector practices have been introduced in some areas. At the same time, the private sector has become more interested in working with the public service and the issues for public servants have arguably become more relevant.

2.2 You should not do anything that may give the impression to your colleagues, members of the public, or people with whom you deal in an official capacity, that you have been, or may have been, influenced by a gift or consideration to show bias either for or against any person or organisation while carrying out your official duties.

2.3 The following criteria should be borne in mind when considering whether to accept (either directly or indirectly) a gift, reward, benefit or other item of hospitality from a member of the public or organisation, where contact has made:

- A. a distinction can be drawn between gifts, which in general should be refused, and conventional hospitality, especially where the usual conventions of returning hospitality in principle apply;
- B. contacts that are promotional, influential or information gathering are less likely to create obligation or embarrassment than those that are regulatory or which involve, or could lead to, a contractual position between the Department and the contact;
- C. regard should be paid to the reason for the contact on both sides and your position;
- D. The general principle is that all gifts should be refused. However, modest seasonal or promotional gifts (such as calendars, diaries, pens or similar items) with a value of less than £10 may be accepted by you without the need for these to be reported or approved in advance by line management, provided they bear Company names and/or logos. This type of gift is easily distinguishable from more expensive or substantial items, which cannot on any account be accepted;
- E. gifts of alcohol, cigarettes or cigars and the like should not be accepted under any circumstances and should, where necessary, be returned to the donor with a suitably worded letter;
- F. trade discount cards, through which you might personally benefit from the purchase of goods and services at reduced prices, are classified as gifts and should be refused or returned;
- G. for hospitality, there is a division between, for example, working lunches and more expensive social functions, including travel or accommodation. More formal functions by prior invitation should be approved at Grade 5 level or above; and
- H. acceptance of frequent, regular, annual or seasonal invitations particularly from the same source, may breach the required standards of conduct. Isolated acceptance of, for example, meals, and tickets to sporting, cultural or social events may be acceptable if attendance is justifiable in the interests of the Community Relation Council and its objectives.

2.4 It should be noted that visits to manufacturers or suppliers or funded groups at their expense, even though those take place during annual leave or other free time, may constitute gifts or benefits.

2.5 It is recognized that there are exceptional cases where refusal of a gift would clearly offend the donor, cause embarrassment or appear discourteous, such as that received from an overseas visitor or governmental organisation. In these cases, full details of the circumstances should be sent, through to the Chief Executive Officer and reported to the TEO Grade 5, who will recommend to the TEO Establishment/Personnel Office whether or not the gift should be accepted. He/she will decide whether the gift should be:

- A. accepted; or
- B. accepted on the condition that a reciprocal gesture is made at your own expense; or
- C. returned to the donor with a suitably worded letter explaining why the gift cannot be accepted; or
- D. Used or disposed of, if possible, in or by the department.

2.6 On some occasions, where a gift is received from an overseas visitor or governmental organisation, it may be necessary that a gift should be offered in return. In such cases, guidance should be obtained from the Department of Finance (Central Finance Group) and also on those occasions when the proposed gifts are of very substantial value. Only exceptionally should such an exchange of gifts be initiated.

2.7 If a gift is accepted, the following rules apply:

- A. its receipt should, in all cases, be reported to the Director of Finance, Administration and Personnel or Chief Executive Officer;
- B. its receipt should, in all cases, be entered into the Gifts and Hospitality Register;
- C. The Director of Finance, Administration and Personnel or Chief Executive Officer should decide if it is necessary to seek TEO advice;
- D. when the acceptance of a gift is reported, it is open to the CRC to take one of the following alternative courses:
  - i. the gift may be disposed of by sale; or
  - ii. it may be displayed or used in the CRC where this is appropriate; or

- iii. if the disposal of the gift would cause offence or if it might be appropriate for the recipient to use or display the gift on some future occasion as a mark of politeness, the gift should be retained in the CRC for this purpose for up to five years; or
- iv. if the gift is of small value (which should not in any case exceed £10), the recipient may in appropriate cases be allowed to retain it;

E. Liability to duty and Value Added Tax of all imported gifts should be resolved with HM Revenue and Customs (International Trade Section).

2.8 If there is any doubt about the disposal of a gift, the Director of Finance, Administration and Personnel or Chief Executive Officer should consult the Department of Finance Central Personnel Group.

2.9 The Gifts and Hospitality Register will be maintained on an ongoing basis using the template shown in Appendix 2 by the Personal Assistant to the CEO. The Register will be reviewed by the Chair of the Board for consistency with this policy in advance of each Board meeting. Following the Chair's review the Gift and Hospitality Register will be published on the CRC website.

2.10 In deciding whether hospitality can be accepted, you should bear in mind the following criteria:

- A. will acceptance help business effectiveness;
- B. does acceptance place an obligation on you as the recipient;
- C. hospitality that is frequent, lavish or prolonged should not generally be accepted;
- D. the hospitality should be unconnected with any decision affecting the organisation or individual offering it;
- E. hospitality that is accepted should always be justifiable; and
- F. The benefits of acceptance should outweigh the risk of possible misrepresentation of the hospitality.

2.11 In all instances where other than conventional hospitality is offered, TEO Grade 5 approval should be sought.

2.12 Some invitations, particularly to senior staff, are extended in a

representational capacity; on occasion they may be issued to officials because of the inability of the Minister to attend. Whilst such invitations may generally be accepted within reasonable limits, care should be taken to ensure that there is not CRC over-representation at the function concerned. On occasions it may be appropriate for a partner to accompany you as a senior officer where the event so justifies.

2.13 It can be argued that if you are to achieve the best value for money in dealings with suppliers or consultants then you need to build up contacts and that it is quite legitimate for you to have a close working relationship with organisations or individuals, which may involve a degree of hospitality. There may also be instances where you receive invitations to events run by voluntary organisations such as annual conferences or dinners. Attendance at such events is considered an integral element in building and maintaining relationships with the voluntary sector and any hospitality received is likely to be modest and therefore acceptable. Additionally, isolated acceptance of tickets to public sporting, cultural or social events may be accepted if attendance is justified as being in the interests of the CRC.

2.14 The preceding paragraphs relate to how you as an employee should behave in regard to the acceptance of gifts, hospitality and rewards. Irrespective of that, there are offences under the Bribery Act 2012 (“the Act”) for you as an employee to be aware of. In the following, “relevant function or activity” as defined by the Act means any function of a public nature or any activity performed in the course of your employment. In summary, it is an offence to:

- A. request, agree to receive or accept a financial or other advantage, the purpose being that a relevant function or activity should be performed improperly;
- B. request, agree to receive or accept a financial or other advantage; and
- C. request, agreement or acceptance itself constitutes the improper performance by you of a relevant function or activity;
- D. receive or accept a financial or other advantage as a reward for the improper activity;
- E. In anticipation of or as a result of you requesting, agreeing to receive or accepting a financial or other advantage, a relevant function or activity is performed improperly by you, or someone else at your request or with your agreement.

2.15 Furthermore, under the Prevention of Corruption Act 1916, any money, gift or consideration received by you from a person or organisation holding,

or seeking to obtain, a Government contract will be deemed by the Courts to have been received corruptly unless you can prove to the contrary.

2.16 You should seek direction from the CEO Grade 5 in any situation that does not appear to be covered by the guidance. Their advice should also be sought when in doubt about the interpretation of guidance.

### **3. PROVISION OF GIFTS AND HOSPITALITY**

3.1 As with all public expenditure, hospitality expenditure should be value for money and incurred in accordance with the principles of regularity and propriety.

3.2 Any hospitality offered should further the Government or taxpayer's interest and involve no reasonable suspicion that personal judgement or integrity had been compromised (i.e. a common sense test).

3.3 Consideration should be given to the central importance of propriety and correctness in line with the Nolan principles.

3.4 For the purpose of this guidance, hospitality refers to "Meals, beverages, light refreshments and entertainment of any type provided out of public funds to anyone, be they a public servant or official, representative of a public or private body or organisation, or a private individual."

3.5 The CRC Travel and Subsistence Policy contains separate rules for the payment of subsistence, lodging and other similar allowances, which are designed to meet the extra cost incurred by officers away from home or office on official duty. The guidance for the provision of gifts and hospitality is intended to complement the standard subsistence rules rather than replace them.

3.6 The primary consideration for the justification for expenditure on gifts and hospitality to be provided by the CRC is that the gift or hospitality should be in the direct interest of the CRC. The scale of the gift or hospitality provided should be proportionate to the needs of the occasion and the status and number of guests.

3.7 Except for events, conferences seminars etc., that have specific business plan approval, requests to extend hospitality should be accompanied by supporting documentation to enable the Chief Executive to make the decision on the provision of the hospitality proposed. This documentation should include:

- A. A written request for permission to extend hospitality and for the type and scale of hospitality proposed;
- B. A description of guests and attending organisations including reason for attendance;
- C. Written approval for the type and scale and estimated cost of hospitality proposed and for the guest list;
- D. If appropriate, evidence of having followed Central Procurement Directorate (CPD) guidelines and of having sought the best deal; and
- E. Receipts / invoices where appropriate, detailing separately the purchase of food, drink and any other type of entertainment.

3.8 A pro-forma approval form for the provision of hospitality is included in Appendix Four. This should be used for all occasions where hospitality is expected to be provided. The pro-forma must be approved at a level not below. Grade 5 or equivalent prior to any expenditure being incurred.

#### Types of gifts and hospitality to follow

##### Management Hospitality

- 3.9 Strictly limited hospitality for fellow civil servants at public expense is allowed on special occasions or for special purposes. Approval should only be given when it is regarded as conducive to good management and examples might include:
- a. working lunches to carry forward CRC business;
  - b. meetings with outside bodies and agencies or overseas visitors and guests; or
  - c. the provision of refreshment to enable a Board member to meet staff informally in the interests of better communication.
- 3.10 Management hospitality must always be used sparingly and at modest cost, using Government facilities whenever possible.
- 3.11 Where lunchtime meetings require the provision of refreshments, the cost per person should not exceed the daily subsistence allowances included in the Travel and Subsistence policy.

### Training courses/ seminars/workshops/conferences

- 3.12 In general, the provision of meals and refreshments in these circumstances should be reasonable and within the daily subsistence allowances.
- 3.13 Where it is convenient, the staff canteen should be used to allow a break for participants – in these instances the participants should pay for their own refreshments.
- 3.13 Where a staff canteen is not available, refreshments provided at morning or afternoon sessions should be limited to tea/coffee and scones/biscuits. Lunch may be provided if it facilitates the running of the course.

### Dining – internal and external venues

3.14 Internal conference and dining facilities should be considered as a first choice for entertaining guests, particularly when numbers are relatively small. For example, conference rooms or boardrooms in Government buildings should be used if available, and consideration should be given to providing sandwiches or a snack meal from a local caterer.

3.15 Any occasion when it may be deemed appropriate to offer lunch or an evening meal off the CRC premises approval must be received in advance from the Chief Executive. The CEO will issue an upper limit on the cost of the meal per person and whether or not it would be appropriate to permit alcoholic drinks.

### Promotion and recruitment board panel members

3.16 Light refreshments consisting of tea/coffee and biscuits/scones may be provided to recruitment or promotion board panel members. Separate written approval is not necessary in these circumstances.

3.17 It is recommended that members of panels should not normally be provided with lunch, but each case should be considered separately, taking into account factors like time constraints prohibiting the panel taking lunch or the panel including an outside assessor.

### Farewell and Seasonal Parties

3.18 Farewell parties for civil or other public servants may not be funded from public funds and all such occasions should be treated as private ventures. This remains the position whether or not a proportion of the guests are “outsiders”.

### Expenditure on official gifts

3.19 Gifts of a trivial or inexpensive nature (**not greater than £10**) can be provided and examples of this would include pens or other stationery provided at training events which promote the work of the CRC.

3.20 Official gifts should not be regarded as part of the normal conduct of Departmental business - gifts to members of staff or officials within the CRC family would not usually be deemed to fall within normal conduct. It may be the case though that some form of acknowledgement or recognition should be provided e.g. to a person outside the CRC who has presented a seminar without charging a fee. In these circumstances, it may be appropriate to provide a modest gift up **to a maximum value of £50 per individual** but prior approval for doing so must be sought from the Chief Executive.

3.21 Prior approval should be obtained from the Department of Finance where the cost of the proposed gift exceeds £100 per individual.

## Appendix 1

### Template for Return of Offer of Gift/Hospitality

(The content of this template should be tailored to suit each circumstance)

Contact name	Name of CRC contact/ CRC Address
Name of company	
Address of company	
	Date
Dear	
The Community Relations Council operates a Gift and Hospitality Policy to ensure high standards of propriety in the conduct of its business.	
On account of public confidence, perception is as important as reality and because of this I am obliged to return your offer of <u>INSERT: Name of gift / hospitality.</u>	
This is not in any way meant to offend or to imply that your [gift/hospitality] was offered in anything but the utmost good faith, but is designed to protect both individual members of staff and CRC. I hope you will accept our response in that spirit and that we can look forward to continued effective working relationships.	
Yours .....	


Appendix 2

<b>Community Relations Council</b>					<b>Year:</b>	
<b>REGISTER OF GIFTS / HOSPITALITY / AWARDS ETC</b>						
<b>Date of Offer</b>	<b>Offered to</b>	<b>Offered From</b>	<b>Description of Offer</b>	<b>Reason for Offer</b>	<b>Est. / actual value of offer £</b>	<b>Accepted / Declined / Returned</b>

**(Part 1 to be completed by recipient – part 2 to be completed by approving officer)**

<b>GIFT/HOSPITALITY FORM A1 (Part 1)</b> <b>(AUTHORISATION/OFFER ACCEPTED/OFFER DECLINED)</b>	
Name of recipient:	
Name of ultimate recipient if not as above (i.e. if gift or hospitality passed on to someone else):	
Date of offer:	
Who made the offer:	
Description of offer:	
Why was the offer made:	
Estimated/actual value of offer:	
State whether offer was declined:	
Is there a current/potential contract with the donor? If yes provide details:	
Signature of recipient:	Signed: Date:

PLEASE NOTE PART 2 TO BE COMPLETED BY THE APPROVING OFFICER

**GIFT/HOSPITALITY FORM A1 (Part 2)  
(AUTHORISATION/OFFER ACCEPTED/OFFER DECLINED)**

Reasons why approval has/has not been granted:	
Is gift being returned? If so, a letter should be issued (template at Appendix B to be used)	
Has the gift been used or disposed of? If so give details:	
Has the gift been donated to a nominated charity?	
Has the Gifts and Hospitality register been updated?	
Signature of Approving Officer:	Signed: Date:

**NB: FORM NOT VALID UNLESS BOTH PARTS 1 AND 2 HAVE BEEN COMPLETED**



**The Community Relations Council**

**BREAKDOWN OF COSTS FOR HOSPITALITY COSTING MORE THAN £100**

<b>Directorate:</b>	
<b>Name of person requesting approval:</b>	
ITEM	£
ROOM HIRE	
HOTEL AND ACCOMMODATION COSTS	
FOOD	
BEVERAGES	
ALCOHOL	
EVENT MANAGEMENT	
TRAVEL AND SUBSISTENCE	
PRINTING AND STATIONERY	
GIFTS	
OTHER – PLEASE SPECIFY	
<b>TOTAL</b>	

- 1 - Further information should be provided on additional schedules if it is considered necessary for the full and proper understanding of the request;*
- 2 - This form should be retained by the business unit organising the event for the purposes of subsequent audit inspection;*