



Business Assurance

Gifts and Hospitality Policy



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POLICY ON GIFTS AND HOSPITALITY

1 Introduction

- 1.1 CCEA recognises that its employees have a responsibility, in the interests of public confidence, to exhibit high standards of propriety, and carry out their role with dedication and a commitment to the core public service values of integrity, honesty, objectivity and impartiality. CCEA also recognises that contractors and customers of our products and services may extend from time to time offers of gifts and hospitality to staff.
- 1.2 The legal obligations and fundamental principles governing the acceptance of gifts and hospitality by staff are set out in section 3 of this policy. It also provides some specific advice on how these principles should be interpreted across CCEA. The policy is designed to remind staff of their responsibility to exercise judgement and propriety regarding the acceptance of offers of gifts and/or hospitality. The guidance is effective immediately and will be subject to periodic review.
- 1.3 All CCEA staff should conduct themselves with honesty and impartiality in the exercise of their duties. As a consequence, they should never receive benefits of any kind from a third party which might reasonably be thought to compromise their personal judgement or integrity. In this field, perception is as important as reality.
- 1.4 The fundamental principle is that no member of staff should do anything which might give rise to the impression that he or she has been or might be influenced by a gift or hospitality or other consideration to show bias for or against any person or organisation while carrying out official duties.
- 1.5 The monitoring arrangements that are in place ensure that the arrangements are operating effectively and that they can be seen to be operating effectively. They are set out in section 14.

2 Aims

- 2.1 This guidance sets out good practice concerning the offering, acceptance or refusal of gifts or hospitality, and details responsibilities and procedures for the authorisation and recording of such instances. As Public Servants our standards of conduct are determined by what the Government and the public as taxpayers expect and not by what may be a common practice elsewhere.
- 2.2 CCEA staff who are contracted for their services and those who are acting on behalf of CCEA (e.g. examiners, moderators, professional associates etc.) must also abide by the policy. If it is believed that a member of CCEA staff or contractor may have breached the policy, the matter must firstly be reported to the relevant Business Manager (or more senior manager as appropriate) and then the Business Assurance Team, who will take the matter forward with the individual or his/her company. This requirement must be notified to all external contractors before they start work within CCEA as part of the written contract.

- 2.3 This policy should also apply to anyone internal/external to the organisation (including family members or other associates of CCEA Officials) if it can be argued or perceived that the gift or hospitality is in fact for the benefit of the CCEA official.
- 2.4 Any breach of the rules of conduct may lead to disciplinary action and in some circumstances can be a criminal offence.
- 2.5 This policy focuses on the key issues and provides the specific rules, which all staff in CCEA should adopt. It is not an exhaustive list of hospitality and gifts but seeks to provide an ethical framework for decision making in relation to provision and acceptance.

3 Legal obligations and fundamental principles

- 3.1 Under the Bribery Act 2010 it is an offence for an officer in his/her official capacity:
- a. to corruptly accept any gift or consideration as an inducement or reward for doing, or refraining from doing, anything in that capacity; or
 - b. to show favour or disfavour to any person; or
 - c. to receive money, gifts or consideration from a person or organisation holding or seeking to obtain a Government contract.
- 3.2 All of these are deemed by the Courts to have been received corruptly unless it is proven otherwise.

4 Record of gifts and hospitality

- 4.1 CCEA, (through Business Assurance), will maintain a Register of Gifts and Hospitality. The purpose of the Register will be to counter any possible accusations or suspicions of breach of the rules of conduct by staff. The Register is subject to Freedom of Information (Fol) requests. A template is attached at Annex A.
- 4.2 The register will include the offer of, receipt of, and giving of gifts and hospitality.
- 4.3 All staff will be made aware of revisions to this policy through a communication indicating the release of an updated version. The policy will be made available on CCEA's internal communications mechanism, 'The Hub'.

5 Publication of the Register of Gifts and Hospitality

- 5.1 It is recommended good practice for Non Departmental Public Bodies (NDPB) to produce 'disclosure logs' of gifts and hospitality, although it is not mandatory for them to do so. CCEA will publish anonymised details regarding its gifts and hospitality annually at the close of each financial year.

6 Acceptance of gifts

- 6.1 The general principle is that all gifts offered should be refused. However, seasonal, promotional or trivial gifts (such as calendars, diaries, pens etc.), which bear company names and/or logos of the provider of the gift and have a value of less than £20, may be accepted by individuals without the need for these to be approved in advance. However, they must be reported to Business Assurance. A token gift may be accepted if it is presented by an organisation; however, these and the acceptance of any other gifts must have been approved by management (see section 10) and must be declared by the member of staff via the CCEA register. Examples of gifts that fall into this category would be chocolates, wine, or flowers.
- 6.2 For items valued at between £20-50, these must be approved by the Chief Executive (see section 10). More expensive or substantial items, valued at over £50, for example, lottery tickets, cash, gift vouchers for retail stores or gift cheques, cannot on any account be accepted. All gifts offered falling into this category must be recorded in the register.

7 Trade, loyalty or discount cards

- 7.1 Trade, loyalty or discount cards by which an officer might personally benefit from the purchase of goods or services at a reduced price are classified as gifts and should be refused and/or returned to sender. These should be recorded on the register.
- 7.2 Frequent flyer cards issued by airlines can be used by staff to avail of special departure lounges and priority booking and check-in when travelling on CCEA business. They must not make private use of any flights/air miles which derive from flights paid for from the public purse.

8 Staff involved in the procurement or monitoring of a contract

- 8.1 Apart from trivial or inexpensive gifts, such as diaries, no gifts or hospitality of any kind from any source should be accepted by anyone involved in the procurement or monitoring of a contract. This will ensure that no criticism can be made regarding bias to a particular company or supplier.

9 Gifts received in recognition of work undertaken

- 9.1 On no account should a gift or gratuity be solicited or requested. Where gifts by way of gratuities, vouchers or book tokens, etc. for lectures, broadcasts or similar engagement are offered the following guidelines should be used:
- a. If CCEA time or any CCEA resource has been used then they should be declined on each and every occasion.
 - b. If the engagement relates in any way to CCEA intellectual property right or CCEA subject matter then they should be declined on each and every occasion.
 - c. If the event took place outside normal working hours at no expense to CCEA and no CCEA resource/intellectual property/subject matter was used, it may be acceptable for the individual officer to retain the whole.

- d. fee, token or other gift up to the value of £50. This will need to be approved by management.
- 9.2 In the case of either a, or b, CCEA can, if it so chooses, charge the organisation or body a fee based on the salary costs of the individual and/or the use of resources. Fees for this are discussed in advance by the Director and Financial Services Business Manager.
- 9.3 Without exception, all gifts or gratuities must be recorded in the Gifts and Hospitality Register held by Business Assurance.

10 Reporting gifts and approval process

- 10.1 Business Assurance will ensure that the details of the gift and the Chief Executive's decision are recorded in the Gifts and Hospitality Register.

11 Hospitality

- 11.1 The handling of offers of hospitality is recognised as being much more difficult to regulate but it is an area in which staff must exercise careful judgement. In exercising this judgement it is acknowledged that there can be difficulty in distinguishing between a "gift" and "hospitality". It is also recognised that it can be as embarrassing to refuse hospitality, as it can be to refuse a gift.
- 11.2 The acceptance of what might be recognised as conventional hospitality, for example working lunches, should, in the main, cause no problem especially if there is some official means of reciprocity and provided that it is limited to isolated occasions. Hospitality which would not be acceptable would include invitations to frequent or more expensive social functions where there is no direct link to official business (i.e. social events such as sporting events, the theatre, opera etc.), particularly where these come from the same source, and those which involve significant travel, hotel or other subsistence expenses.
- 11.3 It can be argued that if officers are to achieve the best value for money in dealings with customers or stakeholders then they need to build up contacts and that it is quite legitimate for them to have a close working relationship with organisations or individuals, which may involve a degree of hospitality.
- 11.4 There may also be instances where staff members receive invitations to events run by voluntary organisations such as annual conferences/dinners. Attendance at such events is considered an integral element in building and maintaining relationships with these sectors and any hospitality received is likely to be reasonable and proportionate, and therefore acceptable. Additionally, very occasional acceptance of meals or tickets to public sporting, cultural or social events may be considered for acceptance if attendance is justified as being in CCEA's particular business interest. It will be for the officer and his/her managers to demonstrate clearly that acceptance was in CCEA's interest.

- 11.5 The key point is that in accepting hospitality staff should be aware of, and guard against, the dangers of misrepresentation or perception of favouritism by a competitor of the host.
- 11.6 In summary, in deciding whether hospitality can be accepted, staff should consider if it:
- a. is likely to help business effectiveness;
 - b. places no obligation or perceived obligation on the recipient;
 - c. is not frequent, lavish or prolonged;
 - d. is unconnected with any decision affecting the organisation or the individual offering it and there is no conflict of interest;
 - e. can be justified; and
 - f. provides benefits to CCEA, which outweigh the risk of possible misrepresentation of the hospitality.

12 Reporting hospitality and approval process

- 12.1 When in doubt about accepting hospitality or an invitation, Business Assurance should be consulted. In all instances where other than conventional hospitality (infrequent working lunches) is offered, the approval of the Chief Executive should be sought using the Gifts and Hospitality form in the forms section on the HUB. Whether a gift is accepted or not, Business Assurance must be notified of the offer using the Gifts and Hospitality form. It is particularly important to ensure that CCEA is not over-represented at an event or function and care should be taken to ensure that this does not happen, for example, by enquiring from the host as to other staff who have received similar invitations.

13 Awards or prizes

- 13.1 Staff should consult with Business Assurance if they are offered an award or prize in connection with their official duties. They will normally be allowed to keep it provided:
- a. there is no risk of public criticism;
 - b. it is offered strictly in accordance with personal achievement;
 - c. it is not in the nature of a gift nor can be construed as a gift, inducement or payment for a publication or invention to which other rules apply.

14 Monitoring arrangements

- 14.1 The Register of Gifts and Hospitality will be subject to the following monitoring arrangements.
- 14.2 Directors will be responsible for monitoring the Register for their respective business units on an annual basis.
- 14.3 The Chief Executive will review the Register on an annual basis.

15 Offering gifts and hospitality

- 15.1 The Chief Executive may authorise gifts up to the value of £25 (refer to the Management Statement and Financial Memorandum (MSFM) for the latest limits: http://ccea.org.uk/about_us/policies/management_statement). These gifts shall not be used for the benefit of staff or members.
- 15.2 Records of such gifts should be made in the Register of Gifts and Hospitality (refer back to section 4). If there is in any doubt whether a particular expenditure counts as a gift, CCEA are required to consult DE.
- 15.3 The prior approval of DE must be obtained for amounts above the MSFM.
- 15.4 Proposals for making gifts or other special payments beyond these limits must have the prior approval of DE (and where necessary DoF).
- 15.5 Staff are not permitted to provide any gifts to contractors or other related parties beyond CCEAs policies including the Gifts and Hospitality Policy and CCEA's Staff Expenses Policy.
- 15.6 As outlined in the Staff Expenses Policy, the offering of hospitality (business meals) must be approved in advance by the Chief Executive.
- 15.7 Staff are not permitted to provide any hospitality (business meals) to contractors or other related parties beyond CCEAs policies including the Gifts and Hospitality Policy and CCEA's Staff Expenses Policy. This excludes standard catering for CCEA meetings.
- 15.8 If uncertain, advice should be sought in advance from the Financial Services Business Manager or from the Business Assurance Manager.

16 Enquiries

- 16.1 Any enquiries about this guidance should be directed in the first instance to: David Wilson, Business Assurance Manager: dwilson@ccea.org.uk or tel: 028 9026 2795.

Related Policies

- Management Statement and Financial Memorandum
- Staff Expenses Policy

Template Letter for Return of Offer of Gift/Hospitality

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

Date

Contact name Address

Dear

Re:

The Council for the Curriculum, Examinations and Assessment (CCEA) 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 INSERT: Name of gift/hospitality.

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 CCEA. I hope you will accept our response in that spirit and that we can look forward to continued effective working relationships.

Yours...

Revision History

Version	Originator	Summary of Changes	Date
1.2	Clarke/Quinn	Amendments and formatting	20 Aug 2013
1.3	NIPSA/PSE	Comments and Suggestions included	11 Sep 2013
1.4	McGovern	Full review	18 Oct 2018
1.5	McGovern	Feedback from Director of Finance and Corporate Services	16 Nov 2018
1.6	McGovern	Feedback from Director of Finance and Corporate Services	10 Jan 2019
1.7	Daly	Edits in relation to the provision of gifts and hospitality	4 Feb 2019
1.8	McGovern	Legislation updated	6 Feb 2019
1.9	Scott/Wilson	Director sign off for CE Approval	19 Feb 2019

