



# Business Assurance Gift and Hospitality Policy



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# **POLICY ON GIFTS AND HOSPITALITY**

## **1 Introduction**

CCEA recognises that its employees and Council members have a responsibility, in the interests of public confidence, to exhibit high standards of propriety, and carry out their role in line with the Seven Principles of Public Life ([The Seven Principles of Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk)), commonly referred to as 'The Nolan Principles') and CCEA's values.

CCEA expects its people to 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.

The policy is designed to remind staff and Council members of their responsibility to exercise judgement and propriety regarding the giving or acceptance of offers of gifts and/or hospitality. The fundamental principle behind the policy is that no-one 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.

The legal obligations and fundamental principles governing the acceptance and giving of gifts and hospitality are contained within this policy. The policy also provides some specific advice on how these principles should be interpreted across CCEA.

## **2 Aims**

CCEA recognises that contractors and customers of our products and/or services may, from time to time, extend offers of gifts and hospitality. 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.

The 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 Scope of the Policy**

CCEA staff, permanent or temporary, and those who are acting on behalf of CCEA (e.g. examiners, moderators, professional associates etc.) must abide by the policy.

The policy also extends to CCEA Council members and to external contractors.

The policy may 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.

## **4 Legal obligations**

Under the Bribery Act 2010, it is an offence for an officer in his/her official capacity:

- to corruptly accept any gift or consideration as an inducement or reward for doing, or refraining from doing, anything in that capacity; or
- to show favour or disfavour to any person; or
- to receive money, gifts or consideration from a person or organisation holding or seeking to obtain a government contract.

The above examples are deemed by the courts to have been received corruptly unless it is proven otherwise.

## **5 Record of gifts and hospitality**

CCEA, (through the Business Assurance Team), 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 Act (FoIA) requests.

*Council Secretariat will record gifts and hospitality for CCEA's Council members.*

## **6 Reporting arrangements**

Reporting arrangements are detailed within this policy but will include the Chief Executive for approval and Business Assurance. A Gifts and Hospitality form exists for this purpose on The Hub.

Whether a gift is accepted or not, Business Assurance must be notified.

When in doubt about accepting or offering any gift or hospitality or an invitation, Business Assurance should be consulted.

*For CCEA Council members, Council Secretariat will report on gifts and hospitality but advice can be sought from Business Assurance.*

## **7 Monitoring and publication arrangements**

Monitoring arrangements are in place to ensure that the policy is operating effectively. These arrangements include:

The Business Assurance Team will maintain the Gifts and Hospitality Register.

The Chief Executive will be responsible for monitoring the Register and this will be undertaken on an annual basis in January.

It is recommended good practice for non-departmental public bodies (NDPB) to produce 'disclosure logs' of gifts and hospitality, although it is not mandatory to do so. In line with CCEA's Publication Scheme and the Information Commissioner's Office Model

Publication Scheme, CCEA will publish anonymised details regarding its gifts and hospitality annually in January for senior staff and Council members. Senior staff is defined as Business Manager, Director and Chief Executive grades. The Chief Executive will have reviewed the anonymised Register prior to any publication.

*Separate monitoring and publication arrangements exist for CCEA Council members.*

## 8 Acceptance of gifts

The general principle is that all gifts offered should be refused. In addition, any gifts over £25 cannot be accepted without approval from the Department of Education.

Within CCEA, the following arrangements are acceptable. Should there be any queries regarding the acceptance of any gift, Business Assurance should be contacted for advice.

In all cases, all gifts must be notified to Business Assurance at [quality@ccea.org.uk](mailto:quality@ccea.org.uk) and the appropriate form, found in the forms section of The Hub, completed and submitted to Business Assurance.

Nature of Gift	Value	Acceptance/Refusal Criteria and/or Action	Register
Seasonal, promotional or trivial gifts (for example, calendars, diaries, pens etc.) which bear company names and/or logos of the provider	Up to £25	May be accepted without the need for approval in advance.  Requires approval/refusal consideration by the Chief Executive.	Not recorded on the Register.
Token gift (for example, chocolates, wine, or flowers)	Up to £25	Requires approval/refusal consideration by the Chief Executive.  The Chief Executive may also decide that the token gift be offered to CCEA's designated charity or auctioned for charity.	Not recorded on the Register.
Other items (for example, lottery tickets, cash, gift vouchers/cheques, store cards)	Any value	Cannot be accepted.	Recorded on the Register.
Trade, loyalty, or discount cards	Any value	Cannot be accepted.	Recorded on the Register.
Airline frequent flier cards/points for CCEA organised travel	Any value	Can be accepted to avail of special departure lounges and priority booking or check-in in relation to CCEA business only.  Cannot be utilised for personal use.	Not recorded on the Register.

Nature of Gift	Value	Acceptance/Refusal Criteria and/or Action	Register
Any gift over £25	Over £25	Cannot be accepted without advance approval by the Department of Education.	Recorded on the Register.

*Separate acceptance arrangements exist for CCEA Council members.*

## **9 Acceptance of gifts and hospitality for staff involved in the procurement or monitoring of a contract**

No gifts or hospitality can be accepted by staff involved in the procurement of a contract.

Only seasonal, promotional or trivial gifts can be accepted by staff involved in the monitoring of a contract.

No other gifts or hospitality of any kind from any source can be accepted by staff. This will ensure that no criticism can be made regarding bias to a particular company or supplier.

## **10 Acceptance of gifts received in recognition of work undertaken**

The general principle is that all gifts offered should be refused. In addition, any gifts over £25 cannot be accepted without approval from the Department of Education.

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:

Nature of Work	Value	Acceptance/Refusal Criteria and/or Action	Register
CCEA time or CCEA resource used.	Any value	Decline.	Recorded on the Register.
Outside normal work hours but with an expense incurred by CCEA (for example, staff member claiming travel or time owed).	Any value	Decline.	Recorded on the Register.
Representing CCEA or using CCEA resources/intellectual property/subject matter.	Any value	Decline.	Recorded on the Register.

<b>Nature of Work</b>	<b>Value</b>	<b>Acceptance/Refusal Criteria and/or Action</b>	<b>Register</b>
Outside normal working hours with no expense incurred by CCEA (for example, no travel or time claimed by the member of staff) and no CCEA resources/intellectual property/subject matter used).	Up to £25	Requires approval/refusal consideration by the Chief Executive.	Recorded on the Register.
Outside normal working hours with no expense incurred by CCEA (for example, no travel or time claimed by the member of staff) and no CCEA resources/intellectual property/subject matter used).	Over £25	Cannot be accepted without advance approval by the Department of Education.	Recorded on the Register.

CCEA may, if it so chooses, charge an organisation a fee based on the salary costs of the individual and/or the use of resources/intellectual property/subject matter. Fees for this are discussed in advance by the relevant Director and the Financial Services Business Manager.

*Separate acceptance arrangements exist for CCEA Council members.*

## **11 Acceptance of awards or prizes**

<b>Acceptance Considerations</b>	<b>Acceptance/Refusal Criteria and/or Action</b>	<b>Register</b>
<p>No risk of public criticism; and</p> <p>Offered to recognise a personal achievement;</p> <p>Cannot be construed as a gift, inducement or payment to which other rules/arrangements apply; and</p> <p>Up to the value of £25.</p>	<p>Can be accepted if conditions are met (subject to Chief Executive approval). Otherwise, decline.</p> <p>Approval must be sought from the Chief Executive.</p>	Not recorded on the Register.

Acceptance Considerations	Acceptance/Refusal Criteria and/or Action	Register
<p>No risk of public criticism; and</p> <p>Offered to recognise a personal achievement;</p> <p>Cannot be construed as a gift, inducement or payment to which other rules/arrangements apply; and</p> <p>Over the value of £25.</p>	<p>Cannot be accepted without approval in advance from the Department of Education.</p>	<p>Recorded on the Register.</p>

*Separate acceptance arrangements exist for CCEA Council members.*

## **12 Acceptance of hospitality**

Offers of hospitality are recognised as an area in which staff must exercise careful 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.

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, the opera etc.), particularly where these come from the same source, involve significant travel, hotel or other subsistence expenses.

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 may be 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.

The key point is that in accepting hospitality, people should be aware of, and guard against, the dangers of misrepresentation or perception of favouritism by a competitor of the host.

- In summary, in deciding whether hospitality can be accepted, the following should be considered:
- is likely to help business effectiveness;
- is there a risk of an obligation, or perceived obligation, on the recipient;
- the hospitality is no frequent, lavish or prolonged;



- is unconnected with any decisions that are/may be made and there is no conflict of interest;
  - can be justified; and
  - provides benefits to CCEA, which outweigh the risk of possible misrepresentation of the hospitality.
- All hospitality offered must be approved by the Chief Executive in advance of receipt.

*Separate acceptance arrangements exist for CCEA Council members.*

### **13 Offering gifts**

In general, no gifts should be offered to individuals or organisations. Staff are not permitted to provide any gifts to contractors or other related parties beyond CCEA's policies including the Gifts and Hospitality Policy and CCEA's Staff Expenses Policy.

There may be occasions where CCEA wishes to recognise a significant contribution to the organisation (for example, retiring senior examining/moderating team members) and this may be considered through approval by the Chief Executive and supported by an approved business case. In these circumstances, the gift offered may fall under the category of promotional or trivial gifts (for example, calendars, diaries, pens etc.) which bear CCEA's name and/or logo.

All gifts offered must be supported by a completed Gifts and Hospitality form and notified to the Business Assurance Team.

*Separate acceptance arrangements exist for CCEA Council members.*

### **14 Offering hospitality**

It can be argued that if CCEA is 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.

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 which is available on the forms section of The Hub.

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.

All hospitality offered must be supported by a completed Gifts and Hospitality form and notified to the Business Assurance Team.

*Separate acceptance arrangements exist for CCEA Council members.*

## **15 Further avenues/enquiries**

Any enquiries about this guidance should be directed in the first instance to Business Assurance at [quality@ccea.org.uk](mailto:quality@ccea.org.uk).

If it is believed that a member of CCEA staff, CCEA Council 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, at the same time, to the Business Assurance Team, who will take the matter forward.

Any breach of the rules of conduct or compliance with policy may lead to disciplinary action and, in some circumstances, can be a criminal offence.

## **16 Related policies/documents**

Gifts and Hospitality Form  
Register of Gifts and Hospitality  
Staff Expenses Policy  
Disciplinary Policy  
CCEA Financial Memorandum

## 17 Revision History

Version	Originator	Summary of Changes	Date
1	Clarke/Quinn	Amendments and formatting	20 Aug 13
2	PSE	Comments and Suggestions included	11 Sep 13
3	McGovern	Full review	18 Oct 18
4	McGovern	Feedback from Director of Finance and Corporate Services	16 Nov 18
5	McGovern	Feedback from Director of Finance and Corporate Services	10 Jan 19
6	Daly	Edits in relation to the provision of gifts and hospitality	4 Feb 19
7	McGovern	Legislation updated	6 Feb 19
8	Scott/Wilson	Director sign off for ET Approval	19 Feb 19
9	McGovern	Amended to include Director sign off at all levels as requested by CEO. Removal of annexes: Form available on The Hub Register maintained by Business Assurance	22 Sep 21
10	McGovern	Full restructuring of policy to provide clarity. Alignment with CCEA's revised Financial Memorandum (2023) which states that CEO approval is required. Change of value to ensure limit is £25 for CEO approval throughout thereby bringing policy in line with Financial Memorandum. Removal of a broken/non-existent web link. Change of publishing period for Register of Gifts and Hospitality from financial year to calendar year. Amendments and formatting.	01 May 24

