



HOSPITALITY AND GIFTS – GUIDANCE AND PROCEDURES

1. Purpose:

This Guidance and Procedures Document supports the Hospitality and Gifts policy and sets out good practice concerning the acceptance or rejection of gifts or hospitality, and details responsibilities and procedures for the authorisation and recording of such instances. It also outlines the guidance for the provision of hospitality and gifts.

PBNI employees are public servants, accountable to both the public and the Government for our actions. As such, we must be beyond reproach and be seen to be beyond reproach.

2. Acceptance of Hospitality and Gifts:

- 2.1** The Probation Board for Northern Ireland (PBNI) recognises that contractors and other customers of our services may extend from time to time offers of gifts and hospitality to employees. PBNI also 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 PBNI and its core values.
- 2.2** PBNI employees 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.
- 2.3** 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. If an employee has any doubt about the propriety of accepting a gift, hospitality or benefit then it should be politely refused. However, should an employee feel that there are circumstances surrounding a particular gift or occasion, which are not covered by the exceptions set out in this

guidance, he/she should consult with the ACO Finance or (in the case of Board Members), the Board Secretary.

Record of gifts, hospitality, invitations etc.

2.4 PBNI will maintain two Registers of Gifts, Hospitality and Awards (a separate one will be held for Board members), which will be available for review. The purpose of the registers will be to counter any possible accusations or suspicions of breach of the rules of conduct by employees. The register will be listed in PBNI's Publication Scheme and its information could be subject to scrutiny as a result of a Freedom of Information (FOI) request. Employees should bear this in mind when deciding on the acceptance of any gift or hospitality. A template of the register is attached at Annex A.

Acceptance of gifts

2.5 The general principle is that all gifts offered should be refused. Staff involved in the procurement or monitoring of a contract should be particularly careful about the acceptance of gifts from the contractors concerned. However, seasonal, promotional or trivial gifts (such as calendars, pens, diaries etc), which bear Company names and/or logos of the provider of the gift and have a value of less than £10, may be accepted by individuals without the need for these to be reported or approved in advance.

Other, seasonal gifts such as chocolates, bottles of wine or spirits etc, with a value of less than £10 can also be accepted without any need for advance approval.

Acceptance of more significant gifts must have been approved by management in advance and be declared by the employee in the register. "Management" will normally mean the ACO Finance, a Deputy Director or the Director of Probation. In the case of Board members, the Board Secretary will be the point of contact. However, the Board Secretary will be required to contact one of the above named managers for approval.

Gifts of cash, or cash equivalents should generally not be accepted, but if any are offered, the ACO Finance should be contacted for advice. **All gifts offered, with a value of £10 or more, even if they are declined/returned need to be recorded in the register.**

Trade, loyalty or discount cards

2.6 Trade, loyalty or discount cards by which an employee might personally benefit from the purchase of goods or services at a reduced price are classified as gifts and should be refused or returned to sender.

Frequent flyer cards, which are used by airlines can be used by employees to avail of special departure lounges and priority booking and check-in. They must not make private use of any flights/air miles, which derive from flights paid for by PBNI. However, this is unlikely to occur as all travel is booked centrally by Finance Department.

Gifts received in recognition of work done

2.7 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 occurrences are offered, then guidance should be sought from the ACO Finance, however these are the general guidelines which should be followed, **where such work is linked directly to PBNI business::**

- If, a gift is offered as a result of a member of PBNI staff carrying out work at an event, for example, a presentation, it may be difficult to refuse the offer. The gift should be accepted but the recipient should inform the ACO Finance at the earliest opportunity and a decision will then be taken as to how to treat it. For example, a decision may be taken to use a book token to purchase a publication for use by PBNI as a whole, or to donate it to a chosen charity.

Hospitality

2.8 The handling of offers of hospitality is recognised as being much more difficult to regulate but it is an area in which employees must exercise careful judgement. In doing so, 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 would be accepted 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 it is limited to isolated occasions and its acceptance is in the interests of PBNI.

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 (sporting events, the theatre, opera or ballet etc), particularly where these come from the same source, and those which involve travel, hotel or other subsistence expenses

It can be argued that if officers are to achieve the best value for money in dealings with suppliers or consultants 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. There will also be instances where employees receive invitations to events run by voluntary and other partner organisations such as Annual Conferences or 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. There will also be instances where employees attend working groups, meetings, conferences with other organisations, both public and private sector, where lunch or dinner is involved. Additionally, very occasional acceptance of meals or tickets to

public sporting, cultural or social events may be accepted if attendance is justified as being in the interest of the business of PBNI.

The main point is that in accepting hospitality, employees need to be aware of and guard against, the dangers of misrepresentation or perception of favouritism by a competitor of the host.

To summarise, in deciding whether hospitality can be accepted, employees should consider whether it:

- Is likely to help business effectiveness;
- Places no obligation or perceived obligation on the recipient;
- Is not frequent, lavish or prolonged;
- Is unconnected with any decision affecting PBNI or the individual offering it;
- Can be justified; and
- Provides benefits to PBNI, which outweigh the risk of possible misrepresentation of the hospitality.

Awards or Prizes

2.9 Employees should consult with the ACO Finance if they are offered an award or prize in connection with their official duties. They will normally be allowed to keep it provided:

- There is no risk of public criticism;
- It is offered strictly in accordance with personal achievement;
- It is not in the nature of a gift nor can it be construed as a gift, inducement or payment for a publication or intervention to which other rules apply

Gifts and Hospitality – Reporting, Approval and Recording Process

2.10 The ACO Finance will maintain the Register of Gifts and Hospitality for employees, the Board Secretary will maintain a register for Board

members, although the ACO Finance should also have access to this as and when necessary. All offers of gifts/hospitality should be notified to the ACO Finance (or Board Secretary).

- For all other gifts worth £10 and over and/or hospitality, the prospective recipient should complete part 1 of form H1 which is at Annex C and pass to the ACO Finance. This can be done electronically. If the gift /hospitality **has been declined**, once Part 1 has been forwarded to the ACO Finance, no further action is required of the employee or Board member concerned. The register will be updated.
- If the gift/hospitality has not been declined and **approval is sought to accept it**, part 1 must be forwarded and no action taken until the decision has been communicated to the recipient. In each case, the ACO Finance (or Board Secretary) will decide whether to allow the employee or Board member to keep the gift or accept the hospitality or to return the gift or offer with a suitably worded letter (template is at Annex B), explaining why it cannot be accepted.
- The decision will be communicated to the employee or Board member in writing or by e mail.

3. Provision of hospitality and gifts.

3.1 General Principles

- As with all public expenditure, hospitality expenditure should be value for money and incurred in accordance with the principles of regularity and propriety.
- Any hospitality offered should further the Government or taxpayers' interest and involve no reasonable suspicion that personal judgement or integrity had been compromised (i.e. a common sense test).

3.2 List of groups to whom PBNI might provide entertainment/hospitality or gifts

- Retiring employees
- Guest speakers at PBNI events
- Representatives of other Government Agencies, eg NIO officials, representatives from other Probation Services in UK or Ireland, or other, voluntary organisations
- Employees, in certain circumstances as outlined in next section
- Offenders, in certain circumstances as outlined in next section.

3.3 Range of circumstances in which expenditure on hospitality may be expected to arise within PBNI

- Provision of a retirement function for PBNI employees –Such farewell parties for public servants should not be funded from public funds and should be treated as private ventures. However, PBNI will make a discretionary contribution up to a maximum of £100 towards any retirement celebration for an employee.

- Guest speakers, especially if they have travelled a significant distance to attend, may have to be offered accommodation and meals. Usually a representative(s) from PBNI can entertain the person. This should be done within reasonable limits and the approval of the appropriate senior manager should be sought. Where Board members are involved, the Board Secretary will normally grant approval. The cost of the meal for the employee(s) concerned will also be provided. Any expenditure on alcohol should not exceed 15% of any entertainment. (eg if total meal costs £100, the wine element should be maximum of £15).
- Similarly, there may be occasions when PBNI employees feel it would be appropriate to entertain representatives from other Government bodies or other partner organisations. Again, the same rules regarding reasonableness, approval and alcohol apply.
- Employees can receive hospitality from PBNI in a range of circumstances as follows:
 - Attendance at all day training events
 - Attendance at PBNI functions, eg staff days, when lunch is provided
 - If employees are required to attend a meeting over lunch time, sandwiches can be provided. Similarly, where Board and/or Committee meetings take place over lunch time, catering can be provided.
- Offenders can receive hospitality in the form of light refreshments at lunchtime, if they are taking part in one of our specialist programmes on PBNI premises.

3.4 Approvals

- All catering requests, apart from basic ones such as tea, coffee and biscuits, must be approved by the relevant senior manager (ACO or above) or area manager. All hospitality for retiring employees or meals in restaurants must get prior approval from a senior manager (ACO or above) before the event takes place.

3.5 General Rules

- Gifts are not normally provided by PBNI from PBNI funds. However, there may be exceptions to this, and any proposal to provide gifts should be discussed with the ACO Finance.
- The quality and extent of any official entertainment, hospitality or gifts being provided should depend on the particular circumstances of the occasion.
- Particular caution should be exercised when hospitality is provided largely for PBNI staff.
- Official hospitality should be contained within approved, centrally held budgets.
- Staff should not use public resources for personal benefit.
- Staff should be aware that failure to comply with this guidance could result in the application of PBNI's Disciplinary Procedures.

3.6 Enquiries

Any enquiries about this guidance should be directed to Maura Canavan, ACO Finance, ph: 028 9026 2428; e-mail maura.canavan@pbni.org.uk.

ANNEX A				
Organisation Name:	Probation Board for Northern Ireland	Team/Department		Year:

REGISTER OF GIFTS / HOSPITALITY / AWARDS ETC

Date of Offer	Offered to	Ultimate recipient (if different)	Offered From	Description of Offer	Reason for Offer	Details of Contracts - current or potential	Est. / actual value of offer £	Action Taken i.e. Accepted / Refused / Returned	Entered by	Entered Date	File Ref:

Template for Return of Offer of Gift/Hospitality

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

Contact name	Name of Business
Name of company	Manager/Head of Division:
Address of company	Office Address
Date	
Dear	
The Probation Board for Northern Ireland 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 the Probation Board for Northern Ireland. I hope you will accept our response in that spirit and that we can look forward to continued effective working relationships.	
Yours	

Annex C

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

GIFT/HOSPITALITY FORM H1 Part 1) (AUTHORISATION/OFFER ACCEPTED/OFFER DECLINED)	
Name of recipient:	
Name of ultimate recipient if not as above (ie 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 TURN OVER FOR PART 2 TO BE COMPLETED BY THE APPROVING OFFICER

**GIFT/HOSPITALITY FORM H1 (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 Annex 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