



# **Procedures and Guidance on the Acceptance of Hospitality and Gifts**

## Document Control

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## Alternative Formats

This documentation can be made available in alternative formats such as large print, Braille, disk, audio tape or in an ethnic-minority language upon request. Requests for alternative formats can be made to the Probation Board using the following contact information:

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## **1. Purpose**

This Procedures and Guidance Document supports the Policy on the Provision and Acceptance of Hospitality, Gifts and Events 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. PBNI employees and Board members 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. General Principles**

- 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 and Board members. PBNI also recognises that its employees and Board members 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 and Board members 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 employee or Board member 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 or Board member has any doubt about the propriety of accepting a gift, hospitality or benefit then it should be politely refused. However, should an employee or Board member 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 Head of Finance or (in the case of Board Members), the Board Secretary.

## **3. Record of gifts, hospitality, invitations etc.**

- 3.1** PBNI will maintain two Registers of Gifts, Hospitality and Awards, one for employees and a separate one Board members which will be available for review.
- 3.2** The purpose of the registers will be to counter any possible accusations or suspicions of breach of the rules of conduct by employees or Board members.

**3.3** 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 and Board members should bear this in mind when deciding on the acceptance of any gift or hospitality.

**3.4** A template of the register is attached at **Annex A**.

## **4 Acceptance of gifts**

**4.1** The general principle is that all gifts offered should be refused.

**4.2** Staff involved in the procurement or monitoring of a contract should be particularly careful about the acceptance of gifts from the contractors concerned.

**4.3** 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 £50, may be accepted by individuals without the need for these to be reported or approved in advance.

**4.4** Other, seasonal gifts such as chocolates, bottles of wine or spirits etc, with a value of less than £50 can also be accepted without any need for advance approval.

**4.5** Occasionally an offender or service user (or relative) may offer a gift to his/her supervising Probation Officer. In such circumstances, the Probation Officer should advise their line manager and determine whether it is appropriate for them to accept the gift. The line manager should refer to the guidelines contained in this document but may wish to consult with the Head of Finance for advice.

**4.6** 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 Head of Finance, a Deputy Director or the Chief Executive. 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.

**4.7** Gifts of cash, or cash equivalents should generally not be accepted, but if any are offered, the Head of Finance should be contacted for advice.

**4.8** All gifts offered, with a value of £50 or more, even if they are declined/returned need to be recorded in the register.

## **5 Trade, loyalty or discount cards**

**5.1** 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.

**5.2** 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.

## **6. Gifts received in recognition of work done**

**6.1** On no account should a gift or gratuity be solicited or requested.

**6.2** 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 Head of 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 an employee or Board member 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 Head of 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.

## **7 Hospitality**

**7.1** 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.

**7.2** 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.

**7.3** 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

**7.4a** It can be argued that if employees or Board members 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.

- 7.4b** 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.
- 7.5** 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.
- 7.6** 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.
- 7.7** **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.**
- 7.8** To summarise, in deciding whether hospitality can be accepted, employees and Board members 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.

## **8 Awards or Prizes**

- 8.1** Employees should consult with the Head of 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

## **9 Gifts and Hospitality – Reporting, Approval and Recording Process**

- 9.1** The Head of Finance will maintain the Register of Gifts and Hospitality for employees, the Board Secretary will maintain a register for Board

members, although the Head of Finance should also have access to this as and when necessary.

- 9.2** For all other worth £50 and over and/or hospitality, the prospective recipient should complete part 1 of form H1 which is at **Annex C** and pass to the Head of Finance. This can be done electronically. If the gift/hospitality **has been declined**, once Part 1 has been forwarded to the Head of Finance, no further action is required of the employee or Board member concerned. The register will be updated.
- 9.3** 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.
- 9.4** In each case, the Head of 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.
- 9.5** The decision will be communicated to the employee or Board member in writing or by e mail.

## **10. Further Guidance**

- 10.1** If you have any questions or require clarification on these procedures and guidance please contact the PBNI Head of Finance

**ANNEX A**

<b>Organisation Name:</b>	<b>Probation Board for Northern Ireland</b>	<b>Team/Department</b>		<b>Year:</b>	
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<b>REGISTER OF GIFTS / HOSPITALITY / AWARDS ETC</b>
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<b>Date of Offer</b>	<b>Offered to</b>	<b>Ultimate recipient (if different)</b>	<b>Offered From</b>	<b>Description of Offer</b>	<b>Reason for Offer</b>	<b>Details of Contracts - current or potential</b>	<b>Est. / actual value of offer £</b>	<b>Action Taken i.e. Accepted / Refused / Returned</b>	<b>Entered by</b>	<b>Entered Date</b>	<b>File Ref:</b>

## ANNEX B

### 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: <i>Name of gift / hospitality.</i></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)

<b>GIFT/HOSPITALITY FORM H1 Part 1)</b> <b>(AUTHORISATION/OFFER ACCEPTED/OFFER DECLINED)</b>	
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: