

# Policy on the Provision and Acceptance of Hospitality, Gifts and Events

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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. Introduction**

- 1.1 The Probation Board for Northern Ireland (PBNI) has a responsibility to ensure the regularity and propriety of the public finances for which it is accountable. To maintain PBNI's integrity and reputation, there is a need for transparent practices that withstand public scrutiny and meet expectations in terms of the efficient use of available resources and avoidance of extravagance.
- 1.2 The purpose of this document is to set out PBNI's policy on the provision and acceptance of hospitality, gifts and events by PBNI employees and Board members. This updated document restates the importance of ensuring the appropriateness of expenditure incurred by the PBNI and will be reviewed every three years to ensure that it is compliant with all relevant legislation, including the Bribery Act 2010 and is generally fit for purpose.
- 1.3 The document also acknowledges that the relationships between PBNI and other public bodies may make a degree of hospitality necessary or desirable in furthering the delivery of our objectives, notwithstanding the accepted practice that public money should not generally be used for entertaining public servants.
- 1.4 This document complements the Northern Ireland Civil Service "Guidance on the Acceptance and Provision of Gifts and Hospitality" which PBNI has adopted and which outlines the responsibilities of staff to exercise judgment and propriety regarding offers received for gifts and hospitality.
- 1.5 If you have any questions about either the provision or acceptance of gifts and hospitality, please contact the PBNI Head of Finance.

## **2. Policy Principles**

- 2.1 The Probation Board for Northern Ireland recognises that contractors and other customers of the Board 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 to exhibit high standards of propriety, and carry out their role with dedication and commitment to PBNI and its core values of honesty, integrity openness and trust. As a result, 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, perception is as important as reality.
- 2.2 The fundamental principle is that no member of staff 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.

- 2.3 Providing hospitality or hosting events at public expense is naturally a sensitive issue and staff must always take care to ensure that their actions do not leave PBNI open to criticism. Expenditure should be kept as low as possible, compatible with the occasion and the standing of the guests. It is important that the Accounting Officer (the Chief Executive) can defend PBNI against all charges that the level of hospitality offered is excessive and therefore this facility should always be used sparingly.
- 2.4 The following general principles should be applied in all circumstances:
- a) As with all public expenditure, expenditure should provide value for money and be incurred in accordance with the principles of regularity and propriety;
  - b) Any hospitality offered or events hosted by PBNI employees, Board members or persons and organisations operating on behalf of PBNI should further PBNI's or taxpayers' interests and involve no reasonable suspicion that personal judgment or integrity has been compromised (i.e. a common sense test); and
  - c) Consideration should be given to the central importance of propriety and correctness in line with The Nolan principles (Annex 1)
  - d) PBNI employees and Board members should conduct themselves with honesty and impartiality in the exercise of their duties. Consequently, they should never provide benefits of any kind, which might reasonably be thought to compromise either their own personal judgment and integrity or that of others. In this field, perception is as important as reality. Consideration should be given to the Civil Service Management Code which set-out these principles
  - e) 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 common practice in the private sector
- 2.6 The Bribery Act 2010 creates four offences, as follows:
- a) A general offence of offering, promising or giving a bribe (section 1 of the Act)
  - b) A general offence of requesting, agreeing to receive, or accept a bribe (section 2 of the Act)
  - c) The offence of bribing a foreign official (section 6 of the Act)
  - d) A new corporate offence of failing to prevent bribery by those acting on the organisation's behalf (section 7 of the Act)
- 2.7 PBNI employees, Board members and those representing PBNI must comply with this policy and the Anti-Fraud and Anti-Bribery Policy and Response plan and report any reasonable suspicion of bribery.
- 2.8 It is not practical to draw up guidance for everything that may fall within the umbrella of hospitality and therefore this document does not pretend to cover every eventuality. Some events will justify a greater

outlay than others and judgments on the scale of provision should be based on common sense considerations.

- 2.9 Finally, whilst it can be difficult not to offer hospitality as a gesture of reciprocity, this should not be the sole reason for justifying the expenditure.

### **3. Policy Application**

- 3.1 This policy applies to PBNI and is based on that implemented within the Department of Justice, its sponsor department.
- 3.2 This policy applies to those listed below:
- a) Staff within PBNI;
  - b) Board members;
  - c) Volunteer mentors;
  - d) Employees on secondment to and from PBNI; and
  - e) Casual or temporary agency staff
  - f) Students
  - g) Partnership workers
- 3.3 External people acting on behalf of PBNI (for example, consultants) must also abide by the policy and comply with the requirements laid out in the Bribery Act 2010. This requirement should be notified to external people by the relevant manager before they start work within PBNI. If a manager believes that an external person may have breached the policy, they should report it to their line manager, who will take the matter forward.
- 3.4 This policy should also be seen as applying to spouses, partners or other associates of staff.
- 3.5 Any proven breach of the rules of conduct can lead to disciplinary action and, in some circumstances, where prima facie evidence suggests wrongdoing, could be the subject of a criminal investigation.

### **4. Definition of Hospitality**

- 4.1 For the purpose of this policy, 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”.*
- 4.2 Other PBNI documents contain 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 policy for the provision of Hospitality, Gifts and Events is intended to complement the standard subsistence rules rather than replace them.

## **5. Training and Communication Plan**

This document will be communicated to all staff.

## **6. Linkages**

This document is linked to:

- Anti-Fraud and Anti-Bribery Policy
- Disciplinary Policy
- Procurement Policy
- Whistleblowing Policy
- Northern Ireland Civil Service “Guidance on the Acceptance and Provision of Gifts and Hospitality”

## **7. Procedures and Guidance**

Separate Procedures and Guidance documents support this policy:

- Procedures and Guidance on the Provision of Hospitality, Gifts and Events
- Procedures and Guidance on the Acceptance of Hospitality and Gifts

## **8. Monitoring and Evaluation**

The operation of the policy will be monitored through approval mechanisms identified under roles and responsibilities, and will be subject to audit.

Evaluation of the operation of the policy may also be carried out on behalf of the Head of Finance.

## **9. Review**

This Policy will be reviewed 3 years from date of approval to ensure that it is compliant with all relevant legislation, including the Bribery Act 2010 and is generally fit for purpose.

Interim reviews may also be prompted by feedback, challenge or identified best practice.

## **10. Breach of policy provision**

As identified in Section 3.5, breach of the Board’s policy and procedures by employees may merit consideration under the Board’s Disciplinary Policy.

## **Nolan Principles, The Seven Principles of Public Life**

- **Selflessness** – Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- **Integrity** – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- **Objectivity** – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability** – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness** – Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty** – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership** – Holders of public office should promote and support these principles by leadership and example.