



All staff must take great care over offering or accepting offers of gifts, hospitality and entertainment that are in any way linked (currently or prospectively) to the organisations business. This is to avoid anyone being put in a position where there is potential or actual conflict of interest, or which might be construed in that light.

Gifts and hospitality

The guiding principle is that you must not accept gifts, hospitality or other benefits of any kind from a third party, which might be seen to compromise your personal and professional integrity. Corruptly soliciting or receiving any gift or favour is a criminal offence.

Any acceptance of a gift/ hospitality needs to be justified. Think about the context in which the offer has been made, and the effect on your position. For example, is the gift/ hospitality likely, or could it be seen as likely, to influence you? The onus is on you to make sure that the acceptance of a gift/hospitality will not be misconstrued. The following questions should be considered prior to any acceptance.

Genuine: is this offer made for reasons of genuine appreciation for something that I have done, without any encouragement from me?

Independent: if I accept this would a reasonable bystander be confident that I could be independent in doing my job?

Free: could I always feel free of any obligation to do something in return for the donor?

Transparent: would I be comfortable if the gift was transparent to the organisation, its service users and the public?

Resources may not normally be used to make personal gifts to business contacts. However, if in exceptional circumstances it is proposed to make a gift, your line manager should approve any proposal in advance. It should be made clear that there is no element of inducement involved, and that the gift should not be reciprocated.

What should I do if I receive a gift from a client/service user?

Should a service user or client wish to express gratitude through tokens of goodwill, you should ensure the organisation's processes are followed.

Where practicable, you should consult your line manager in advance and a decision to accept is recorded as it not being given to induce improper behaviour or performance. Permission should also be obtained in advance of offering gifts, again recording that such is not intended to induce improper behaviour or performance.

All gifts and hospitality offered included those that are accepted and refused should be declared and recorded as per the organisation's policy.

Cash payments should not be accepted and politely refused. However if declining the payment causes offence and/or the money is left despite refusal to accept the payment, you must report receipt of the gift to your line manager or Director immediately.



Declaration of interests

All members of staff (including contractors and temporary staff) are required to declare any personal interests.

Declaring personal interests will help protect you and the organisation against any accusation of compromise, provided you have made a full disclosure and followed the advice given. Personal interests may come about through:

- financial interests – for example, where someone involved has significant shareholdings or voting rights in a company or partnership;
- decisions affecting individuals who share the interests of organisation staff – for example, family members or members of societies, clubs or other organisations;
- acceptance of hospitality from current or prospective business contacts; and
- acceptance of gifts.

What is a conflict of interest?

A conflict of interest occurs when a member of staff or an organisation has an interest in another organisation or person, which could possibly corrupt or influence the motivation in an act connected to the organisation.

Conflicts of interest can be closely linked to offences of bribery. The Bribery Act 2010 requires the organisation to put in place appropriate procedures to prevent an 'associated person' from committing one of the following offences:

- offering, promising or giving a bribe;
- requesting, agreeing to receive or accept a bribe;
- bribing a foreign public official;
- failure of a relevant commercial organisation to prevent bribery (the 'corporate offence').

Under the Act a person is associated with the organisation if he performs services on its behalf.

Where any potential for conflict of interest arises, you should inform your line manager in accordance with the organisation's policy.

For further information on gifts and hospitality / declarations of interest contact your Local Counter Fraud Specialist (LCFS).

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